

**Key Performance Measures in the BC Sheriff Service**

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## **Abstract**

This paper provides a mixed-method analysis of existing performance indicators in the provision of court security across Canada. In addition, it will provide recommendations on the development and implementation of performance metrics to the British Columbia Sheriff Service (BCSS) in the provision of court security.

BCSS is charged under provincial statute and regulation to provide security to all levels of the provincial justice system, including BC Court of Appeal, Supreme Court, and Provincial Court. This includes provision of security for all types of trials held in a wide variety of facilities in various locations across the province.

The BCSS has several key performance indicators in place that are used by the organization to measure effectiveness in various business areas including; financial, human resource, and vehicle utilization. There is not, however, established performance metrics currently used to monitor or report on the operational effectiveness in the provision of security services, a core area of business for BCSS.

Research was conducted using the University of Northern British Columbia (UNBC) on-line library and databases. A review of existing literature was conducted to identify and establish trends in developing implementing and reporting on key performance indicators in the provision of court security services. In addition, interviews were conducted with the provincial and territorial agencies responsible for the provision of court security

across Canada. Both qualitative and quantitative questions were posed to the participants in the survey. Finally, targeted research was conducted utilizing the internet to research government agencies charged with oversight and/or national associations related to the provision of court services and/or court security services.

The literature review, focussed internet-based research and research survey interviews found that the provision of security is primarily made up of a fragmented approach across jurisdictions with a diverse maturity level of security systems in courts. Specific performance indicators were present in a privately contracted company in Australia that has specific application to Canadian and US security programs. The quantitative analysis of survey data from across Canada shows similar strategies, challenges and opportunities exist in both the provision of security and the measurement of security performance across organizations.

Governments are charged with allocating public funds to various programs across their jurisdiction. Key to the appropriate allocation of public funds is the ability to clearly articulate the needs of various organizations in the provision of the specific program. One of the key mechanisms used to assist in articulating needs is the measurement of organizational performance against stated roles, responsibilities, goals and/or objectives. The absence of performance measures and indicators for a core area of business of the BCSS results in difficulties in articulating resource and financial needs to decision makers within the Ministry of Attorney General and Department of Finance. By establishing, implementing, monitoring and reporting on operational performance

indicators surrounding court security, the BCSS will be able to articulate the current and future organizational performance levels and needs.

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## Introduction

A crucial component to every justice system within Canada is the provision of security services in and around the courtroom and court facility. Each province and territory has a public agency responsible for the provision of security services to the judicial system. The provincial agencies are responsible for security through statute or legislation. In most provinces and territories, the responsibility lies solely with the sheriff service or department. In British Columbia (BC), the responsibility of court security is the responsibility of the British Columbia Sheriff Service (BCSS).

Security is defined as:

“the quality or state of being secure: as **a**: freedom from danger : SAFETY **b**: freedom from fear or anxiety...” and as “4 **a**: something that secures : PROTECTION **b** (1): measures taken to guard against espionage or sabotage, crime, attack, or escape (2): an organization or department whose task is security”.<sup>1</sup>

Canadian public agencies responsible for provision of court security must develop a clear understanding and definition of what court security is and what it means to the organization. Further, a detailed understanding of the components of security as it relates to provision of court security is a necessity. The challenge facing court security providers is multi-fold: to utilize fixed financial resources and to apply security measures that

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<sup>1</sup> "security." Merriam-Webster Online Dictionary. 2009. Merriam-Webster Online. <http://www.merriam-webster.com/dictionary/security> (7 April 2009)

protect users of the court systems without infringing on the right of citizens to access justice in a timely manner. Security and safety is the sum of individual decisions, strategies and initiatives made and implemented by organizations to ensure safety of court users.

Any organization charged with provision of security can develop performance measures to report effectiveness on both the components of the security system and the overall effectiveness of a security program. In other words, a common strategy might be to report on the number of seizures of contraband at a magnetometer gate. This measure represents performance of a specific component of security. Overall security performance reports on the effectiveness of the sum of all strategies adopted by an organization.

In BC, court security is provided to over eighty court facilities across the province by Deputy Sheriffs.<sup>2</sup> Provision of security within BCSS involves many components of court security. BCSS has in place risk and threat mitigation strategies such as screening devices, protective intelligence officers, specialized facilities and courtrooms, and various human resource strategies. Further, court security is provided in many communities across BC in diverse types of buildings. Court can be held in purpose-built dedicated courthouses in large metropolitan centers or a local community center in a remote community and everything in-between these two extremes. While staffing practices exist, BC is currently undergoing review for implementing staffing guidelines and

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<sup>2</sup> Mr. Dave Maedel, interview by author, Victoria, BC, 20 March 2009.

standards for courthouses. In addition, BCSS desires performance metrics designed to measure overall court security performance, regardless of location or size of court facility.

