

U.S. Department of Justice
United States Marshals Service
Associate Director for Administrative Services
Information Resources Management Division

The Director's Report:

A Review of the United States Marshals Service in FY 1991



141057

U.S. Department of Justice
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FOREWORD

The United States Marshals Service occupies a unique place in the judicial and law enforcement system of this nation. Virtually every Federal law enforcement initiative involves the Marshals Service: producing prisoners for trial; protecting the courts, judges, attorneys, and witnesses; tracking and arresting fugitives; managing and disposing of seized drug assets; and taking custody of and transporting prisoners. The Federal criminal justice system simply *cannot function* without the successful performance of these diverse duties.

This is the seventh annual report of the Director of the U.S. Marshals Service. The annual production of the report has made it an increasingly valuable planning and management tool. As this report shows, the Marshals Service combined a growing workload with significant achievements in FY 1991.

Because the Marshals Service carries out such broad responsibilities, it has access to data on a wide range of issues—from average daily prisoner populations to the number of threats made against the Federal judiciary. Information on these issues and others has been collected in this report, which not only provides a comprehensive overview of the activities of the U.S. Marshals Service but also offers an inside look at our Federal judicial and law enforcement system.

Information for this report was gathered over the 12-month period ending September 30, 1991. Data on workload and accomplishments are collected on a regular basis from the 94 Marshals Service district offices. Time utilization data are collected from all district employees and contract staff. Information concerning the workload of the Federal courts cited in this publication was obtained from the Administrative Office of the U.S. Courts.

All questions or comments concerning this publication may be addressed to the Chief, Information Resources Management Division, U.S. Marshals Service, 600 Army Navy Drive, Arlington, Virginia 22202-4210.

141057

The Director's Report:
A Review of the United States
Marshals Service in FY 1991

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ACQUISITIONS

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CHAPTER I

Overview of the U.S. Marshals Service

The Judiciary Act of 1789, one of the first major actions of the first Congress of the United States, created the office of U.S. Marshal and established the Federal judicial system. President George Washington appointed the first 13 U.S. Marshals, whose broad mission was to provide support to the courts and to execute all lawful precepts directed under the authority of the United States.

This broad mandate entailed a wide variety of functions. The Marshals and their Deputies served the subpoenas, summonses, writs, warrants, and other process issued by the courts; made all arrests; processed all Federal prisoners; disbursed the funds; and paid the fees and expenses of the court clerks, U.S. Attorneys, jurors, and witnesses. They also rented the courtrooms and jail space, and hired the bailiffs, criers, and janitors. In short, the Marshals and their Deputies performed all the details necessary for the courts to function.

From 1789 to 1853, the Marshals reported to the Secretary of State. In 1853, the Attorney General began assuming the Secretary's role of providing guidance and at times issuing specific orders. In 1969, the Marshals were centralized by order of the Attorney General with the creation of the U.S. Marshals Service and the establishment of an Office of the Director. This action was in response to the tumultuous domestic situation of the 1960's which called for centralized coordination of the Marshals' activities. Today, the U.S. Marshal continues to be a Presidentially-appointed agent of the Department of Justice, whose activities are supervised and coor-

dated by the Director of the Marshals Service under the authority of the Attorney General.

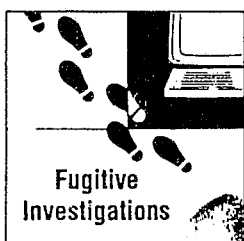
In FY 1989, Congress passed legislation which once again altered the structure and responsibilities of the Service. Among the more notable changes were establishing a U.S. Marshal for the District of Columbia; giving the Service the authority to have personal service contracts for security guards and the execution of non-criminal process; giving the Attorney General, rather than the local court, the authority to make interim replacements to U.S. Marshal vacancies; and providing for the appointment of the Director of the Marshals Service by the President with confirmation by the Senate.

After two centuries of evolution, today the basic functions of the Marshals Service are as crucial as ever to the Federal justice system.



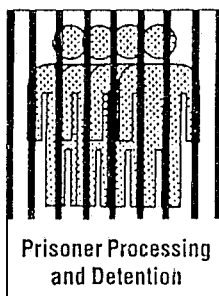
crucial as ever to the Federal justice system. The Marshals Service provides the critical link between the Executive and Judicial Branches, serving as the law enforcement agency performing Executive Branch functions that are essential to the operation of the justice system. Through this review of the U.S. Marshals Service (USMS) functions and FY 1991 accomplishments, this report provides a portrait of the organization, its responsibilities, and its role in the Federal justice system.

USMS Missions



Marshals Service involvement in the criminal justice system begins at the investigation and arrest stage for those defendants or prisoners who escape or violate bond, probation, or parole. Major USMS functions at the Fugitive Investigations stage are:

- Execution of Federal arrest warrants emanating from the U.S. Courts, including those for the majority of probation and parole violators, mandatory release violators, bond default fugitives, and escaped Federal prisoners;
- Execution of international extraditions; and
- International fugitive operations.



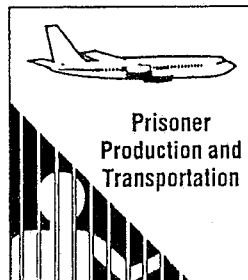
In addition, the USMS takes custody of all Federal pretrial detainees for processing into the Federal Criminal Justice System. USMS responsibilities for Prisoner Processing and Detention include:

- Photographing, fingerprinting, recording personal information, and compiling vital

statistics of all arrested Federal prisoners; and

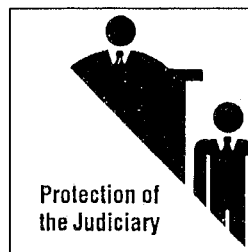
- Custody and care of all remanded Federal prisoners.

The defendant is brought in to court for trial



and hearings, and may be moved from one jail or court location to another. Marshals Service functions in the Prisoner Production and Transportation stage include:

- Secure and timely presentation of prisoners for court appearance; and
- Transportation services for Federal detainees remanded to Marshals Service custody throughout justice system processing, transfers between Federal institutions, and state/local extradition cases, when requested.



The trial may require additional security or protection for officers of the court. The major functions of the Marshals Service relating to Protection of the Judiciary are:

- Personal protection for the Federal judiciary and their family members;
- Analysis of threats against the Federal judiciary;
- Protection of jurors, and all other persons serving the court;
- Management of the Court Security Officer program to provide perimeter security at Federal courthouses; and
- Staffing for courtroom and courthouse security, advice and intelligence support,

and other protective services as may be required.

