

Attachment



Jail

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The magazine name, "Pentacle," means a five-pointed, star-shaped figure. It was formerly used as a mystic symbol and was credited with magical powers. In the 1600s, it was written that a pentacle worn around a soldier's neck would make him invincible to bullets. Today, the distinctive five-pointed star is the badge of the United States Marshals Service.

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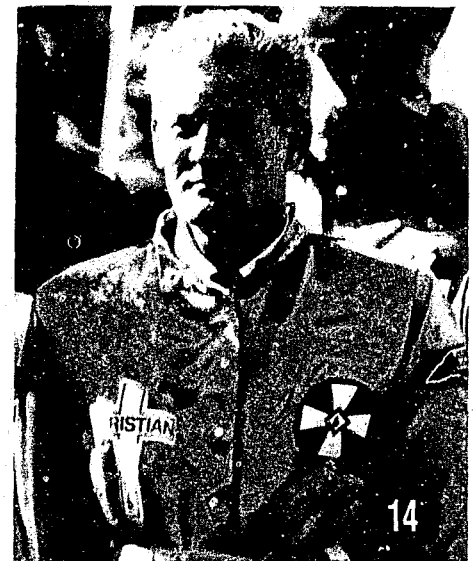
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The Attorney General has determined
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The Long and Winding Road:

Searching for Jail Space

This is the first of a series of articles in this issue of *The Pentacle* exploring the extent of the federal jail space crisis, its effects on the Marshals Service, and what is being done to solve the space shortage and related problems.

The sun is just beginning to rise over Albany, New York, when the Deputy U.S. Marshals head out for the day. It's a bright, crisp dawn, and the Deputy Marshals make good time as they drive to the Montgomery County Jail 50 miles to the west.

When they reach the jail, they take custody of a prisoner scheduled to appear in court on drug charges. Their next stop is Syracuse, another 100 miles to the west, where they pick up two more prisoners. One prisoner is scheduled to appear in court on drug violations. The Marshals have been asked to remove the second individual because the Syracuse facility has been filled to capacity with local prisoners.

After leaving Syracuse, the Deputies drive 90 miles south to a jail in Binghamton and add another prisoner to the van. This jail has also asked the Marshals to remove the individual because there's only room for local prisoners in the jail.

The Marshals make their final stop at the Federal Courthouse in Binghamton, where two of the prisoners appear in court.

Late in the day, the same Deputy Marshals load all four prisoners back into the van and drive to the Federal Correctional Institution in Otisville, 120 miles east of Binghamton.

Arrangements had been made to keep the prisoners there until their next court appearance or prison assignment. But there's a glitch—no room at the Otisville institution. It's getting late, and the Marshals must find other accommodations quickly.

After many phone calls and negotiations, the Marshals find bedspace in Hartford, Connecticut, 135 miles south. Three



hours later, they turn the prisoners over to the Hartford jail and make the 120-mile trip back to Albany. They have just put in a 16-hour day.

"While this situation doesn't happen every day, it's all too common in this district," said Frank Peo, U.S. Marshal for the Northern District of New York. "Thirteen Deputy Marshals must cover 32,000 square miles and produce prisoners for court in six different locations spread over this entire area."

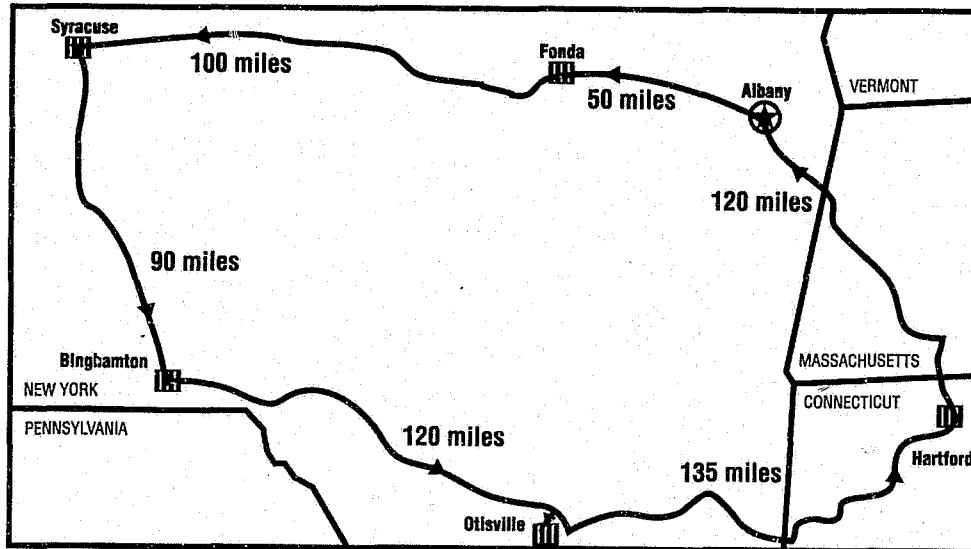
A National Crisis

K. Michael Moore, Director of the Marshals Service, said that, "unfortunately, the jail space shortage in Marshal Peo's district and the problems stemming from