BCSS has several performance metrics that are currently utilized including human resource, financial management and fleet utilization. However, performance measures relating to the provision of court security are not currently in place within the organization. Performance measures should be designed to report on the effectiveness of an organization in meeting stated organizational goals. In addition, performance metrics, as a measurement of stated goals and standards, can be used for articulating needs and direction to central funding agencies across Canada.

This project will provide recommendations to the BCSS on the development and implementation of performance standards and measures related to the provision of court security in the Province of British Columbia. The outcomes will be achieved by: conducting a literature review on court security across North America and Australia, conducting focused internet-based research of specific and related organizations providing court services and by conducting a dual qualitative and quantitative survey of executives within a number of provincial Sheriff's agencies. This project will not address benchmarking of recommended performance measures, data collection requirements nor analysis of performance metrics related to court security.



The adoption of performance standards and metrics related to such a core area of business for the BCSS is crucial to the ongoing successful operation of the organization.

Performance measures are used across governments to maintain accountability and assist in making proper and educated business decisions related to resources and funding. In addition, performance measures can assist in developing best practice standards across multiple agencies.

The research question addressed within the context of this project is twofold. The first part of this research questions whether performance standards and measures in justice systems across Canada have been established relating specifically to provision of court security. The second part of this research questions whether any existing performance measures found can be adapted by the BCSS to measure the delivery of court security.

## Literature Review

The literature review for this project was conducted using two methods; a literature search using the University of Northern British Columbia (UNBC) library search engines and focused internet-based research from websites of specific related organizations and associations with relevant publications and information.

The UNBC Library search engines utilized included:

- LexisNexis
- National criminal justice reference service abstracts database
- Criminology : a SAGE full-text collection
- Blackwell Synergy
- Academic Search Premier
- Cambridge Journals

In conducting the literature review, key word searches included “Canadian Court Security”, “Court Security”, “Court Security Performance”, “Court Security Standards”, “Canadian Court Security Standards”, “Court Security Performance Metrics”, “United States Court Security”, “Australian Court Security”, and “Court Security Performance Measures”.

The American Judges Association Court Review (Winter, 2000) indicates that “court security resources are limited at virtually every judicial level and in each judicial

jurisdiction”.<sup>3</sup> The article continues on to relate the importance of effective protection of the public users of courts, judicial officials and other court users. Employing a threat identification mechanism, mitigating risk through physical space design, detecting weapons through screening devices and having trained court security officers are all deemed to be critical components of any court security program. Finally, the article details specific threats and statistics related to security incidents against the Judiciary in the United States.

On March 7, 2000, Roger Warren, the president of the National Center for State Courts opened a focused symposium on ‘Violence in the Judicial Workplace’ in Washington, DC.<sup>4</sup> As a former judge in the United States, Mr. Warren articulates the importance of accessibility to justice including the freedom from intimidation, fear, threat and violence. Further, he argues that the integrity of the principle of access to justice rests with the security of the court system.

In 1997, the American Judges Association (AJA) circulated a survey to all of the members of the AJA. The one hundred and sixty-two responses representing thirty-seven different states found widely ranging answers to the questions posed concerning security. First and foremost, the definition of security was not clear and the standards for provision of security ranged from non-existent to clearly articulated. A number of the respondents indicated security services were provided under contract to local municipal

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<sup>3</sup> American Judges Association, Court Review Journal, “Safe and Secure: Protecting Judicial Officials”, Page 2, Winter 2000.

<sup>4</sup> Roger Warren, Transcription of Opening Remarks, “Violence in the Judicial Workplace”, Washington, DC, 7 March 2000.

law enforcement agencies or to private security firms. The vast majority of respondents indicated the onus for court security fell to the local Sheriff's department. One of the key questions asked was concerning panic or duress alarm buttons and responses. The panic alarm or duress alarm system would be activated by a court employee that perceived a threat to be present or a security incident was in progress. The panic alarm system was deemed to be the notification method of security services personnel. No agency responded with details as to standards for panic alarm responses, however, some noted that the primary responders were located off-site to the court facility. Finally, some of the survey respondents indicated that the security of the courthouse included all emergency preparedness planning such as natural events.<sup>5</sup>

The Utah State Courts Judicial Council Rules of Judicial Administration define court security as "...the procedures, technology, and architectural features needed to ensure the safety and protection of individuals within the courthouse and integrity of the judicial process."<sup>6</sup> The rules further outline the standards for provision of court security within the Utah court system. There is no mention of performance measures or reporting of effectiveness of the security standards.

The National Center for State Courts and the National Sheriffs Association jointly convened a summit in 2005 of one hundred and twenty-five stakeholders from local, state and national organizations, branches of government and members of the justice system.

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<sup>5</sup> American Judges Association, Court Security Survey Report, 1997 as available through National Center for State Courts, [www.ncsc.org](http://www.ncsc.org), 15 February 2009.