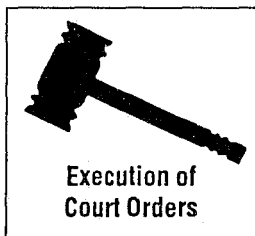


FY 1991 marks the twentieth anniversary of the founding of the Witness Security Program, through which the Marshals Service provides protection for witnesses in return for testimony in critical

criminal cases. Successful prosecution, particularly in organized crime cases, continues as the USMS carries out its responsibilities by:

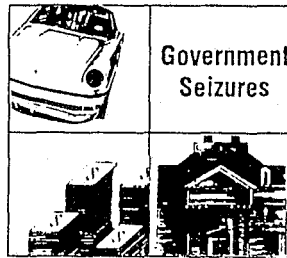
- Protecting witnesses while in a "threat" environment, especially when they are returned to the danger area to testify;
- Relocating the witness and authorized dependents, providing new identities, and assisting witnesses in becoming self-sufficient in their new community; and
- Providing child visitation and other services.

The Federal Courts issue court orders (or process) in criminal and civil cases and on behalf of government and private litigants. Deputy U.S. Marshals are responsible for executing all Federal court orders, (i.e., subpoenas, summonses and com-



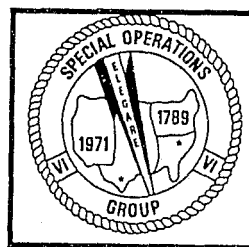
plaints, and writs of habeas corpus).

Court orders may include seizure and forfeiture actions which require the custody and management of assets obtained from illegal activities. Marshals Service responsibilities for Government Seizures include:

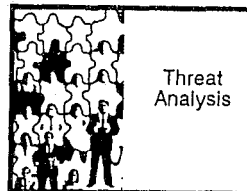


Seizure, management, and disposal of assets under custody of the Justice Department.

Finally, the Marshals Service provides specialized support in a wide range of emergency situations related to the courts and judicial community; provides a civilian law enforcement escort for nuclear missiles; and collects and analyzes information about potential threats to the criminal justice system. Major USMS functions related to Special Operations and Analysis include:



- Supporting a wide range of emergency situations;
- Providing a civilian law enforcement escort for nuclear missiles; and
- Analyzing information about potential threats to the criminal justice system.



The Marshals Service links the Executive and Judicial Branches through its law enforcement functions that are essential to the operation of the justice system.

USMS Support of the Federal Criminal Justice System

The preceeding section gives a brief overview of the responsibilities and programs of the Marshals Service. The rest of this report provides a more detailed description of how the USMS facilitates the missions of all organizations that make up the Federal criminal justice system. In addition, the Service supports criminal justice agencies and organizations at the state, local, and international level.

In its simplest form, the criminal justice system can be seen as being made up of three parts: **LAW ENFORCEMENT**, **COURTS**, and **CORRECTIONS**. In fact, each of these three parts have many discrete steps that come together to form a complex structure for administering justice. The charts below and on the next page outline the basic components of the system, the agencies within each part, and the support services the Marshals Service provides to these other agencies.

LAW ENFORCEMENT	
AGENCIES SUPPORTED	SERVICES PROVIDED
Other Federal Investigative Agencies	Investigation of felony fugitive warrants.
	Investigation of felony warrants on behalf of Federal agencies without arrest authority.
	Investigation of DEA fugitive warrants.
Foreign, State, and Local Law Enforcement Agencies	Special deputations to state and local law enforcement officers which enable them to assist in the Federal investigative and prosecution efforts.
	Funds for regional sweeps of Federal, State, and local fugitives through programs such as Operation Sunrise.
	Coordination of arrest and secure transportation of international extradition cases.
International Law Enforcement Organizations	Transportation of state fugitives through cooperative agreements.
	Photographic, fingerprinting, and vital statistic services for all arrested Federal prisoners.
	Custody and care of remanded Federal prisoners.
	Seizure, management, and disposal of assets captured by the Justice Department.
	Training for state and local agents in fugitive investigations and the establishment of ongoing intergovernmental operations.

COURTS

AGENCIES SUPPORTED

**Federal Judges
and Magistrates**

U.S. Attorneys

Pre-Trial Services

U.S. Probation

SERVICES PROVIDED

Personal protection for judges, magistrates, attorneys, jurors, and family members when threatened.

Analysis of threats.

Production of prisoners and witnesses for hearings, trials, pre-trial interviews, and other required meetings.

Providing testimony in cases where the USMS prepared prosecution reports.

Providing services of witness protection, relocation, and child visitation in return for testimony in critical criminal cases.

Execution of court orders.

Payment of witness fees and expenses.

Care, custody, and transportation of violators until completion of hearings.

Staffing for, and advice on, courtroom and courthouse security, as well as other protective services as may be assigned.

Planning assistance and technical advice on seizures and forfeitures.

Training for state and local agents in court security.

CORRECTIONS

AGENCIES SUPPORTED

Bureau of Prisons

**U.S. Parole
Commission**

Local Jails

SERVICES PROVIDED

Investigation and arrest of Federal fugitives, including escapees from Federal prisons, failures from Community Treatment Center programs, and violators of parole or probation conditions.

Transportation of Federal detainees remanded to USMS custody, sentenced prisoners committed to non-Federal detention facilities, and BOP Prisoners being transferred between Federal institutions.

Investigation and arrest of persons accused of aiding and abetting escapes from Federal custody.

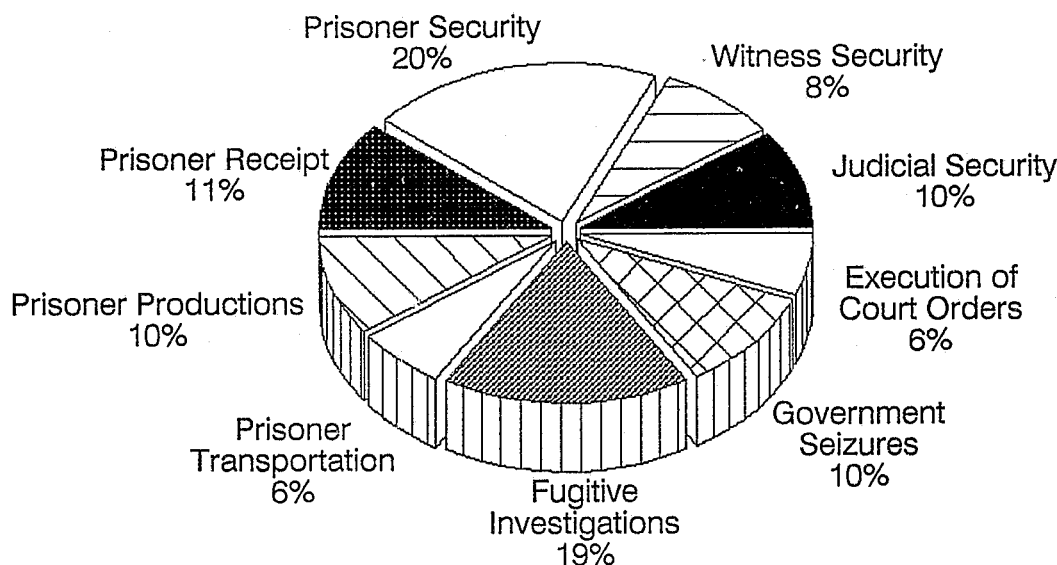
Funds and supplies for jail improvement and renovation (through the Cooperative Agreement and Federal Excess Property Programs).

