

FOR IMMEDIATE RELEASE

JUDICIAL BRANCH SUBMITS REQUEST FOR SECURITY FUNDING

The Judicial Branch submitted its request today for FY 2014 funding for the implementation of the court security priority recommendations. The recommendations were compiled as a result of a thorough review of security measures in place at the New Castle County Courthouse (NCCCH), as well as all Delaware courthouses statewide, following the NCCCH February 11, 2013 incident. While the detail of the recommendations is confidential due to security concerns, Chief Justice Myron T. Steele's remarks regarding the security budget request are attached, and are being released to provide information on the key security areas identified in the recommendations. The priority recommendations were developed by the Judicial Branch in consultation with security experts, including the U.S. Marshal Service, the Department of Safety and Homeland Security, and others, in reviewing security structures, resources, and processes at all Delaware courthouses, to ensure that the best possible security measures are in place and to formulate recommendations on security enhancements moving forward.

FOR FURTHER INFORMATION, PLEASE CONTACT

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REMARKS ON COURT SECURITY PRIORITIES
CHIEF JUSTICE MYRON T. STEELE
April 16, 2013

Security has been a priority concern of the judicial branch for decades. Courts have long recognized the difficult job of providing a safe environment for all who enter our courthouses, while maintaining an open forum and ensuring access to justice for all. The Court Security Task Force Report, in April 2001, developed a security "blueprint" to address court security.

Since the beginning of my term as Chief Justice, the Judicial Branch's budget submissions have included requests for funding to enhance court security measures, and we have worked closely with the U.S. Marshal in Delaware, the other branches of government, and others, on an on-going basis, to review and improve security in all of the Delaware courthouses. For example, the Judicial Branch's Court Security Initiative, dated October 14, 2005, built on the work of the 2001 Court Security Task Force by detailing the need for additional security positions, both within the court structure and in Capitol Police, structural enhancements and court security equipment.

We are grateful that the Governor and the Legislature recognized the importance of security in ensuring the safety of those who work in, and visit, our courts, and provided additional resources at various points over the years. A court security initiative, supported by all three branches of government in 2007, established the Court Security Assessment Fund, which is funded by a supplemental court security assessment on court filings. The Court Security Assessment Fund has proven an invaluable resource to support court security initiatives implemented since FY 2009. Monies from that Fund have enabled the Courts to address a myriad of court security needs, including on-going access to court security officers providing expanded court coverage in the Justice of the Peace Court (although not full-time positions), training and equipment for court security officers, surveillance equipment, panic alarms, and other physical security measures, including security improvements to the New Castle County Courthouse (NCCCH) loading dock. As a result of the Delaware Judiciary's

long-standing focus on court security, progress has been made with court security over the years. Despite those efforts, however, continued resource constraints have impacted the courts' ability to fully implement security improvements, forcing us to make intractable choices among critical needs.

The recent tragic events in the New Castle County Courthouse of February 11, 2013 have affected all of us in Delaware personally, and those of us in the courts most acutely. We can no longer delude ourselves that deferring necessary court security measures, because of cost, does not have a serious impact. The events of that day have indelibly etched the immediate importance of court security in our psyches. In the wake of the recent violence, the Judicial Branch has been faced with many questions regarding the safety and security of our Delaware Courts, both for the public that access our justice system and the employees who work within it to provide access to justice for all.

In my remarks to the employees of the New Castle County Courthouse on February 13, 2013, I called for a thorough review of security measures in place at the NCCCH, as well as all Delaware courthouses statewide, following the NCCCH February 11th incident. I also asked NCCCH employees to submit their concerns and recommendations about courthouse security, so that their input could be considered as a part of the evaluation process. We received over 110 employee responses, which focused on key security areas, such as the need for additional security manpower, communication and training on safety protocol and emergency procedures, concerns about the NCCCH lobby congestion during peak times, as well as other security enhancements.

In the two months since the incident, the Judicial Branch has worked with security experts, including the U.S. Marshal Service, the Department of Safety and Homeland Security, and others, in reviewing security structures, resources, and processes at all Delaware courthouses, to ensure that the best possible security measures are in place and to formulate recommendations on security enhancements moving forward. We sought the additional guidance of the U.S. Marshal Service in updating its previous reviews of the NCCCH, and in assisting us in completing updated security reviews of the other courthouses. We have relied upon the

recommendations from the Department of Safety and Homeland Security, the U.S. Marshal, court security personnel, employee suggestions, Best Practices for Court Security (National Center for State Courts), and other resources, to develop the court security priority recommendations which we are submitting today.

Although the February 11th incident served as the catalyst for our most recent security review process, our focus was broad in scope – to ascertain and address as many potential courthouse security concerns as possible. The security priority recommendations emanating from that review focus on the following:

- Additional security staffing is the first priority, given long-standing inadequacies in court security staffing, including for the Capitol Police, and the Justice of the Peace Court.
- Improvements to the configuration of the NCCCH lobby geared towards controlling the traffic flow and enhancing security surveillance capacities. That plan does not include the movement of the security screening stations closer to the building entrance doors. None of the security experts who evaluated the NCCCH have recommended that change now or ever.
- Review and enhancement of security-related court policies and procedures, and organizational structures, to address each courthouse's security needs and to promote statewide consistency.
- Installation of additional cameras, intrusion devices, and ballistic security barriers statewide to expand surveillance capacity and augment the ability to access forensic records of security threats.
- Structural improvements to further enhance security related to courthouses statewide.
- Additional security equipment at the Justice of the Peace Court facilities, and

- Enhancements to security training for courthouse employees and for security officers.

A number of security initiatives are already in process, such as the review of court security policy and procedures, employee training for safety and emergency procedures, and emergency employee notification enhancements. Examples include the creation and distribution of the NCCCH Safety and Emergency Procedures booklet, and work on a similar booklet for personnel in other courthouses, and development of computer-based training highlighting those procedures. Work is underway on smaller critical security projects, including the installation of additional ballistics materials at key locations.

The funding necessary to address the recommended security priorities will be considerable. "Rough" cost estimates for these measures total around \$3.5 million. Given tragic recent events, it was important to make sure that all priority court security items are identified and under consideration. Moving forward, we anticipate looking to all possible funding sources to help us accomplish necessary security changes to our courthouses. Those sources will include Minor Capital Improvement and/or General Fund funding, and the Judiciary's existing security funding, to the extent that there is available funding to be used for one-time expenditures (and not needed to enhance, or a reserve for, the Justice of the Peace Court's security personnel program). By necessity, the large bulk of those items will need to be funded from General, Capital or Minor Capital Improvement funding.

"There is no security on this earth, there is only opportunity."

General Douglas MacArthur

The tragic events which occurred on February 11, 2013 at the New Castle County Courthouse have changed our view of courts and security permanently. We have been forced to face the reality that security is never guaranteed. In today's world, violence can occur anywhere – whether at a courthouse or on the street. We can, however, use the heartbreaking acts of violence that occurred on February 11th as a catalyst to enhance security at our courts. On February 11th, we were fortunate that the quick and heroic actions of the Capitol Police officers on duty at

the time prevented a breach of the security perimeter at the courthouse, saving many additional lives and keeping a very tragic event from becoming catastrophic. As we move forward, our focus must be on taking the actions necessary to protect those who work in, and access, our courts, which, in turn, serve to safeguard the rights of our citizens.

Honorable Myron T. Steele
Chief Justice