<sup>6</sup> Utah State Courts, "Judicial Council Rules of Judicial Administration", Rule 3-414. Court Security, 2009

From that summit in 2006, a report entitled “A National Strategic Plan for Judicial Branch Security” was completed by Pamela Casey<sup>7</sup>. In the report, Ms. Casey indicates that court security is a fragmented industry and local initiative that has many different standards, stakeholders and, in the case of the US, has failed to come to consensus on any framework for provision of court security. The consensus of the summit was to develop frameworks and staffing methodologies through the National Center for State Courts. There was no discussion of performance metrics related to the effectiveness of court security.

Focused research was deemed necessary due to the limited findings during the literature search of the UNBC library databases. Information from national, provincial, state and local jurisdictions was found on the agencies’ websites. Focused research was conducted for specific agencies in Canada, the United States and Australia due to similarities in court structure. The following agencies were researched during this phase:

- Association of Canadian Court Administrators
- National Center for State Courts
- Utah State Courts
- National Association for Court Management
- American Judges Association
- Department of Attorney General, Western Australia

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<sup>7</sup> Pamela Casey, “A National Strategic Plan for Judicial Branch Security, Report on Summit”, National Sheriff’s Association, National Center for State Courts, 7 February 2006.

- United States Department of Justice
- United States Marshall Service

A review of publications within the US Department of Justice (USDoJ) revealed a document entitled “Trial Court Performance Standards with Commentary” published by The Bureau of Justice Assistance in the Office of Justice Programs (USDoJ). The publication outlines five performance areas with multiple standards and detailed performance measures recommended by the Bureau of Justice Assistance in the administration of trial courts. The first performance area identified was “Access to Justice” and includes “Standard #1.2 Safety, Accessibility and Convenience”. As indicated in the title, this standard is made up of three primary areas and related components; safety, accessibility and convenience. Further, court security is specifically defined as: “...the feeling of safety combined with steps taken to encourage that feeling”.<sup>8</sup> The performance measures related to this standard include: courthouse security audits, law enforcement officer tests of courthouse security, perceptions of courthouse security, and court employee’s knowledge of emergency procedures. The standards further discuss the data collection method, primary evaluators and subject/source of data for each of the performance standards.

A review of publications from the National Center for State Courts outlines several reasons to establish and report on the performance of courts:

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<sup>8</sup> US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, “Trial Court Performance Standards with Commentary”, 12 July 1997.

- Performance data allows everyone to test assumptions of how well things are going
- Multiple indicators permit courts to respond to the varied concerns of constituents, litigants, the bar, witnesses, jurors, the public, and the funding authorities
- Setting desired outcomes help staff better understand their individual contributions
- Performance data assist in budget formulation
- Formal performance provides the means for courts to demonstrate the value of services delivered.

Further review of the NCSC website found resources that could greatly assist in the measurement of court security performance. Included in the website are references to security programs across the US. In addition, generic questionnaires and audit forms are posted on the website regarding court security. Specifically, NCSC has posted a survey to meet the “Trial Court Performance Standards” of the US Department of Justice (discussed above) entitled “Form for 1.2.3 (Page 1 of 9) Survey of Courthouse Security”.<sup>9</sup> This questionnaire provides a framework for measuring the perceptions of court users on the level of safety and security within the court facility. Finally, NCSC has posted a survey to meet “Trial Court Performance Standards” entitled “Form for 1.2.4

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<sup>9</sup> National Center for State Courts, “Form 1.2.4 Survey of Courthouse Security”, <http://www.ncsconline.org/>, (15 February 2009)

(Page 1 of 5) Interview Protocol on Emergency Procedures”<sup>10</sup>. This survey questions court employees of all departments on the emergency procedures and processes in place in a court house.

The Department of Attorney General in Western Australia (herein referred to as the ‘Department’) contracts for the provision of court security through a competitive bid process. Through a performance-based contract with both service level agreements and performance-based requirements, the Department contracts to a third party for provision of all security and transportation related needs. As part of the Department’s accountability requirements, the Department publishes an annual accountability report. The report reviewed for the purpose of this project was the last available report published, entitled “Annual Report 2006/07: Contract for the Provision of Court Security and Custodial Services”<sup>11</sup>. Within this report details are provided concerning performance-linked fees paid to the contractor if the contractor meets specific performance standards outlined in the appendices of the service contract. Multiple standards are indicated and measured with a number of measures that are relevant to this research. Language exists within the contract that outlines the format of reports, timeframe requirements of reports and the reporting criteria. This system ties into a performance linked fee negotiated and paid annually as part of the performance-based contract. In addition, statistics are gathered from the reports that link to specific performance related indicators, including

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<sup>10</sup> National Center for State Courts, “Form 1.2.3 Interview Protocol on Emergency Procedures”, <http://www.ncsconline.org/>, (15 February 2009)

<sup>11</sup> Department of the Attorney General, Government of Western Australia, “Annual Report 2006/2007 Contract for the Provision of Court Security and Custodial Services”, 30 September 2007.



(but not limited to) death in custody, substantiated complaint, inappropriate use of powers, assault of member of public (court user), escape from custody during legal proceedings, legislative compliance, etc.