Inspections of local contract jail facilities.

Training for state and local agents in jail operations.

Execution of joint use detention contracts with state and local governments.

Time Spent in Support of Primary USMS Missions



Accomplishing the Missions

Because of the range of responsibilities and the relatively small size of the organization, personnel in the Marshals Service work in every program area. The chart above shows how the USMS operational hours were expended in FY 1991. Protection of the judicial system covers 39 percent of all operational time, including the functions of Judicial Security (10 percent), Witness Security (eight

percent), and Prisoner Security (20 percent). Prisoner Transportation and Detention covers 27 percent of the total, including Prisoner Receipt and Processing (11 percent), Prisoner Production (10 percent), and Prisoner Transportation (six percent). The remaining time is spent in Fugitive Investigations (19 percent), Government Seizures (10 percent), and Execution of Court Orders (six percent).

Endnote:

The chapters of this report generally follow the order in which defendants or offenders come into contact with the Marshals Service and the Federal justice system as previously described. The chapters provide a comprehensive view of activities and workload accomplishments of the U.S. Marshals Service in FY 1991.

CHAPTER 2

Fugitive Investigations

The Marshals Service efforts in Fugitive Investigations throughout FY 1991 continued to justify the Service's reputation as the "Best Fugitive Hunters in the World." The Marshals Service is the only Federal law enforcement agency with a primary mission for the investigation and apprehension of fugitive felons for crimes of escape, bond default, parole and probation violations; warrants initiated by agencies without arrest authority; and fugitive warrants generated by the Drug Enforcement Administration (DEA).

When fugitives flee the authorities, they present a constant threat to society. Fugitives not only frequently commit new crimes, but also are likely to resort to desperate acts to elude capture. In addition, as fugitives develop new identities and perfect methods of concealing their wanted status, they become more difficult to locate. For these reasons, the quick apprehension of fugitives is of vital interest to the public and law enforcement agencies.

By Federal statute, the Marshals Service receives all arrest warrants issued by Federal courts. In FY 1991, the Service received a total of 74,259 Federal warrants for felony and misdemeanor crimes. The Marshals Service had primary responsibility for the execution of 69 percent of this total (18,208 felony warrants and 32,795 misdemeanor warrants). Other Federal law enforcement agencies had primary responsibility for executing the remaining 31 percent.

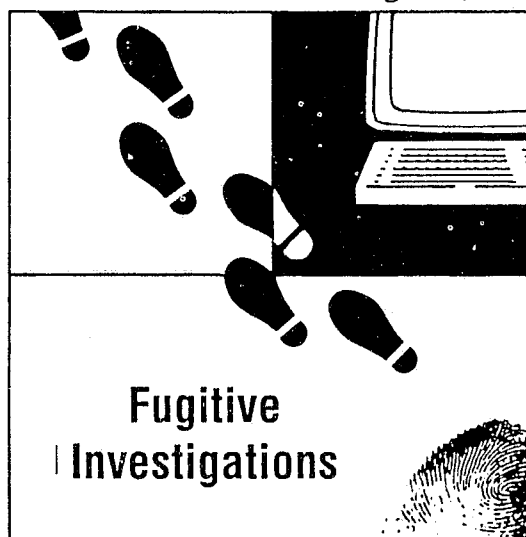
In FY 1991, the Marshals Service continued to utilize both traditional and innovative methods to locate and arrest fugitives. Among

these methods, task forces were employed to focus on the most serious fugitive offenders, electronic surveillance techniques were used, and the media's broad audience was asked to assist the Marshals Service in locating fugitive felons.

Program Overview

In 1979, the Attorney General recognized the need for a specialized law enforcement entity to help combat the growing Federal fugitive problem. The Marshals Service was mandated to serve as the lead fugitive apprehension force within the Federal government. In this respect, the Marshals Service:

- locates and apprehends fugitive felons;
- conducts investigations of escape conspiracy;
- develops information for the prosecution of fugitives, escape conspirators, and persons who harbor or assist fugitives;



- conducts special enforcement operations to locate large numbers of Federal, state, local, and international fugitives in a short time using a multi-agency task force concept;
- conducts criminal investigations within the United States on behalf of foreign country Interpol members;
- coordinates and conducts all international extraditions for the United States; and
- participates in special Federal task forces, such as the Organized Crime Drug Enforcement Task Force (OCDETF) program.

Execution of Warrants

The Marshals Service has primary responsibility to investigate Federal matters of escape and escape conspiracy, bond default, parole and probation violations, harboring and aiding and abetting of fugitives, and where the

originating agency does not have arrest authority. In addition, the Marshals Service assists other Federal, state, and local agencies with arrests. The Service also assists foreign governments in locating and arresting their fugitives in the United States.

During 1991, the Marshals Service continued to fulfill its administrative and investigative responsibilities for all DEA fugitive felons. After receiving 5,883 new DEA warrants during FY 1991, the Marshals Service investigators cleared 3,059 of these drug fugitive warrants through either arrest, locating the fugitive, or having the case dismissed. Other agency arrests on this type of warrant numbered 2,705.

The chart below highlights the Marshals Service warrant workload and program accomplishments. In FY 1991, criminal investigations accounted for 19 percent of all operational time expended by the Marshals Service.

