

CSU Fresno
Dept. of Criminology
Newsletter LVIII

January 2012



Since January 2007

Active or Retired Government Employees

Are you interested in a real degree from the California State University?

If you have already completed or a close to completing two years of college, you can obtain your B.S. degree in Criminology issued by **California State University-Fresno** in the downtown (off campus) degree program. There you will attend classes with other professionals at the Fresno County Sheriff's Office HQ. Class meeting times/dates are flexible, and some of the instruction is on line. Additional optional meeting dates are scheduled for students unable to attend specific on specific dates due to their duty assignment.

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New classes begin in April. Contact Dr. Schweizer haralds@csufresno.edu via email for additional details and review the information at:

<http://zimmer.csufresno.edu/~haralds/downtowndegreeoverview.htm>



VIOLENCE IN THE COURTS

While media reports of courtroom violence can skew perceptions of its prevalence, available reports do suggest an increase in such violence, resulting in greater demand for increased security efforts.

Courthouse security is of concern not only in the United States, but also in countries around the world. Research regarding the extent of the problem here in the U.S., just

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THE PROBLEM WITH NUMBERS...

as in many other countries, is hampered by the absence of reliable statistics. Here in the United States, the Uniform Crime Report (UCR) reporting requirements do not, for example provide for location specific details such as when an assault or murder occurred in a courthouse instead of in other non-governmental locations. While the UCR lists "circumstances" involved in homicides/murders, the only location specific information is for "institutional killings" which refers to jails/prisons.

<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/tables/10shrtbl10.xls>

The number of incidents in courthouses, while apparently on the increase, is therefore not clear and typically based on news reports and similar sources which do not cover all of the state and local courthouses. Also, state courts are different from one another, whereas federal courts are more uniform in nature. Available information suggests that when homicides and assaults in varying severity occur in courts, the situation typically involves divorces, custody battles, and similar disputes.

A Research report published by the Bureau of Justice Assistance of the U.S. Department of Justice (2006) about risk management in American courts provided the following figures for incidents of violence at American state/local courts over the (then) preceding 35 years:

8 judges were killed
13 judges were assaulted
3 Prosecutors were killed

4 Prosecutors were assaulted
5 Police Officers (at least) were killed
27 Police Officers were assaulted
42 Court participants were killed
53 Court participants were assaulted
It must be added that these were estimates and in the absence of official statistics these numbers simply reflect what the researcher was able to ascertain.

U.S. Department of Justice, OJP
Bureau of Justice Assistance
Protecting Judicial Officials Implementing an Effective Threat Management Process
<https://www.ncjrs.gov/pdffiles1/bja/213930.pdf>

It is clear, however, that violence in the federal courts is much lower, though this can clearly be an artifact of a lower number of courts in the federal system and because most courthouse violence is related to custody, divorce and other marital disputes, which are typically heard in state/local courts.

Before 1979 only one federal judge was murdered, but since 2006 three judges were killed by their assailant.

NUMBER AND TYPES OF COURTS

Given the nature and varying jurisdictions of state and local courts, it is not clear how many courts we have. Some estimates indicate at least 1,000 state courts of various types, but there is no exact number. Particularly the number of local courts of limited jurisdiction can change frequently, with the creation of new municipalities or the merging of others. Most trials in the United States are held in state and local courts.

Read more at: [court system in the United States: State Court Systems — Infoplease.com](http://www.infoplease.com/ce6/history/A0857620.html#ixzz1m700F016)
<http://www.infoplease.com/ce6/history/A0857620.html#ixzz1m700F016>

Added to this mix is the reality that no two (state and local) courts are alike, and these differences are also reflected in the approach to court security. Particularly courts of limited jurisdiction, which in some states may be called justice of the peace, Magistrate, county, or municipal courts, are dependent on local government tax revenue along with any fees they are able to collect in order to cover the costs of managing and securing the court.

For these reasons, court security measures are limited and even non-existing in some smaller jurisdictions, including in neighboring Canada. When there is some type of security it can include one or more of the following:

1. Use of security personnel.
2. Surveillance of and screening of all persons entering the facility. This can be via metal detectors and/or physical pat-downs.
3. Creation of an additional „secured area“ inside the building with restricted access. (Employees at some courts have complained that once someone was in the building, unauthorized persons would have access to all of the offices, which represents a clear security risk).
4. In some courts, judges regularly carry a firearm under their robe or behind the bench.