In summary, numerous US jurisdictions had several performance standards associated with the provision of court security. However, only a very few jurisdictions indicated any tendency to actually measure and report on performance associated with court security. Research failed to find relevant Canadian court security performance standards or metrics. The noted exception to the lack of performance standards and subsequent measurement of performance was the performance-based contracting system used by the Western Australia Department of the Attorney General.

## **Methodology**

As part of the research project, focused one-on-one interviews were conducted with Sheriff Services across Canada with similar operations to the BCSS. The participants of the interview were questioned with an ethics-approved questionnaire developed by the researcher. The questions were designed to allow a comparative analysis of quantitative information relating to court security measures and jurisdictional initiatives as well as qualitative information concerning performance measures.

The questionnaire was approved through the University of Northern British Columbia's (UNBC) Research Ethics Committee. Specific ethical issues that were addressed in conducting the interviews include; approval for participation, confidentiality and restriction on publication of information. Participants were senior within their respective organizations and held the authority to approve participation in such research. The Survey Information Sheet (Appendix 1) was provided in advance to the participants. Confidentiality of the information collected was paramount as it involves the provision of security information to an outside agency. Information within the project was separated from the agency that provided the information for purposes of ensuring absolute confidentiality of security standards. Finally, the project document has been restricted to internal UNBC Project Supervisors and required distribution only with a seven year publication ban in effect. All interview answer sheets were destroyed once the project document was completed.

The questionnaire was used during telephone interviews with agency representatives.

The interview questionnaire was made up of both open and closed-ended questions to solicit information. The information sought to provide an outline and overview of:

- Whether the agency had primary, joint or no responsibility for court security
- High level descriptor of roles and responsibilities of Deputy Sheriff or equivalent court security officer
- Categorize the use of force model (i.e. weapons permitted) used by Deputy Sheriffs
- Descriptor of large, medium and small court facilities within jurisdiction
- Descriptor of security models used (i.e. perimeter security, magnetometer, cameras, panic alarm system, rover system, etc)
- Whether the agency utilizes key performance indicators to review performance related to security. If yes, details were sought for explanation.
- Whether the agency utilizes staffing standards

For the purposes of the questionnaire, the following definitions were utilized to ensure consistency:

Perimeter security: Use of Deputy Sheriffs (or equivalent) to secure access to a court facility

Rover System: Use of Deputy Sheriffs in a system of security whereby the Deputy is assigned to circulate throughout a building/floor or area with no primary responsibility to a custody or single courtroom.

Magnetometer: Device used to screen users of a court for metal items on person.

Panic Alarm System: System of wired or remote buttons that, when pushed, indicate something is wrong in the area and automatically activate a response from the Sheriff's department

The agencies surveyed were limited to Canada and each indicated the organization had a primary responsibility of the provision of security for courts. The interviews were conducted with a senior agency representative knowledgeable in all operations of their respective organization. In addition, all representatives had primary responsibility for either the provincial direction of the sheriff service or for a large metropolitan branch of their agency. The specific representatives from the agencies are listed in Appendix 2.

Across Canada, four provinces and one territory did not participate in the research for various reasons. Two of the four were not selected due to the type of security model utilized by the jurisdiction. The two excluded jurisdictions utilized local police agencies for provision of all court security. No response was received from the last Territory. Of

the remaining eight jurisdictions, all participated in the interview. The participating agencies included:

- Office of the High Sheriff of Newfoundland
- Sheriff Services, Court Services Division, Ministry of Justice, Nova Scotia
- British Columbia Sheriff Service, Court Services Branch, Ministry of Attorney General, British Columbia
- Court Security, Court Services, Saskatchewan
- Alberta Sheriff Services
- Northwest Territories Sheriff Services
- Yukon Sheriff Services
- Manitoba Sheriff Services

The questionnaire, attached as Appendix 3, sought information regarding court security operations, basic job function of the primary court security officer (for the purposes of this project, herein referred to as “Deputy Sheriff’s), an overview of facilities’ design, size, location and type of facility, risk mitigation strategies utilized by the agency, performance measures in place or being contemplated, any benchmarking information available, and reporting requirements of performance. The purpose of the variety of questions was to plot a comparison of various components of security employed across Canada. In addition, the objective was to identify and compare performance measures potentially in place already.

Attached as Appendix 4, the Comparative Analysis of Canadian Sheriff Services contrasts the status of security standards and services of the agencies participating in the research interview. In contrasting the findings, it is important to note the different levels of training of Deputy Sheriffs, the level and type of risk and threat mitigation strategies employed by the various agencies. In essence, each agency has similar mandates, conduct court security in a variety of facility types, have varying levels of security, and employ various staffing models.

The qualitative research questions included in the survey primarily surround the type of security measures used, any related performance measurement and reporting of performance undertaken by the agency. The data collected will allow a cross-Canada comparison of the provision of court security and identification of any performance measures used.