FY 1991 USMS Warrant Workload

Category	Received During Year	Warrants or Cases Closed and Cleared				On Hand Beginning of Year	On Hand End of Year
		USMS Arrests	Other Agency Arrests	Detainers Filed	Dismissals		
USMS Felony Fugitive	12,325	8,216	889	2,770	673	12,051	11,828
Other Felony	23,256	6,671	11,615	2,419	2,789	19,429	18,928
Misdemeanor	32,795	10,524	1,495	434	16,154	42,937	47,022
DEA Fugitive	5,883	2,087	2,705	569	403	4,810	4,929
Total	74,259	27,498	16,704	6,192	20,019	79,227	82,707

The chart on this page depicts the number of Federal fugitive felons that the Marshals Service has arrested during the past eight years.

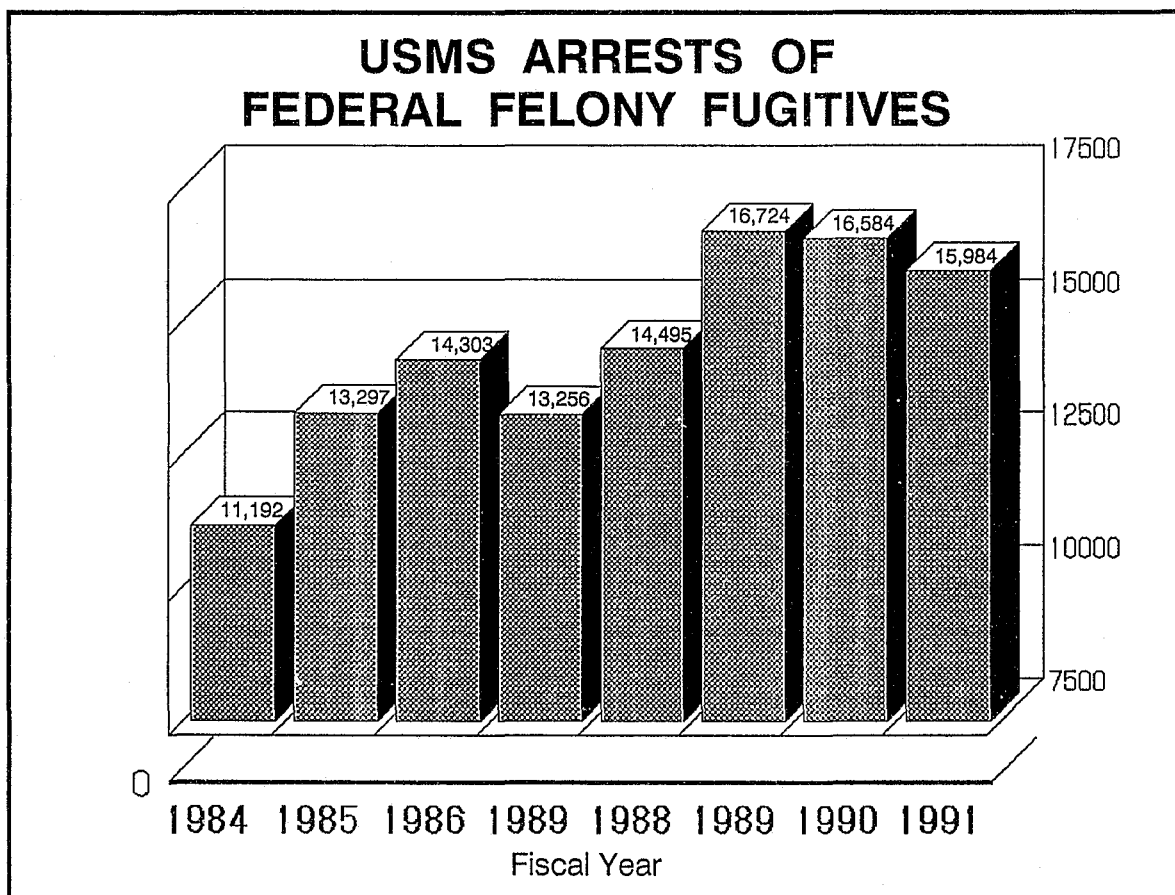
"Fifteen Most Wanted" Fugitives

The Marshals Service created its "15 Most Wanted" list in 1983. This list represents the most notorious and dangerous Federal fugitives throughout the country. One out of every 1,000 Federal fugitives becomes a 15 Most Wanted fugitive. Since the beginning of this program through the end of FY 1991, a total of 98 fugitives cases have been closed. The three 15 Most Wanted cases that were closed in FY 1991 are described below.

Michael Antonio Lucas, one of the Services most wanted fugitives, was arrested August 12,

by Marshals Service personnel in Baltimore, Maryland. Lucas was convicted of murder in the District of Columbia and was serving a sentence of 20 years to life. He escaped, however, in November 1990 following his transfer to a Texas county jail by the District of Columbia Department of Corrections. Lucas is a career criminal with a propensity for violence.

Another "15 Most Wanted fugitive" captured this year by the Marshals Service is **Richard Ernest Wolfferts**, who jumped a \$100,000 bond in 1989 in Tampa, Florida. At the time of his disappearance, Wolfferts had been charged with distribution and conspiracy to distribute over 1,000 kilograms of marijuana. He is believed to be a member of a major marijuana smuggling organization in Alabama, and he is a suspect in a car bombing



of a relative of a government witness. In May 1991, Wolfferts was arrested in Key West, Florida.

Ronald Lawrence Hansen, drug fugitive, was arrested by Marshals Service personnel in November 1990. Hansen had been a Federal fugitive since 1984. Marshals Service investigators assumed responsibility for the case in 1988 and focused on a complex trail of false identification documentation generated by Hansen. Based on this information, Hansen was located in Chesterton, Indiana, where he owned several properties and other assets believed to have been purchased through narcotics trafficking and money laundering activities.

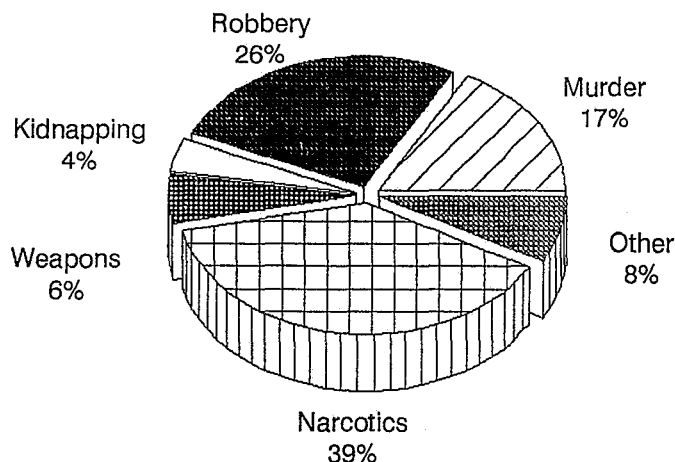
While not part of the "15 Most Wanted" program in FY 1991, the arrest by Marshals Service investigators in July 1991 of fugitive **Tony Alamo** required the same type of inter-district coordination that is used in "15 Most

Wanted" cases. Founder and leader of a fanatical religious organization, Alamo was found in contempt of court and threatened a Federal judge after a civil judgment ordered a seizure of his organization's property in Arkansas. Alamo eluded capture for about two years while being sought by Federal and local law enforcement agencies. Continuing to broadcast daily nationwide radio preaching, he was finally tracked to Tampa, Florida, by a Marshals Service task force using specialized surveillance equipment.