Three members of a Jamaican Drug Posse are led away from the federal courthouse in Albany, New York, by U.S. Marshal Frank Peo and Deputy Marshals Bob Boffard and Ted Gloo (left to right). The men, members of a faction of the violent Shower Posse, were convicted of operating a major crack cocaine distribution center in Saratoga, New York. In addition to their trial requiring extraordinary security because of the violent nature of the group and the potential for escape, the security arrangements were complicated by the necessity to house the prisoners at distant jails.



“The great travel distances with dangerous prisoners in custody produce incredible stress for the Deputy Marshals.”



On the road in Northern New York: Starting in Albany, Deputy Marshals transport prisoners to various jail and court locations, traveling more than 600 miles in one day and working 16-hour shifts.

“Deputy Marshals are forced to spend vast amounts of time transporting prisoners from far-away jails to the courts and then back to the distant jails. Valuable staff resources that otherwise could be used for other law enforcement duties are needlessly wasted.”

The great travel distances with dangerous prisoners in custody produce incredible stress for the Deputy Marshals on the road for long periods of time, in addition to high costs for overtime, per diem, equipment, and fuel, according to the Director.

“What we are seeking is space for prisoners in court cities or as near to the courts as possible. This would produce an efficient system—with transportation time, expense, and dangers all minimized,” Moore said.

it are far from unique.

“The federal jail space crisis is now a national crisis. We are confronted by a *growing* number of prisoners in Marshals Service custody and a *shrinking* number of local jailspaces available to house them. That poses enormous challenges for the Marshals Service throughout the country, and it has created major problems for the entire federal criminal justice system.”

Local Jails Overcrowded

The Marshals Service has traditionally housed its prisoners in city and county jails. However, as those facilities in many urban areas have become overcrowded with their own inmates, the Marshals Service has been forced to house federal prisoners in facilities that often are far from the federal court cities.

Some prisoners are housed in corrections facilities operated by the Federal Bureau of Prisons, but they also are overcrowded.

“Marshals face a daily scramble to find jail space to house the growing number of federal prisoners,” Moore said. “Often, the only space available is at great distances from federal court cities.

Staggering Workload

One of the bedrock responsibilities of the Marshals Service is the custody of federal prisoners from the time of their arrest and producing them on time in court for hearings, trial, or sentencing. Since there are more than 600 locations where court proceedings are held throughout the nation—and fewer than 3,000 Deputy U.S. Marshals, the scope of the work is staggering.

A recent Marshals Service report put it this way: “During the past decade, the federal detainee population has exploded: the average daily detainee population has increased by more than 250 percent, from almost 4,000 in 1981 to more than 14,000 today.” Projections indicate there could be 25,000 or more by 1996. The number of federal prisoners has grown sharply in recent years because of more prosecutions, particularly in drug cases, and a variety of sentencing and other judicial reforms.

In a report to President Bush earlier this year, Attorney General Dick Thornburgh



"The jail shortage is unquestionably the most serious problem the Marshals Service faces today."

pointed out that "we are, in a sense, victims of our own success. Because there are more arrests than ever before, we require an increased capacity for prosecution, trial, and incarceration."

"Moving prisoners and producing them for court doesn't attract the attention that a large drug bust or a guilty verdict in the case of a major narcotics dealer brings," Moore said. "Yet prisoner detention is an integral part of the chain in the justice system and that chain is only as strong as the weakest link. The detention and transportation of federal prisoners is the weak link in our system," he said.

Because more and more criminal trials involve multi-defendants and are more complex and thus last longer, the number of times Deputy Marshals have to produce prisoners for court proceedings has grown dramatically. Last year, the Marshals Service produced prisoners for proceedings more than 400,000 times. And each production of a prisoner for court brings with it a unique set of circumstances and security risks. Many of today's prisoners are international terrorists, major drug traffickers, and kingpins of organized crime.

Sense of Duty

"The Marshals Service has faced many crises in the past 201 years," Moore said. "The jail space shortage is unquestionably the most serious problem the Marshals Service faces today.

"But the situation is not hopeless—far from it. The Marshals Service has squarely faced this emergency. Our personnel have responded with efficiency and the utmost professionalism.

"Despite the burdens, the job is being done: The courts and the members of the judicial family function in an atmosphere free from danger and intimidation; prisoners are produced for trial and securely confined; and the seizures, arrests, and other orders of the court are executed," Moore stated.

Next: Distances, Duties, and Costs.

Prisoners Produced for Judicial Proceedings