## **Analysis**

The findings of the research survey's quantitative section can be found attached as Appendix 4. In summary, most jurisdictions are following a similar model of security with slight variations to one another. This finding enables potential comparisons to be drawn on performance of systems related to court security. The following section provides a brief overview of both the qualitative and quantitative findings of the research interviews.

All agencies responding to the survey indicated that they provide security services in some form to all levels of provincially-operated courts, including; civil and criminal sections of the respective provincial courts, supreme court (or Court of Queens Bench) – criminal and civil, and the respective appellate courts for each province or territory.

All jurisdictions indicated some model of large, medium and small court facilities. As expected, large and dedicated court facilities existed primarily in large metropolitan and urban centers. Smaller jurisdictions include court facilities used on a part-time basis (i.e. so many times per month) and included non-dedicated facilities rented or used on a rare occasion (e.g. community hall). This disparity between court facilities is present in all jurisdictions and all agencies reported that this difference represented challenges to have in place similar security measures in all facilities. In fact, no jurisdiction has the same security provisions for all court facilities.

All dedicated facilities were equipped with an internal video and/or audio surveillance systems monitored primarily by Sheriff Service's staff. In addition, panic or duress alarm systems were common in all dedicated court facilities. Outside of dedicated court facilities, camera and panic alarm system were typically not present. Smaller facilities were typically staffed with minimal numbers of officers (e.g. two staff members) and represented a lower risk of security incidents to all organizations.

All jurisdictions are responsible for court security and are the primary agency for response to incidents within the court facility. There are noted exceptions where the standard is that the Royal Canadian Mounted Police (RCMP) is utilized for custodial management within the courtroom. In other words, where a person is in custody due to the nature of the incident before the court, the RCMP are responsible for security issues involving the custody. The agency represented thereby is responsible for all other court security issues.

Responses to the questions regarding the use of force model employed by the agencies show a significant variation between jurisdictions. While three agencies arm their Deputies with firearms, only two allow firearms into the actual court setting. The same two jurisdictions also arm their Deputies with conducted energy weapons (CEW) (i.e. Tazers©). All jurisdictions arm Deputies with a metal baton and pepper spray (or equivalent).

All jurisdictions indicated either a written standard or a well-established practice for



staffing levels in courtrooms and deployment strategies but only a noted few indicated that these standards were written in policy or regulation. Further, no agency reported that data was collected and reported on whether the staffing standards were met, not met or exceeded at any time.

All jurisdictions reported some level of financial and human resource reporting and performance measures. These varied from minimal review of a generated report from a director or equivalent to full budgetary responsibility, generation of reports and reporting requirements to an internal oversight body. Standard human resource reporting was fairly common place and included such measures as sick time, overtime, turnover rates, recruitment lag, etc.

Performance measures were reported at some level in at least two agencies. These two agencies reported conducting a security survey of all court users at some point in the last two years. This survey was used to evaluate the base levels of perceptions of safety within the building. One agency expects to re-survey users at some point in the future to evaluate against the original benchmark after changes to security measures are completed. The second agency is uncertain whether surveys will be conducted again. Only one of the two surveys conducted included both internal court users and the general public.

All agencies reported having some level of incident reporting system in place. The majority of agencies indicated that they are utilizing or are in progress of instituting a

fully electronic incident reporting system. However, when asked about reporting from the incident reporting database, all agencies indicated that reports were adhoc, generated on an as-occurred basis for individual case reviews. No agency reported reviewing incidents over a time period as a standard operating procedures nor did any agency report using the incident reports to conduct trend analysis. Most agencies indicated the capability of generating some level of rolled-up report for analysis from their incident reporting system.

A number of agencies reported having permanent or temporary controlled access points and magnetometers in place. In addition, three stated that x-ray devices were utilized at screening points within major court facilities. Where agencies reported having magnetometers in place, all agencies reported collecting statistics on the number of seizures of contraband at screening locations. Limited reporting was found during the interview with the exception of trending frequency of seizures.

Panic and duress alarms were noted in all major and all dedicated facilities. Sheriff's departments were the primary responding agency with a number of jurisdictions noting co-response with local RCMP detachments. Most panic alarms were located in courtrooms in multiple locations along with boardrooms where case conferences/non-judicial proceedings were held. No agencies reported utilizing a standard for first officer arriving on scene to a panic or duress alarm, nor does any agency measure the response time for the officer.

Risk of escape of a prisoner can be mitigated by several techniques including specially designed prisoner dockets (the seat for the in-custody in a courtroom). A secure prisoner docket was defined for the purpose of this study as a docket designed to mitigate the risk of escape of an in-custody prisoner during court proceedings. This secure design can include the prisoner docket being able to be locked from outside of the prisoner area and having lexan or glass extending beyond what normally would be able to be climbed or jumped. Only two jurisdictions indicated that in all major court facilities prisoner dockets throughout the facility were classified as 'secure'. In two other jurisdictions, there was a mix of court dockets depending on the size of facilities, while in the other jurisdictions, no secure court dockets existed.