The chart below shows the distribution of offenses originally charged against the 98 fugitives in the cases that have been closed since the beginning of the 15 Most Wanted program. More than one-third of the fugitives that have been found through the program were originally charged with narcotics violations. Of the 14 cases that were open at the end of FY 1991, 79 percent of fugitives were connected to drug crimes.

ORIGINAL CHARGES AGAINST "15 MOST WANTED" FUGITIVES

Total Cases Closed: 98



Operation Sunrise

During FY 1991, the Marshals Service sponsored its 14th special apprehension operation combining the law enforcement resources of Federal, state, and local agencies. This effort, called Operation Sunrise, focused on five East Coast metropolitan areas identified by the Marshals Service as high drug and violent crime areas: Miami, Florida; Atlanta, Georgia; Washington, DC and Baltimore, Maryland; New York, New York; and Boston, Massachusetts. Operation Sunrise targeted four categories of fugitives:

- Fugitives prosecuted by the Organized Crime Drug Enforcement Task Forces,
- Major drug traffickers (criminals whose primary activity and source of income is based on drug trafficking),
- Fugitives with three prior violent felony convictions that may qualify for prosecution under Project Triggerlock, and

- Fugitives considered armed and dangerous.

This operation ran for 68 days from mid-August into October 1991. Participants included full-time investigators and support personnel from the Marshals Service, the DEA, the Bureau of Alcohol, Tobacco and Firearms (ATF), the U.S. Customs Service, the Army National Guards of Florida and New York, and almost 60 state and local law enforcement agencies. A total of 89 investigative teams apprehended 1,494 fugitive felons and seized \$1.8 million in illicit assets.

Escape Conspiracies

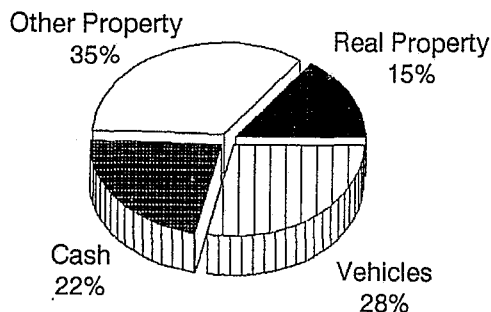
The Marshals Service is responsible for the investigation and development of information for prosecution of persons who conspire to escape or of those who conspire to aid in the escape from the custody of the Attorney General.

Under the new sentencing guidelines, convicted felons are being sentenced to longer

OPERATION SUNRISE

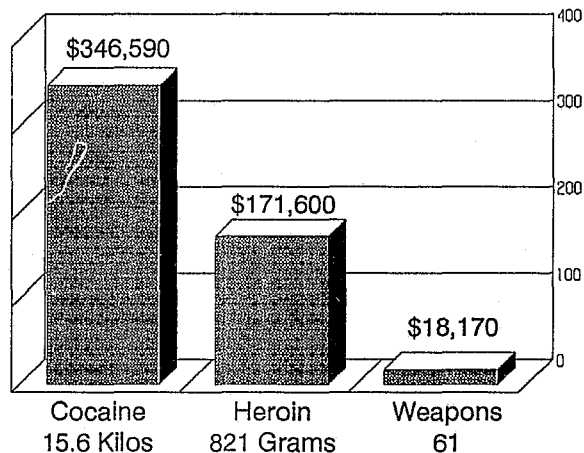
SEIZED ASSETS

Total Value: \$1,806,390



SEIZED CONTRABAND

(Dollars in Thousands)



prison terms. As a result, escape conspiracies are growing in number and complexity. Many offenders have unlimited resources and contacts to assist in the planning of elaborate schemes to escape. For example in 1991, the Marshals Service conducted an investigation of three imprisoned drug dealers who paid associates outside the institution to assist in their escape. These associates allegedly bribed correctional officers, hijacked a helicopter, landed in the institution, and extracted the three prisoners under gunfire.