In the United States, Court Security is generally performed by one of the following:

- Sworn bailiffs
- Sworn bailiff and warrant officers
- Court Security Officers
- Court Officers
- Court Constables
- Deputy Sheriffs (under contract from Sheriff’s Dept.)
- Private security officers contracted by the court or jurisdiction.

The list of possible titles or names for the these positions is as varied as your imagination.

Pay for bailiffs employed by the court itself can range from \$32.000 per year in the municipal court of Shiner, TX to \$55.000 per year in St. Louis, MO. Constables in Utah are considered “special function” law enforcement officers, but are state certified just as police officers in the state.

<http://courtconstables.com/>



While the extent of court security is up to local jurisdictions, some states publish guidelines and/or checklists to assist courts in the implementation of proper security measures.

Some of these documents are accessible on line:

Minnesota

<http://www.9-11summit.org/materials9-11/911/acrobat/27/P3&C10EmergencyPreparednessPlans/MinnesotaCtSecurityManual.pdf>

COURT SECURITY...

Michigan

http://www.courts.michigan.gov/scao/resources/publications/manuals/security/cs_Audit-Checklist.pdf

There is also a „National Center for State Courts“ with additional information, articles, and advice in the area of court security.

<http://www.ncsc.org/Topics/Courthouse-Facilities/Court-Security/Resource-Guide.aspx>

In California counties where court security is contracted with the sheriff's department, such deputies generally also serve as bailiffs. Prior to the year 2000, superior courts in California employed „marshals“ and „deputy marshals“ to provide security and bailiff services.



The Orange County Marshal's department was the last agency of its kind in California and was merged with the Orange County Sheriff's Office in the year 2000.

<http://www.oc.ca.gov/marshal/history/index.html>

The official duties of the marshal's department were as follows:

- Bailiffing for the Superior Courts
- Staffing of courthouse holding facilities
- Courthouse security
- Transportation of mental health conservatees for hearings

- Enforcement of all arrest warrants
- Service and enforcement of all civil process
- General administration of State, Federal and County mandated programs

<http://www.oc.ca.gov/marshal/history/history5.html>

Probably the most well known Orange County Marshal was Michael Corona, who was appointed in 1988 and served until his election as county sheriff in 1998. He used to be called „America's Sheriff“ until just before his conviction for witness tampering in 2009.

In January 2011, after losing his appeals, he reported to federal prison to serve a 5 ½ year sentence.

PRIVATE SECURITY FOR THE COURTS

Contracting with local sheriff's departments or having sworn peace officers to provide court security, can be costly and even prohibitive for some jurisdictions. For this reason, some courts contract with private security companies to screen persons entering the courthouse.

This is also the case with the U.S. Marshal's Service. While the USMS is responsible for the security of federal courts, including the protection of judges and witnesses, courthouse security has been outsourced to 5 private companies which recruit, screen, hire and pay Court Security Officers (CSOs) for the federal courts. The requirements for such a position are at least three years of prior full service law enforcement experience and graduation from any police academy. Once hired, they are not federal employees and are not eligible for federal employee benefits.

SECURITY IN THE FEDERAL COURTS...

Currently there are about 2140 such court security officers working for 5 security companies:

Walden Security, AKAL SECURITY Inc., Ares Group, Inter-Con Security Systems, Inc., und MVM, Inc.

<http://www.uscso.org/>

Interested newsletter readers can inform themselves in detail about our federal courts and even take a quiz to test their knowledge at:

<http://www.uscourts.gov/EducationalResources/FederalCourtBasics/CourtStructure/UnderstandingFederalAndStateCourts.aspx>



COURTS IN LATIN AMERICA

Courts in Latin America experience similar problems, and it is particularly interesting that some also use private security to satisfy their security needs.



Chile

In Santiago de Chile, private security screens persons entering the the court complex, but the internal security, i.e. within court rooms and the protection of persons in the court are the responsibility of the police. Currently judges are dismayed at the level of disrespect shown by defendants. Judges, prosecutors, attorneys and victims have been assaulted in the courts, and defendants insult the judges with impunity.

Police personnel in the courtrooms is limited and not adequate to address these problems. The judges do not have body guards and the prosecutors are dismayed at the lack of protection for persons in the court. Judges and prosecutors also receive murder threats and there is a lack of procedures and mechanisms to address this problem.

The „Ministerio Público“ is asking that responsibility for building security be transferred to the government instead of using private security firms.

Agresiones a abogados y víctimas en tribunales Stgo.

<http://www.thonygenao.com/?p=9165>

Interestingly enough, there are no accurate statistics about incidents of violence in the courts of Chile.