The research interviews demonstrate that all jurisdictions have challenges with provision of security based typically on one or more components of court security. All jurisdictions implement component strategies to mitigate escape and risk from violence within all court buildings. The jurisdictions interviewed represent a cross-section of all available mitigation and screening tools available in the security field, while attempting to allow access to justice for all citizens.

## **Conclusion**

Court security is a complex and resource-intense activity critical to the success of the justice systems across Canada. BCSS can adapt performance measures already used by other agencies. While not yet fully established, industry-level performance measures could be established and benchmarked across Canada. Based on the literature review, focused internet research and interviews with Sheriff Service agencies across Canada, this project has reviewed existing material and resources regarding performance measures for the provision of security.

Significant literature exists on the attributes of good performance metrics. The 1997 “Auditor General’s Report” suggests that good performance measures need to be meaningful, reliable and practical. The Office of the Auditor General’s report entitled “Developing Performance Measures for Sustainable Development Strategies” provides further details on the three main attributes of performance measures. Meaningful performance measures are defined as being clear, fully explained, measurable and that they lack ambiguity in direction. Further, the performance measures should relate to the objectives, be significant and useful to the users, and attributable to activities. Reliable is defined as being free from bias, verifiable, free from error, not able to be manipulated and complimentary to other measures. Finally, practical is defined as being feasible from a financial perspective and from a timing perspective.

Multiple resources are available for proceeding through a verification process to establish performance measures for an organization. The Auditor General of Canada and the US Department of Energy each provide substantial resources online and in publications to establish, monitor and report on performance measures. Both agencies and additional literature suggests that a framework for developing and implementing specific performance measures be utilized to ensure the specific performance measures will be useful to the organization.

The literature reviewed suggests that there is global acceptance that provision of court security balances the protection of all court users with the need to have an accessible justice system. The provision of court security under this guiding justice system principle is conducted with limited resources at a time where most literature suggests threats to court users and the Judiciary specifically is on the increase.

The literature further suggests that a crucial part of any security system or program is the organization's specific definition of security. The components that make up an overall security program for a court facility include architectural design of buildings, screening devices and procedures, emergency preparedness and deployment strategies of human resources. Many tools exist within the literature reviewed for the measurement of the effectiveness of the components of security systems.

Security has been defined under two contexts – physical initiatives to prevent, respond to and recover from incidents and the perceptions of all court users as to their feelings of

security and safety while present at the court facility. This distinction is important in the context of performance measures. An organization charged with the provision of court security should develop a performance measurement framework that encompasses the performance of the components of the specific security program, the 'feeling' of safety of court users and the overall performance of the security program.

The literature reviewed and interviews conducted across Canada show that court security is made up of many components. These components can include:

- Facility design
- Courtroom design (e.g. prisoner dockets)
- Universal screening devices and processes
- Camera, audio and electronic surveillance
- Panic alarm systems
- Policies and procedures
- Emergency response capacity and policy framework
- Emergency preparedness procedures
- Threat risk assessment process
- Staffing models including level of training and equipment of Deputy Sheriffs

The Sheriff Services organizations that participated in the research interviews varied in the development and/or application of each of the above components of court security. Each organization had its own policies, procedures and some measurement of success in the provision of court security.

By utilizing pieces of each of the reviewed works of literature and interviews from across Canada, one can summarize court security performance into three main areas:

- Performance of specific components of the security program
- Performance of the security program relating to perception of users
- Overall performance of the security system

Many performance measures meet the criteria of measuring a component of a security program. Such examples in Canadian Sheriff Services include measuring the number of items seized by Sheriff's staff at a controlled entrance. Most agencies polled have specific measures in place for some of the components of security. No agency had in place overarching measures for court security performance.

Security performance measures designed to capture a court user's perception is much more difficult to establish and reliably measure. This measure has everything to do with the fact that security and safety are partly perceptions of court users. The recommended performance measure, currently used in at least one Canadian jurisdiction, is stakeholder and user surveys specifically around security issues. This tool can be utilized in conjunction with security audits and educational initiatives (e.g. surveying court registry staff on emergency evacuation procedures and familiarity while also questioning staff on level of safety felt within worksites). Security and safety surveys can be especially useful when used in conjunction with component and overall performance measures when changing resource models, physical space, implementing a new security initiative, or

changing security models all together. Pre and post initiative measures can be an extremely useful tool. Examples of court security and safety surveys are available by visiting the National Center for State Court website.

While indicators of various sorts can be used on components of security services, several performance measures stand out as potentially measuring the overall court security performance;

- Percentage of time meeting/not meeting staffing standards as established by the organization;
- Security incidents per unit of time or operational unit (e.g. court hours), including a measure of criticality of the incident
- Number of escapes and/or escape attempts during court proceedings;
- Interruptions to court proceedings due to security incidents; and
- Response time of first officer to a scene of an incident or panic alarm

The first performance measure assumes an agency has established a staffing standard for provision of security services deemed to be appropriate. This performance measure can potentially be linked to other component performance measures (e.g. effect of specific mitigating strategies on staffing standard and resultant performance of system) over time, however, that question is out of the scope of this project. Reporting to internal and external stakeholders on the ability or inability to meet an established resource standard is



crucial to establish a basis for decisions related to resource management. This is especially true during times of financial restraint.

