

INSIDE THE 'KILL ZONE'

Understanding and mitigating the risk of attacks on judicial officials in familiar locations

By John F. Muffler, M.S.

A canon of judicial ethics states that “a judge shall perform the duties of the judicial office impartially and diligently.” But this is a monumental task if one is under threat. Our democratic system depends on justice being blind and balanced, hence the iconic symbol of Lady Justice outside our courthouses. And it is the responsibility of the office of the sheriff to protect her and all she represents.

As a symbol of government, the courts—and the legal decisions made in them by judicial officers—have become inflection points for society. Judicial decisions also immediately impact the parties before them, whether it’s a bankruptcy, family law, civil, or criminal case. That’s why threats and attacks on judicial officials inevitably occur.

Court-related attacks are categorized in two types: targeted and non-targeted. Non-targeted attacks are impromptu and spontaneous. They usually stem from an unexpected decision, an impulsive reaction, or an emotionally charged family law case. Targeted violence is premeditated and pre-planned, and has produced successful attacks throughout history. Almost all successful attacks targeted to justice personnel happen in a “kill zone” of home, work, or another routine location, however.

Judges and their families can be attacked in a variety of ways. In Reno, Nevada, Family Court Judge Chuck Weller was shot through his chambers window from a rooftop a block away in June 2006. In Texas, Travis County district court Judge Julie Kocurek was shot in the driveway of her home and in front of her family in November 2015. In Kansas, Finney County Judge Wendel Wurst and his wife, Rhonda, were taken hostage at home in May 2016. And in Ohio, Jefferson County Judge Joseph Bruzzese Jr. was shot outside the courthouse in Steubenville on Aug. 21.

Judges are particularly vulnerable at home. In Florida, U.S. District Judge Corrigan and his wife survived a sniper’s

bullet that came through their living room window from mere feet away. U.S. District Judge Joan Lefkow’s husband and mother were assassinated at home in Chicago in 2005. Several judges in South Florida have recently been stalked in an ongoing case, and every federal judge—Robert S. Vance of the United States Court of Appeals for the 11th Circuit; District Judge John H. Wood, Jr.; and Federal District Judge Richard Daronco—killed due to their position and case involvement was killed at home.

Many others, including prosecutors, have suffered the same fate. In January 2013, a killer assassinated Kaufman County, Texas, prosecutor Mark Hasse outside the court, then killed fellow prosecutor Michael McLelland and his wife, Cynthia, in their home. Cross-referencing data from the National District Attorneys Association, I found that 100 percent of the prosecutors assassinated met their demise in the kill zone and directly because of their government position.

Kill zones are weak points that are easily exploited since they are among the constants of daily travel and often unsecured. A home doesn’t have the security of a courthouse, and while a courthouse itself may be secure, great vulnerability exists in the walk between the unsecured “Judges Only” parking and the court.

Situational awareness is paramount in these locales, especially as one gets close to their destination. Be aware of what does not fit in or hasn’t been there before. Equally important is to vary the daily routine, a simple tactic used by professionals in the protective arena and at-risk people with good instincts. While location may be an unchangeable variable, one can come and go at different times and take different routes. The key is not being predictable; for example, take a random right at a red light and continue on.

On Aug. 21, 2017, Bruzzese was shot

STRATEGIES FOR SAFETY

Knowing that kill zone locations are hot spots for attack, here are a dozen no-cost/low-cost tips you can provide to your protectees:

- Be situationally aware at arrival
- Have the judge call five minutes ahead to inform security of an ETA
- Avoid vanity, judicial/government plates and car decals
- Don’t park in designated spots
- Identify available safe havens along travel routes
- Vary commute routes and times
- Recommend a professional home security and privacy assessment
- Install a home security system
- Increase lighting around home/parking area
- Monitor social media accounts
- Keep the blinds closed at home and in chambers
- Do not have in-camera meetings in chambers

multiple times by Nathaniel Richmond, someone he knew from court proceedings, while walking from his designated parking spot down so-called Courthouse Alley. The judge and a probation officer who happened to be nearby returned fire, neutralizing the threat.

At the time of this writing, Richmond’s motives remain unclear. Richmond’s attack plan appears to have exploited a known variable—the unsecured judicial parking area. In an interview by the Associated Press after the shooting, fellow Judge Joseph Corabi

said, “Everybody knows who parks there. That’s why it’s not an accident what happened. He was clearly an intended target.”

Scott Stewart of Stratfor Worldview describes the criminal attack cycle as target selection, planning, deployment, and crime. Until the crime is committed, the attacker must conduct surveillance. An attacker can learn a lot about his intended victim’s habits and routines using passive techniques such as internet searches and scanning the victim’s social media accounts. But at some point, physical surveillance must take place, and this is where their behavior can make the attack predictable and preventable if one is situationally aware.

“An attacker can learn a lot about his intended victim’s habits and routines using passive techniques such as internet searches.”

For justice personnel, attacks don’t always occur soon after the resolution of a case. Many times, attacks occur years later, and not because of incarceration—most targeted attacks don’t stem from criminal cases, according to results from National Judicial College surveys I pioneered in 2014 and 2017. Several factors come in to play when attackers go from ideation to action. Asked why this is, Dr. Gene Deisinger, managing partner of SIGMA Threat Management, says, “I suspect there is no one answer, and that it is based on complex interactions between the nature and severity of the grievance, coping and support mechanisms, inhibitors, cumulative and critical stressors, and likely many other factors.”

Since judges and prosecutors live in the community they serve, they are more “accessible and approachable,” according to Gavin de Becker, chairman and founder of Gavin de Becker and Associates. Being present in the community, with many having to run for a seat on the bench, puts them in unique and risky situations. That’s why in every case mentioned in this article (with the exception of Wood, who was killed by a hired assassin), the victim knew his or her attacker, none of

whom communicated the impending attack to his victim.

Violent behavior can be triggered by a variety of reasons, including anniversary dates, marriages and divorces, financial issues, mental illness, job insecurities, or simply running into the person who decided a court case. “Judges represent control, and many of the assailants feel a lack of control,” says Gabrielle Thompson, vice president of assessment services at Gavin de Becker and Associates. “An attack is in effect a power shift, an attempt to gain back control.

“With individuals who are fixated, lack of communications is not always a favorable indicator [of intent to attack],” she says. “The pursuer might still be having the same ideation/anger/feelings of rejection even if he/she is not communicating to the object of their pursuit. I don’t think that the process is always observable to the soon-to-be-victim,

though it is likely observable to others in the pursuer’s life.”

To balance these risk factors, sheriffs’ offices need to have sound threat management and physical security policies and procedures in place—not one or the other. Stay alert to potential threats in the courtrooms and jails you protect. A judge or prosecutor may not be aware that an attack is imminent. ★

Independent consultant John F. Muffler is a retired U.S. Marshal with the National Center for Judicial Security, a member of NSA’s Court Security Committee, and a member of the National Judicial College faculty.

LOCKERS lockers.com
1-800-LOCKERS

- Single Tier Standard
- Double Tier Standard
- Triple Tier Standard
- Box Style Standard
- Extra Wide
- Vented
- Open Access
- Modular
- Designer
- Solid Oak Executive
- Cell Phone Lockers
- Benches

SALSBUURY INDUSTRIES
People Committed to Quality Since 1936®

**Visit us On-line at Lockers.Com or
Call 1-800-562-5377**