

JAG COMNAVLEGSVCCCOMINST 5530.2C NAVY COURTHOUSE SECURITY PROCEDURES

NCR LN TRAINING STAND-DOWN

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OBJECTIVES

- Understand Courthouse Security Authorities and responsibilities
- Understand Court House Tiers and Risk Levels
- Complete a Risk Assessment Form

REFERENCES

- JAG/COMNAVLEGSVCCCOMINST 5530.2
- (a) The Judicial Conference of the United States, U.S. Courts Design Guide, 2007 edition
- (b) OPNAVINST 5530.14 (series)
- (c) OPNAVINST 1640.9 (series)

DCOM-RLSO

- Exercise oversight of the Navy's Courthouse security program and coordinate with the Chief Judge of the Department of the Navy (CJDON);
- Consult with CNIC as necessary to implement this instruction;
- Act in the absence of CNLSC on matters pertaining to courthouse security, unless specifically prohibited by this instruction;
- Conduct courthouse security assessments;
- Coordinate with the respective RLSO and DSO CO to define courthouse and courtroom spaces to be certified;

DCOM-RLSO (Cont'd.)

- Provide written courthouse security assessment recommending courthouses and courtrooms for annual certification to CNLSC, cognizant Circuit Military Judge (CCMJ) and the respective RLSO/DSO CO's;
- Coordinate with CNIC N3AT to develop and maintain a Courthouse Security Officer (CHSO) course of instruction;
- Coordinate with CNIC N3AT to develop and maintain a Courthouse Security PQS;
- Coordinate with CNIC N3AT to develop and maintain uniform procedures and equipment standards;
- Coordinate with CNIC N3AT to identify items that are prohibited;

DCOM-RLSO (Cont'd.)

- Maintain a record of courthouse and courtroom certifications;
- Consult with CNIC N3AT and NCIS Threat Management Unit (TMU) when notified of inappropriate communications or threats against NLSC or judiciary personnel.
- Consult with CNIC N3AT as necessary to properly implement this instruction and assist NCIS as necessary in promulgating additional guidance concerning the disposition of firearms in Navy Courthouses.

DCOM-DSO/CJDON:

- DCOM-DSO:
 - Coordinate with CJDON and DCOM-RLSO to implement additional policy and guidance and
 - Review security mitigation measures for military justice proceedings in non-NLSC courtrooms involving DSO personnel only;
- CJDON:
 - Coordinate with DCOM-RLSO and DCOM-DSO as necessary to implement additional policy and guidance and
 - Consult and coordinate with CNIC as necessary to implement this instruction.

RLSO CO:

- Serve as the officer primarily responsible for security of properly certified NLSC courthouses and courtrooms;
- Develop SOP's to implement a courthouse security program;
- Designate a CHSO **IN WRITING**, notify the CCMJ and local judiciary (LJ);
- Assign an Assistant CHSO (ACHSO) for courtrooms within the AOR, notify the CCMJ and LJ;
- Designate a CRSO for **Medium/High** risk military justice proceedings (Coordinate as necessary with NCIS SAC, local region security officer (RSO) or installation security officer (ISO), and law enforcement officers **DIRECTLY INVOLVED IN THE PROCEEDING** and develop a security plan;

RLSO CO (Cont'd.)

- When a CRSO is present for **Medium/High** risk proceedings, arrange for a face-to-face meeting between the CRSO and **ALL** law enforcement officer **NOT** associated with the proceeding who enter a courthouse in order to coordinate pre-planned responses (PPR) and expected level of mutual support;
- Recommend tiering of courtrooms to CNLSC;
- Submit security mitigation measures to CNLSC;
- Ensure risk assessment is conducted **prior to and military justice proceeding**;

RLSO CO (Cont'd.)

- Inform Deputy Director Code 63 and local NCIS TMU when any NLSC or judiciary personnel receives an inappropriate communication or threat **as a result of the personnel's official duties** and
- Coordinate with the CCMJ or LJ, DSO CO, NCIS SAC, and RSO or ISO to implement this program.