A security incident per unit of time or operational unit is one of the key measures for an overall assessment of a court security system. This measure reports on the culmination of strategies and initiatives related to physical design, mitigation strategies such as universal screening and resource-driven security initiatives such as staffing standards. The necessary step to be able to understand the performance measure and benchmark is to understand the number and severity of past incidents within various jurisdictions. A benchmarking exercise, outside the scope of this project, would be necessary. Following the National Center for State Courts in the establishment of a Canadian Sheriff Services incident reporting database would allow for the establishment of baseline information on incidents across the country. Further analysis at a provincial, district and local level would allow potential identification of best practice of all components of the security systems.

The last recommended performance measure, response time of first officer to a scene of an incident or panic alarm, is a measure of the response and recovery phase of an emergency within a courthouse. Assisting in the design of human resource deployment models, response time standards help set expectations of all court users. The actual response times measured over time will assist in making decisions about the appropriate staffing level for specific facilities based on facility design.

Development and implementation of these performance measures and the benchmarking process necessary to validate and report on the performance of the service are outside the scope of this project. Further, the research was limited to interviews with Canadian Sheriff Services and the focused research was limited to Canada, United States and Australia due to similar justice systems. Additional research is required to establish data collection criteria and analysis frameworks for performance measures.

In closing, I would recommend trialling the following performance measurements within a medium or large-sized Sheriff Office within the BCSS:

1. Security incidents per unit of time or operational unit (e.g. court hours), including a measure of criticality of the incident;
2. Percentage of time meeting/not meeting staffing standards as established by the organization;
3. Response time of first officer on scene for panic alarm/call for assistance; and
4. Safety and security survey of court users.

These four performance measures can be piloted to determine data collection requirements, appropriate benchmarks and reporting possibilities. Over time, adopting the other performance metrics mentioned within the project would allow a comprehensive performance measurement framework to be established. Further research can be conducted on each of the individual performance measures. Finally, it is recommended that BCSS facilitate liaison across Canada on building standardized performance metrics for Sheriff Services.

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## Appendix 1

### *British Columbia Sheriff Services Information Sheet and Consent Form (Interview Survey Participant)*

Researcher Name: Chris Nickerson, Superintendent, Sheriff Services  
Student, UNBC Masters of Business Administration

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Masters of Business Administration  
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Prince George, BC  
V2N 4A9

Phone: 250-617-5040

Email: [Chris.Nickerson@gov.bc.ca](mailto:Chris.Nickerson@gov.bc.ca)

Type of Project: Graduate Research Project

Type of Survey: Individual telephone survey

As part of the Masters of Business Administration (MBA) program at the University of Northern British Columbia (UNBC), the Superintendent of Sheriff Services for the British Columbia Sheriff Service (BCSS) (North Region) is conducting a research project to determine best practice in measuring operational performance of sheriff services.

BCSS provides court security, prisoner escort and transportation, document services, and cell block management within the Court Services Branch of the Ministry of Attorney General in the province of British Columbia. Performance measures currently utilized by the BCSS include human resource and financial indicators standard across government including; full time equivalent (FTE) utilization, overtime utilization, cumulative time off (accumulated and utilized), and standard financial indicators.

The purpose of this study is to determine what practices exist in the delivery of court security (security model) and how measurement of operational performance, specifically in relation to court security provision, is collected, analyzed and reported.

You are being asked to participate in an individual telephone survey. The survey should take no longer than 30 minutes to complete. The survey will include interviews with other providers of sheriff services across Canada. The goal of the survey is to identify current industry trends in an attempt to determine best practice of measuring operational performance in provision of court security services. The purpose of this research is to provide a better understanding of industry standards in measuring operational performance in the provision of court security. This is not a critique of measurement

systems used (or not used) by any organization. We do not foresee any risks associated with this research.

You were selected to participate in this focus group because your agency provides services similar to the BCSS. During the interview, the researcher will take notes to record the conversation. After the interview is completed and the researcher has summarized the discussion, the notes will be sent to you for review of completeness and accuracy. You will have the opportunity to correct or add to the information summarized.

Your confidentiality will be respected. All information you share during the session is confidential. Other than the interviewer, no-one will have access to your information. No information that can identify you or your organization will be released and your and your organization's anonymity will be protected in all published documents. Any identifying information will be kept in a locked filing cabinet; your name will be kept separate from any project notes. All notes will be destroyed at the end of the project.

Your participation in this interview is purely voluntary. You will not be paid for participation. You are free to give or not give consent to participate in the interview or any portion of the interview. If you agree to this interview survey, you are free to leave at any time without giving a reason. If you decide to leave the focus group, all information provided by you will be removed and confidentially destroyed.