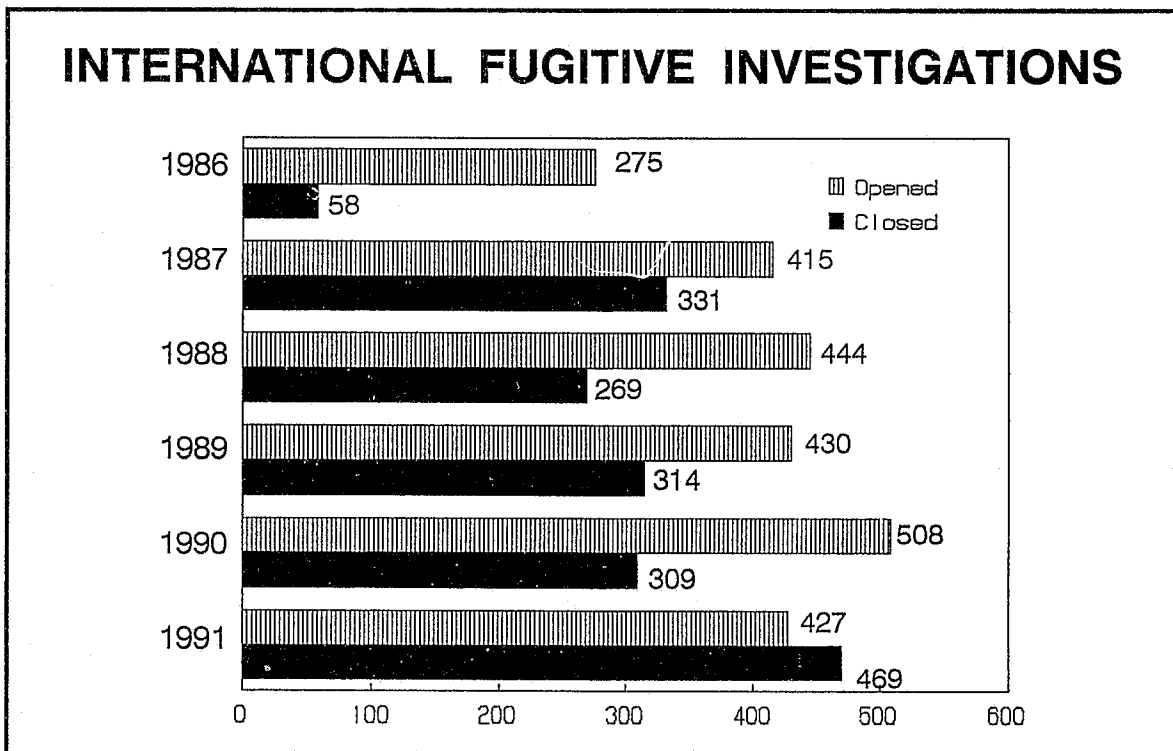
International Fugitive Operations

In FY 1991, the Marshals Service continued to distinguish itself among the many agencies that deal with international fugitives. The respect that the agency has gained in recent years was illustrated when the National Central Bureau of Interpol requested that the position of Assistant Chief of the Fugitive/Alien Section position be filled by a Marshals Service representative.

As part of its responsibility for coordinating investigations, the Marshals Service establishes and maintains contacts with law enforcement agencies around the world. The Service works through Interpol, the Department of State, the Central Intelligence Agency, the El Paso Intelligence Center, Operation Alliance, U.S. law enforcement attaches in foreign countries, foreign governments, and other sources.

The Marshals Service works with the law enforcement agencies in foreign countries to locate fugitives from the United States. In addition, at the request of foreign governments, Marshals Service investigators locate foreign fugitives in the United States.

In 1991, 427 new international investigations were opened by the Marshals Service. This figure includes 281 cases initiated by the Marshals Service, 86 cases initiated by Interpol, and 60 inquiries from other agencies.



During FY 1991 a total of 469 cases were closed by arrest, location of the fugitive, or dismissal. This included cases that were still open at the end of FY 1990. Descriptions of some of the major cases closed during 1991 follow.

William McGoldrick [Eastern District of Pennsylvania]: On June 12, 1991, William McGoldrick, alleged leader of an international cocaine trafficking organization, was arrested by the Mexican government in Mexico City, Mexico.

Mexican authorities used leads acquired by the U.S. Marshals and DEA following the recovery of a DC-3 aircraft laden with 1,349 kilograms of cocaine. The plane, which was found at the Allentown-Bethlehem-Easton Airport in Pennsylvania in September 1990, is believed to have played a role in McGoldrick's efforts to smuggle cocaine into Canada.

The U.S. Marshals Service and DEA followed McGoldrick through the United States and abroad. Following his arrest in Mexico, McGoldrick was deported to the United States.

Sean McLarty [Canada]: On January 1, 1991, Sean McLarty, wanted in Peterborough, Canada, for homicide, narcotics violations, failure to appear in court, and possession of stolen property, was arrested by military police at Fort De Russey, Hawaii.

The Peterborough Police Department was notified that McLarty was in custody, but he could not continue to be detained based on the charges filed by the military police. As authorities in Peterborough obtained a homicide warrant and requested a provisional arrest warrant, the Marshals Service in the District of Hawaii worked with the Immigration and Naturalization Service (INS) to have McLarty taken into custody on immigration

violations. INS later turned McLarty over to Canadian authorities.

Tiziano Mugnai [Italy]: Based on a provisional arrest warrant, Tiziano Mugnai was arrested on January 16, 1991, by the Marshals Service in the Central District of California. Mugnai is fighting extradition to Italy.

Mugnai is wanted by Italian authorities on a charge of fraudulent bankruptcy. Mugnai owned a "financial intermediary" company in Italy in which several hundred people deposited their savings. An investigation revealed that Mugnai's company owed five billion lire (approximately four million dollars) to its customers and issued unfunded checks for several hundred million lire.

International Extraditions

The Marshals Service is responsible for handling international extraditions involving individuals who have violated Federal criminal law. This responsibility was transferred to the USMS from the Department of State in 1977. The Service was selected to conduct international extraditions due to its expertise and training in the movement of Federal prisoners.

In 1991, 469 cases involving international investigations were closed by arrest, location of the fugitive, or dismissal.

In addition to the responsibility for escorting Federal fugitives to the United States, the Marshals Service moves state and local fugitives on a reimbursable basis. On a case-by-case basis, the Marshals Service escorts subjects who are deported, expelled, or

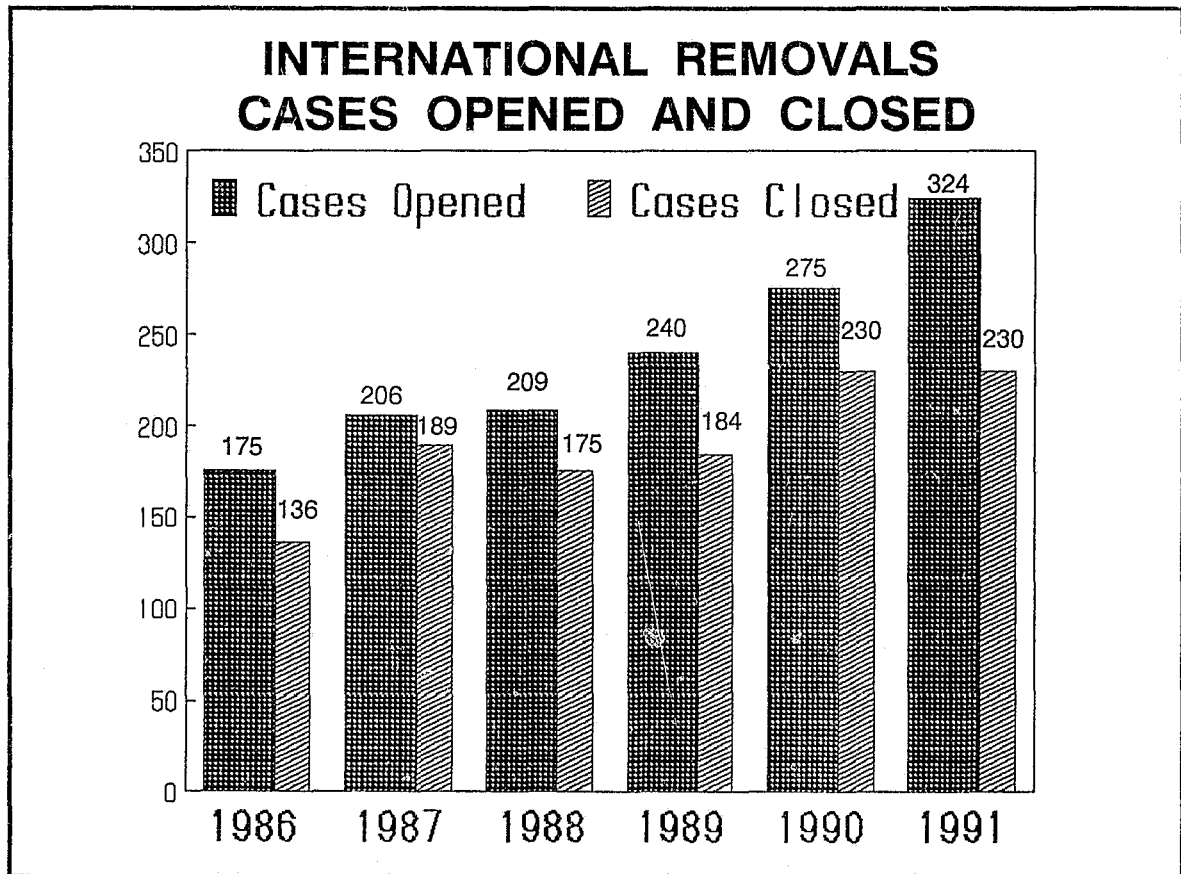
have voluntarily agreed to surrender to the United States. The Marshals Service assists and provides security at military air bases for foreign law enforcement personnel traveling in the United States en route to their country from another foreign country.