CHSO

CHSO:

- Serve as the officer primarily responsible for overseeing the daily implementation of this instruction;
- Maintain records of training and PQS for courthouse security personnel;
- Maintain records of security system operability checks and inspections;
- Forward courthouse security reports as required and
- Coordinate with the CCMJ or LJ, DSO CO, and RSO or ISO as appropriate to implement this program.

ACHSO/CRSO/Assigned Counsel

ACHSO:

- Ensure courtroom security measures are implemented;
- Assist the CHSO in the daily implementation of the program and
- Coordinate with CCMJ or LJ, DSO CO, and RSO or ISO as appropriate to implement this program.

CRSO:

- Present during **Medium/High** risk proceedings, for low risk proceedings, Serve as the officer primarily responsible for courtroom security to deter, detect and defeat threats against (a) the presiding military judge or (b) other personnel in the courtroom.

Assigned Trial/Government Counsel:

- Assist RLSO CO in ensuring a risk assessment is conducted **prior to any military justice proceeding**.

DSO CO

DSO CO:

- Provide support consistent with this instruction upon request from the cognizant RLSO CO or when directed by CNLSC and
- Implement security procedures for defense spaces, permanent courtrooms in facilities operated by DSO personnel or other facilities as directed by CNLSC.
- Circuit Military Judge:
- Coordinate with RLSO/DSO CO's as necessary.

TIERING

Tiering:

- Tiers will be based on the volume of activity at each courthouse and the security capabilities of the facility.

Tier 1:

- Any military justice proceeding, regardless of risk assessment, can be convened within a Tier 1 courthouse.
- Tier 1 courthouses shall be the preferred facility for military justice proceedings assessed as **High** risk.

(1) Courthouse Access:

A. Designated entry control points (ECP) shall be used for entering a courthouse.

1. Public ECP shall be designated as the main point of entry;

TIER 1

- All personnel entering with the exception of identified law enforcement shall be screened and shall be staffed by a minimum of two personnel appropriately trained with no other assigned tasks while manning.
- Restricted ECP assigned RLSO, DSO and TRIJUDACT staff may use designated controlled (cipher locks, swipe cards, etc.) restricted ECPs.
- Visitor badges shall be issued to all visiting personnel who present **proper government photo ID**. A visitor's log shall be maintained at the ECP.
- The public ECP should be positioned at the main entrance of the building and allow for smooth flow of foot traffic through the metal detection area and should not have a direct line of sight into courtrooms, witness waiting rooms, or trial/defense counsel offices.

TIER 1 (cont'd.)

- Placards shall be prominently displayed at the entry control point notifying all personnel that they are subject to search at all times.
- Courthouse Metal Detection Devices:
 - Properly calibrated walk-through metal detectors, and as necessary, properly tested hand-held metal detectors shall be installed at the public ECP.
 - All personnel entering with the exception of identified law enforcement shall be screened.
- Duress Alarms:
 - Duress alarms capable of notifying base security shall be installed at the ECP, the judge's' bench and the judges' chambers.
 - Duress alarms shall provide visual alert to personnel within the courthouse facility and be supplemented with an audio system capable of alerting personnel within the courthouse to the nature of the alarm.

TIER 1 (cont'd.)

- Duress alarms should directly alert law enforcement.
- All duress alarms and audio systems should be tested at least weekly to ensure connectivity with base security.
- Surveillance Systems:
 - Video surveillance system linked to a centralized monitoring area shall be utilized to monitor internal and external courthouse facility spaces.
 - Placards shall be prominently displayed at the entry control point notifying all personnel that the area is under video monitoring surveillance.
- Firearm Safes:
 - Courthouses shall possess lockable firearm safes within RLSO spaces to facilitate weapon storage as necessary.

TIER 1 (cont'd.)

- Access Controls:
 - Access control systems, activated by biometric readers, cipher locks, swipe cards, proximity cards, or deadbolts, shall be installed within the courthouse to limit access to sensitive areas such as judicial chambers, trial/defense counsel spaces, and other locations as appropriate.
- Daily Inspections:
 - The CHSO will be responsible for ensuring daily security inspections prior to opening the courthouse for visitors.
 - Security inspections of DSO and LJ spaces may be conducted.