If you have any questions or concerns or need more information about this project, please contact Carol Zoernack at (250) 960-6125 or by email at [zoernack@unbc.ca](mailto:zoernack@unbc.ca). If you have concerns or complaints about this project, please contact UNBC's Office of Research at (250) 960-5820 or by email: [reb@unbc.ca](mailto:reb@unbc.ca).

## **Appendix 2 – Research Survey Participants**

Mr. Dave Maedel, Executive Director  
British Columbia Sheriff Services

Mr. Colin McCluskie, Sheriff  
Northwest Territories Sheriff Services

Mr. Greg Medley, Inspector  
Sheriff Security Operations  
Alberta Sheriff Services

Mr. Edward Haluschak, Director & Chief Sheriff  
Manitoba Sheriff Services

Mr. Steven Brown, Sheriff  
Nova Scotia Sheriff Services

Mr. John P. MacDonald, High Sheriff  
Newfoundland Sheriff Services

Ms. Linda Balcaen, Sheriff  
Yukon Sheriff Services

Mr. Ken Sabo, Director  
Court Security, Saskatchewan

## **Appendix 4 – Survey Questionnaire**

### **MBA Project Proposal – Chris Nickerson**

## **Performance Management in the British Columbia Sheriffs Service**

### **Interview Questions**

1. Is provision of court security a core competency of your organization?
  - a. If no, thank respondent and conclude.
  - b. If yes, proceed to #2
2. Define the job description relating to knowledge, skills and abilities of a Deputy Sheriff (or Sheriff depending on model) - (specific comparator: armed vs. unarmed, control tactics, conducted electrical weapon, restraints, etc.)

#### **Court Security:**

3. Describe the model of court security used by your department. (specific comparators: in-court duties, jail to court duties, law court duties, judicial relationship, jury duty, building rover model, security assessment (magnetometers, controlled access points, x-ray assessment, electronic surveillance), ratios of staff to courts, custodies).
4. What is defined as large court house? – level of security, number of cameras, number of staff, magnetometer, x-ray, etc.
5. What is defined as a medium courthouse?
6. What is defined as a small courthouse?
7. What key performance indicators (KPI's) are used in the assessment of performance relating to court security? (specific comparators: incidents per time frame/court sitting/total court hours, employee injuries, time loss incidents, Deputies per court/judicial member/court hours/sitting, etc)
8. What benchmarking process was utilized (specifics for each KPI)?
9. What datasets are collected to attain each KPI (specifics for each KPI)?
10. What is the reporting time frame for each KPI?
11. What IT structures are in place for collection of datasets (specifics for each KPI)?

#### **General**

12. Who receives performance reports within your department?
13. Who receives performance reports outside your department?
14. Do you utilize external stakeholder surveys? (If yes, obtain details – who, what, when, how, etc)
15. Do you utilize internal stakeholder surveys?
16. Is performance used as an incentive/disincentive for your department?
17. Is your department management by a performance based contract or agreement?
18. Who has oversight of your department?
19. Is there anything else you would like to add?

#### Appendix 4 – Comparative Analysis of Canadian Sheriff Services

Jurisdiction	1	2	3	4	5	6	7	8
Core Competency	Yes	Yes	Yes <sup>12</sup>	Yes	Yes	Yes	Yes	Yes <sup>13</sup>
Perimeter Security	Large	Large	Large	Large	No	No	No	No
Model of security	Rover, In-custody, Perimeter	Primarily perimeter, rover in smaller courts	Perimeter in large center, rover in smaller	Perimeter in large center, rover in smaller	In-custody plus courtroom	In-custody plus courtroom	In-custody plus courtroom	Courtroom only – RCMP if in-custody
Security KPI's used	No	No	No	No	No	No	No	No
I/R system	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Staffing standards	Some	Yes	Not stated	Yes	Yes	Yes	Yes	Not stated
External surveys	No	No	No	Yes <sup>14</sup>	No	No	No	No
Internal Surveys	No	No	No	Yes <sup>15</sup>	Yes <sup>16</sup>	No	No	No
Performance Contract?	No	No	No	No	No	No	No	No
Firearm	Yes	Yes	Yes <sup>17</sup>	No	No	No	No	No
Conducted Energy Weapon (Tazer)	Yes	Yes	No	No	No	No	No	No
Baton	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
OC Spray	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cameras standard	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Alarm response	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Secure dockets	Mixed	Yes	Yes	No	None	None	Mixed	Mixed

<sup>12</sup> Only in large centers – RCMP assist/provide in smaller centers

<sup>13</sup> RCMP provide additional security when any in-custodies present

<sup>14</sup> One time as part of audit – will be repeating in future as changes to security are made

<sup>15</sup> One time as part of audit – will be repeating in future as changes to security are made

<sup>16</sup> One time – no known schedule to repeat in future

<sup>17</sup> Not permitted in courtroom for court security