Dominican Republic

The Attorney General is concerned about the lack of protection for defendants, prosecutors, judges and other trial participants. Existing security is insufficient and he is asking for an increase in court security personnel.

Aumentarán seguridad en los tribunales de la República

<http://soydominicano.net/leaks/articulo/instituciones/suprema-corte-de-justicia/diariolibre/6227.html>

COURTS IN LATIN AMERICA...



Argentina

Judges lament the lack of adequate security in the courts and problems with prisoners who need to be transported to the court for a hearing or trial. One judge was puzzled why two hours after the hearing was supposed to start, the defendant had still not been brought from the jail to the court. The judge then checked on the officers responsible for bringing the prisoner to the court and found the responsible transport officers eating pizza.

This is particularly difficult to understand, since they were eating pizza and not drinking beer.

Equally disturbing, just like in Chile, are the death threats against judges and their families by inmates/defendants.

Alarma por seguridad en los tribunales

<http://www.diariohoy.net/accion-verNota-id-142818>



Paraguay

The autonomous marxist/terrorist group Ejercito del Pueblo Paraguayo (EPP) regularly threatens the government and in 2010 planned to kidnap a senior judge. This

resulted in a significant increase in the police presence in the country's Supreme Court building

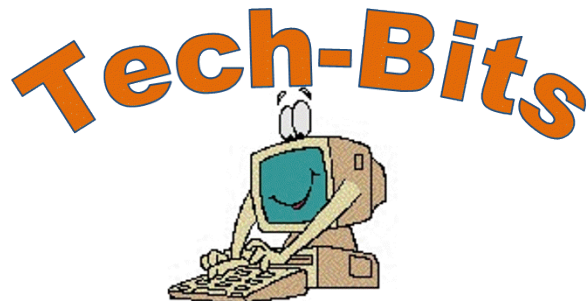
Refuerzan la seguridad en el Palacio de Justicia

<http://www.paraquay.com/nacionales/refuerzan-la-seguridad-en-el-palacio-de-justicia-31217>

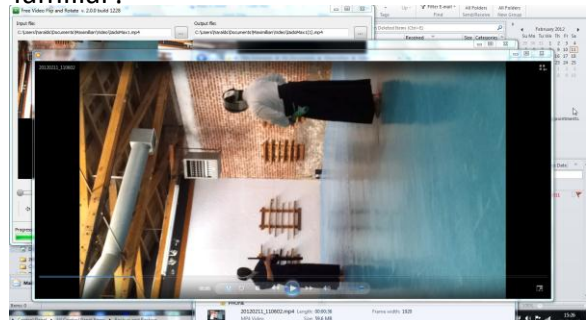
While the EPP is clearly a terrorist organization, they have become like everyone else: They are on Facebook



<http://www.facebook.com/people/Ejercito-Del-Pueblo-Paraguayo/100000120929411>



Did you ever take a video with your cell phone or digital camera and had to watch it sideways on your computer or TV? Does the screen shot of the video display below look familiar?



If this is what happened to you, then you

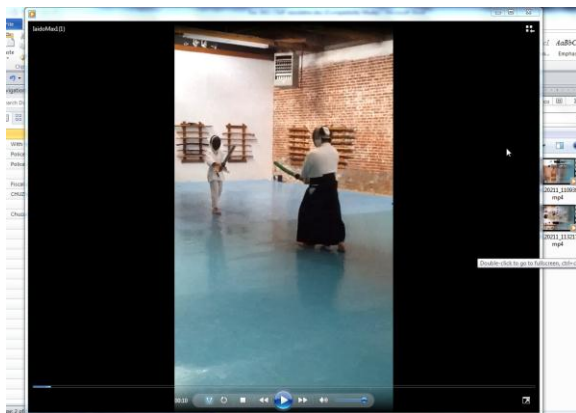
TECH BITS...

can fix the problem with FREE computer software:



<http://www.dvdvideosoftware.com/products/dvd/Free-Video-Flip-and-Rotate.htm>

The program works as you can see from the screen shot below:



CRIMINOLOGY DEPT NEWS

Dr. Ruth Masters is Retiring

After a distinguished career in academe and many years as the chair of the department of criminology, Dr. Ruth Masters is retiring, though she will come back in fall 2012 as a FERPER (Faculty Early Retirement Program) which allows faculty to work on a half time basis while also collecting their retirement pay.

INTERESTING PHOTOS



A uniformed "police officer" of the Nevada Taxi Cab Authority writing a cab driver a ticket.



Creative begging in Las Vegas