TIER 2

- Tier 2:
 - Military justice proceedings assessed up to Medium risk can be convened within Tier 2 without prior approval from CNLSC.
 - Use of Tier 2 courthouses for proceedings assessed as High risk may only be approved by CNLSC.
- Courthouse Access:
 - Designated ECP shall be used for entering a courthouse.
 - Military Judges will have separate access from chambers directly to the bench.
 - The public ECP should be positioned at the main entrance of the building and allow for smooth flow of foot traffic through the metal detection area and should not have a direct line of sight into courtrooms, witness waiting rooms, or trial/defense counsel offices.

TIER 2 (Cont'd.)

- Courthouse Metal Detection Devices:
 - Properly calibrated walk-through metal detectors, and as necessary, properly tested hand-held metal detectors shall be installed at the public ECP.
 - All personnel entering with the exception of identified law enforcement shall be screened.

- Duress Alarms:
 - Duress alarms capable of notifying base security shall be installed at the ECP, the judge's' bench and the judges' chambers.
 - Duress alarms shall provide visual alert to personnel within the courthouse facility and be supplemented with an audio system capable of alerting personnel within the courthouse to the nature of the alarm.
 - Duress alarms should directly alert law enforcement.
 - All duress alarms and audio systems should be tested at least **Monthly** to ensure connectivity with base security.

TIER 2 (Cont'd.)

- Surveillance Systems:
 - Video surveillance system linked to a centralized monitoring area shall be utilized to monitor internal and external courthouse facility spaces.
 - Placards shall be prominently displayed at the ECP notifying all personnel that the area is under video monitoring surveillance.

- Access Controls:
 - Access control systems, activated by biometric readers, cipher locks, swipe cards, proximity cards, or deadbolts, shall be installed within the courthouse to limit access to sensitive areas such as judicial chambers, trial/defense counsel spaces, and other locations as appropriate.

TIER 2 (Cont'd.)

- Placards:
Placards shall be prominently displayed at the ECP notifying all personnel that they are subject to search at all times.
- Daily Inspections:
 - Courtroom security inspections are only required on those days when military justice proceedings are scheduled. The CHSO will be responsible for ensuring daily security inspections prior to opening the courthouse for visitors.
 - The courtroom and designated surrounding areas shall be inspected prior to opening the courthouse for visitors.

TIER 3

- Tier 3:
 - Only military justice proceedings assessed as low risk may be convened within a Tier 3 courthouse.
- Courthouse Access:
 - Designated ECP shall be used for entering a courthouse.
 - The public ECP should be positioned at the main entrance of the building and allow for smooth flow of foot traffic through the metal detection area and should not have a direct line of sight into courtrooms, witness waiting rooms, or trial/defense counsel offices.
- Metal Detection Devices:
 - Hand-held metal detectors may be used in place of walk-through metal detectors to screen all personnel.

TIER 3 (Cont'd.)

- Duress Alarms:
 - Duress alarms capable of directly or indirectly notifying base security shall be installed at the judge's bench.
 - Additional alarms may be installed at the ECP and in the judge's' chambers.
 - Duress alarms shall provide visual alert to personnel within the courthouse facility and be supplemented with an audio system capable of alerting personnel within the courthouse to the nature of the alarm.
 - Duress alarms should be tested at least quarterly to ensure connectivity with base security.
- Placards:
 - Placards shall be prominently displayed at the ECP notifying all personnel that they are subject to search at all times.

TIER 3 (Cont'd.)

- Inspections:
 - Courtroom area security sweeps are only required on those days when military justice proceedings are scheduled. The CHSO will be responsible for ensuring daily security inspections prior to opening the courthouse for visitors.
 - The courtroom and designated surrounding areas shall be inspected prior to opening the courthouse for visitors.

TEMPORARY COURTHOUSES

- Temporary Courthouse:
 - During facility upgrades and renovations to a RLSO courthouse or courtroom, the courthouse or courtroom shall be designated as a temporary courtroom by CNLSC.
 - (1) **The designation shall indicate the appropriate risk level for which the courtroom is assessed based on the recommendation of Deputy Director Code 63 after consultation with CNIC N3AT.**
 - (2) **Must be approved by CNLSC before convening a proceeding with a higher risk assessment than what the courtroom is certified to convene.**
- Temporary courtrooms expected to be used longer than six months, Deputy Director Code 63, in accordance with CNIC N3AT, should conduct a certification visit.

