



REPLY TO THE
ATTENTION OF

DEPARTMENT OF THE ARMY
OFFICE OF THE CIRCUIT JUDGE
FOURTH JUDICIAL CIRCUIT
1414 SANTOS DUMONT AVE, BUILDING 817
SCHOFIELD BARRACKS, HAWAII 96857-5029

JALS-TJ4

11 October 2017

MEMORANDUM FOR RECORD

SUBJECT: Courtroom Security, Wheeler Army Airfield Courthouse

1. Purpose. This memorandum details the security procedures to be followed in the Wheeler Army Airfield Courthouse. The court-martial process is stressful for many participants, to include the accused, witnesses, and family members. The potential for violence or disruption is always a concern and must be considered at all times by all parties. In order to ensure the safety of all trial participants/spectators and to provide for the fair administration of justice, the following minimum security procedures will be enforced in the Wheeler Army Airfield courthouse.

2. Military Police support. A minimum of two Military Police (MP) Soldiers will provide security for courts-martial trials. Military Police security may also be provided during Article 39(a) sessions at the discretion of the Military Judge and/or Chiefs of Justice. Military Police must remain vigilant at all times, during trial and recesses, regarding the potential for violence or disruption, particularly with respect to the accused, witnesses, and family members. Military Police Soldiers providing security have the following responsibilities:

a. Screen personnel who enter the courthouse front door for weapons. Other than service weapons assigned to on-duty law enforcement personnel and weapons of evidentiary value, no weapons are allowed in the courthouse.

b. Maintain a presence in the courtroom, and be prepared to respond to any violence or disruption.

c. Perform other security duties as assigned by the Military Judge, Chiefs of Military Justice, or Trial Counsel. No other persons, other than MP supervisors, will direct the activities of MP Soldiers.

Chiefs of Military Justice, who are in the best position to determine security needs, have the discretion to forego MP security for particular trials, so long as the Military Judge is informed beforehand.

3. Courthouse access. There are four entrances to the courthouse: the front door, the back door, the deliberations room, and the Military Judge's chambers. Entry and exit of the courthouse is restricted as follows:

a. Military Judge's Chambers. No one will enter the Military Judge's chambers without express authorization from the Military Judge. Only the Military Judge and Senior Court Reporters will be given the access code to the Military Judge's chambers.

b. Back Door. Only personnel who have permanently assigned offices in the courthouse will enter or exit through the back door.

c. Deliberations Room Door. Only panel members, the Military Judge, and court reporters will enter or exit through the deliberations room. During trials with members, only the members will enter or exit through the deliberations room. Members will not be given the access code for the deliberations room door. On trial days, a paralegal or bailiff will be stationed at the deliberations room door to provide members access to the deliberations room.

d. Front Door. All other personnel entering or exiting the courthouse will use the front door at all times, to include Trial Counsel, Defense Counsel, paralegals in support of the prosecution or defense, MPs, accused, witnesses, family members, and spectators.

Access codes to all doors in the courthouse will be strictly controlled. Access codes will be provided only to those with a need to know.

Only OSJA personnel, TDS personnel, and the Military Judge will be provided access codes. Under no circumstances will the accused, witnesses, expert consultants, spectators, family members, or panel members be provided access codes.

Only the Military Judge and Senior Court Reporters may grant exceptions to these courthouse access rules.

Cipher lock access codes to courthouse entrances will be periodically changed, at the discretion of the Military Judge and/or Senior Court Reporters.

4. Courthouse Restricted Areas. The accused, witnesses, expert consultants, spectators, and family members will not enter the designated offices of court reporters and other personnel working in the courthouse or adjacent hallways, to include the kitchen area. The only authorized areas within the courthouse for the accused, witnesses, expert consultants, spectators, and family members are the courtroom, designated witness waiting areas, trial and defense counsel offices, and adjacent hallways/latrines.

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5. The POC for courtroom security in the Wheeler Army Airfield courthouse is the Military Judge assigned to Hawaii. Any suggestions to improve courthouse security are welcomed.

KENNETH W. SHAHAN
LTC, JA
Military Judge