The extradition process is complicated and time-consuming. In most cases, the process involves close coordination with the host government; the Office of International Affairs at the Department of Justice (where each request for extradition is reviewed for approval); the Department of State (where all documents are certified and presented through diplomatic channels); the Marshals Service district office where the warrant originated; and any other Federal, state, or local agency involved in the extradition. In some cases of expulsion or deportation, the

Marshals Service works directly with the appropriate foreign law enforcement authorities.

The extradition of "high-profile" fugitives has increased significantly in recent years. The movement of fugitives who are drug kingpins or who are connected to organized crime, terrorist groups, or other dangerous gangs necessitates stringent security arrangements. Stringent security arrangements include increasing the number of Marshals Service personnel escorting the fugitive, using aircraft (Marshals Service owned, leased private jets and military aircraft), and prearranging the use of military bases.

In 1991, the Marshals Service opened 324 requests for international removals either by extradition, deportation, or expulsion—an



18% increase over 1990. Renewed relationships with former "eastern block" countries will continue to increase activity in this area.

Two unprecedented moves occurred this year with the extradition of a fugitive from Czechoslovakia and with the expulsion of a U.S. fugitive from the Soviet Union. Other "firsts" in this area this year include the extradition of a Jamaican national from Jamaica; the extradition of a United States fugitive from Tunisia based on that country's existing law without a bi-lateral treaty in place; the extradition of a drug fugitive from Singapore; and the extradition of a Guatemalan national from Guatemala based on United States drug charges.

**FY 1991 saw two
unprecedented extraditions:
the extradition of a fugitive
from Czechoslovakia
and the expulsion of
a U.S. fugitive from
the Soviet Union.**

Over half of the international extradition cases in 1991 were for drug charges. The President's initiative to eradicate drugs from our society is having a significant impact on the extradition program. Drug cases have increased by 63 percent over the last two years. With improved diplomatic relations and the ratification of new or existing treaties, the United States will continue to be successful in requesting extraditions of persons who have been charged with a crime.

Another method for bringing fugitives to justice who are serving sentences or are on

parole is through the Mutual Legal Assistance Treaties. This allows individuals to be returned to the requesting country to plead guilty to, or be tried on, outstanding charges. They are brought to the requesting country for a specific period of time and must be returned to the host country immediately after disposition of their case.

Some of the noteworthy international extraditions conducted by the Marshals Service in 1991 are described below.

Rufino Arriazo-Cordova was returned to the United States in December 1990. Arriazo, a Guatemalan national, was wanted in the Southern District of Florida for possession with intent to distribute cocaine and conspiracy to import cocaine. This was the first extradition of a Guatemalan citizen wanted for United States drug charges and only the second extradition of any Guatemalan citizen to the United States. Special arrangements were necessary to accomplish this extradition due to Arriaza's ties to violence and to corrupt police officials. The Marshals Service orchestrated its own security and used its own aircraft with special security personnel.

In March 1991, the Marshals Service returned **Jire Benes** to Czechoslovakia at the request of the Czech government. Benes escaped from a Czechoslovakian prison where he was serving a 24-year sentence for murder. This extradition, which sparked much interest by the Czechs, was the first involving Czechoslovakia. Media coverage of the extradition and the Marshals Service was extensive. The Deputy U.S. Marshals who escorted Benes also gave a presentation about the Marshals Service to a Czech prison staff.

Although no extradition treaty with the Soviet Union is in effect, the Marshals Service returned **Felix Kolbovsky** to the United States from the Soviet Union in March 1991. Kol-

bovsky, a Soviet immigrant to the United States, had fled to his native country after he was charged in St. Louis, Missouri, with 22 counts of mail fraud in the operation of a medical clinic and diagnostic business set up to defraud the government of an estimated \$10 million. This extradition was the first between the United States and the Soviet Union.

Investigation Support Activities

The Marshals Service is a prominent participant at the El Paso Intelligence Center (EPIC) and, as such, maintains a staff to participate in intelligence activities that will benefit the Service and other law enforcement agencies.

During FY 1991, the Marshals Service used Operation Sunrise to test the feasibility of entering Marshals Service investigative intelligence into the EPIC data systems. It proved very successful and continues as an ongoing policy. The Marshals Service has also made the increased use of EPIC a priority.

Marshals Service analysts at EPIC researched and published a Colombian fugitive booklet. The publication was distributed to all of the EPIC customers nationwide.

The Marshals Service establishes and maintains important international contacts through Interpol. The Service has three representatives assigned to the National Central

Bureau Interpol office in Washington, DC, and one assigned to Interpol's General Secretariat in Lyon, France.

Also in support of fugitive investigation activities, the Marshals Service maintains representation at the Financial Crimes Information Network (FINCEN), administered through the United States Department of the Treasury. The Service also participates in Operation Alliance, a special Southwest border initiative, and in Project North Star, a United States and Canadian border initiative.