NON-NLSC COURTROOMS

- Non-NLSC Courtrooms:
 - RLSO CO shall ensure a risk assessment of the facilities and proceedings is completed and if the proceeding involves only DSO personnel, the DSO CO shall ensure completion.
- **High Risk:**
 - Security Plan:
 - (1) RLSO CO shall submit a **written** security plan that identifies potential threats, vulnerabilities, and mitigating efforts to CNLSC via the CJDON and DCOM-RLSO prior to the initial proceeding.
 - (2) RLSO CO shall also submit a **written** security plan when an initial risk assessment of a subsequent proceeding is later reassessed to be **High** risk.

NON-NLSC COURTROOMS (Cont'd.)

- CRSO
 - At least two CRSO capable of deterring, detecting and defeating threats directed towards the presiding military judge and personnel within the courtroom shall be present for all proceedings.
- Secondary Screening
 - See Tier 1 Courtroom Access (slides 15-18).
- Metal Detection Devices
 - See Tier 1 Metal Detection Devices (slides 15-18).

NON-NLSC COURTROOMS (Cont'd.)

Medium Risk:

- Security Plan
 - (1) CHSO shall submit a **written** security plan that identifies potential threats, vulnerabilities, and mitigating efforts to RLSO CO prior to the initial proceeding.
 - (2) CHSO shall also submit a **written** security plan when an initial risk assessment of a subsequent proceeding is later reassessed to be **Medium** risk.
- CRSO
 - (1) At least one CRSO capable of deterring, detecting, and defeating threats directed towards the presiding military judge and personnel within the courtroom shall be present for all proceedings.

RISK ASSESSMENT FORMS

JAG/COMNAVLEGSVCCOMINST 5530.2

JUL 25

MILITARY JUSTICE PROCEEDING RISK ASSESSMENT FORM

U.S. v. _____

Charges: _____

_____Will victim, witness or family members be present during
proceedings? Y/N _____
_____List any known mental, physical or criminal history of the
accused, victim, witnesses, family members or other parties with
a direct or indirect interest in the proceedings.

_____The accused's CO's overall assessment of risk to personnel or
facilities. _____Expected level of media/community impact or interest?
_____Any other facts or circumstances known to the RLSO CO that would
assist in assessing the relative risk associated with the
military justice proceeding. _____

RLSO CO's recommended risk assessment:

	High	Medium	Low
Approved by:	_____	_____	RLSO CO
Reviewed by:	_____	_____	TC
	_____	_____	DC
	_____	_____	MJ
	_____	_____	Convening Authority
	_____	_____	NCIS SAC
	_____	_____	CSO

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Enclosure (1)

JAG/COMNAVLEGSVCCOMINST 5530.2

JUL 25

MILITARY JUSTICE PROCEEDING RISK ASSESSMENT FORM

U.S. v. _____

Risk Assessment:

High	Medium	Low
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Personal Information	Interested Parties
Accused Name _____	Victim(s) _____
Rank _____	Family Members _____
Yrs Svc _____	Command _____
Charges _____	Media _____
If known:	
Criminal history _____	If known:
Mental history _____	Criminal history _____
	Mental history _____

Commanding Officer of Accused overall assessment:

_____Additional matters for consideration:

Initial Risk Assessment

Approved by: _____	RLSO CO
Reviewed by: _____	TC
_____	DC
_____	MJ
_____	Convening Authority
_____	NCIS SAC (Medium/High risk only)
_____	CSO (Medium/High risk only)

Reassessment (if needed)

Requested by: _____	RLSO CO
Approved by: _____	TC
Reviewed by: _____	DC
_____	MJ
_____	Convening Authority
_____	NCIS SAC (Medium/High risk only)
_____	CSO (Medium/High risk only)

Enclosure (1)

Thank you/Questions??