OCDE Task Forces

The Marshals Service participation in the Organized Crime Drug Enforcement Task Force (OCDETF) Program was initiated in 1982 by the appointment of 13 Marshals Service criminal investigators to the task forces. This program involves a coordinated drug enforcement effort in 13 task force locations across the United States. The Marshals Service coordinators have provided case oversight, coordination, and guidance in thousands of OCDETF fugitive investigations.

OCDETF cases impact all areas of the Marshals Service. The OCDETF coordinator remains in continuous liaison with all of the Marshals Service district managers and the other OCDETF investigative agencies.

Endnote:

The function of fugitive investigations is a diverse and challenging USMS responsibility involving domestic and international fugitive operations, executing warrants, and participating in task forces and other joint operations. Within these activities, the Marshals Service routinely interacts with various law enforcement agencies at the Federal, state, local, and international level. These interactions often result in innovative and resourceful means to effectively carry out the USMS historic duty of bringing fugitives to justice.

CHAPTER 3

Prisoner Processing and Detention

The USMS is responsible for all Federal prisoners detained for judicial proceedings. Each individual arrested or detained for violation of a Federal statute must be brought before a magistrate or judge for an initial hearing. Upon completion of the hearing, the prisoner may be remanded to the custody of the USMS until such time as the charges are dismissed or the prisoner is either released on bond or personal recognizance, tried and acquitted, or convicted and delivered to an institution for service of the imposed sentence.

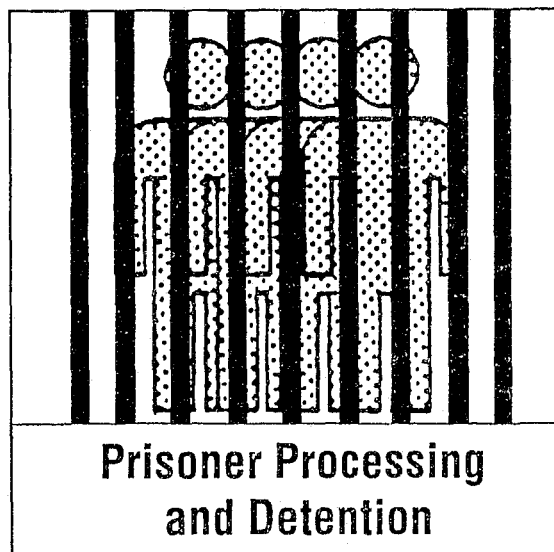
The Prisoner Operations Program was established to ensure efficient, economical, and secure methods for the receipt, processing, custody, and production of Federal prisoners. This includes the need to acquire sufficient, suitable detention space for Federal prisoners who must be detained in non-Federal facilities while undergoing judicial proceedings.

Program Overview

The USMS assumes custody of individuals arrested by all Federal agencies and maintains custody of detained illegal alien material witnesses. Each person in USMS custody who has not previously been in the Federal prison system is fingerprinted, photographed, and assigned a prisoner control number. Records are established for criminal and personal data, personal property, medical history, and other information. Inquiries are made through the National Crime Information Center (NCIC) and various state or regional databases to determine if there are other outstanding charges against the person, and requests for name and fingerprint checks are forwarded to the Federal Bureau of Investigation (FBI).

The USMS is also responsible for the negotiation, award, and administration of intergovernmental agreements (IGAs) with state and local detention facilities for housing USMS prisoners when Federal facilities are not available. The Cooperative Agreement Program (CAP) and the Federal Excess Property (FEP) Program are designed to provide assistance to state and local facilities that provide housing for Federal prisoners.

The detention of prisoners provides diverse and complex challenges. For example, Deputy U.S. Marshals are faced with such issues as investigating inmate suicides, arranging for the hospitalization and care of prisoners with terminal illnesses or contagious diseases such as AIDS, and finding lodging for dependent children of prisoners and alien material witnesses. The Federal courts also call upon USMS personnel to investigate and resolve prisoner complaints against local jails.



In FY 1991, the receipt and processing of prisoners consumed 11 percent of all Deputy U.S. Marshal duty hours. This time was spent in the actual receipt of prisoners, as well as in inspections of local jails and in administering IGAs.

In FY 1991, there was a three percent increase in the number of Federal prisoners received, from 88,303 in FY 1990 to 90,825 in FY 1991. Since 1984, the year that the Comprehensive Crime Control Act (CCCA) was passed, the Service has experienced an overall increase of ten percent in the annual number of prisoners received. The chart below shows the different categories of prisoners received into USMS custody.

Although the number of prisoners received into USMS custody has grown at a modest rate over the past seven years, the average number

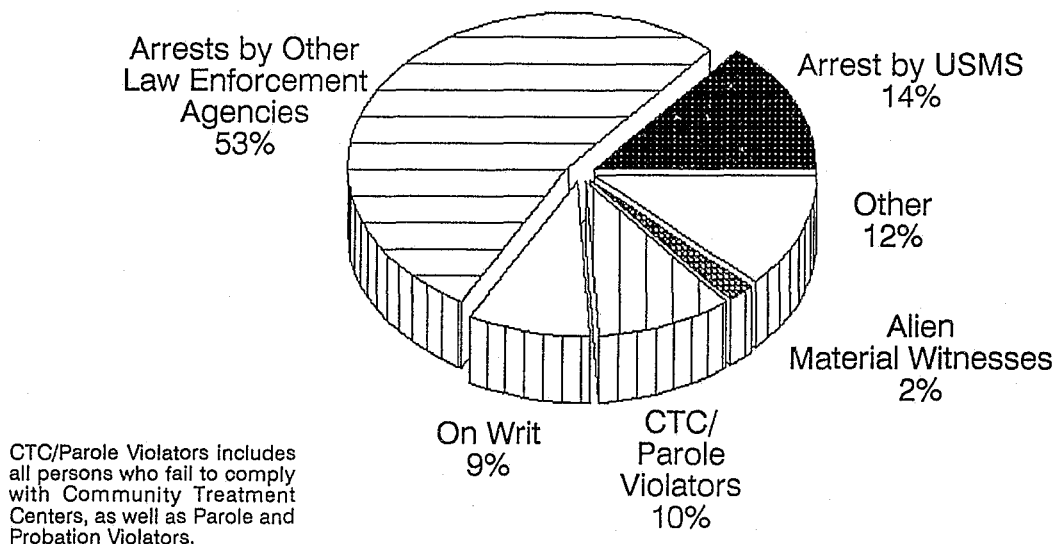
of prisoners in custody on any given day has grown rapidly. The average daily number of prisoners in USMS custody rose to 16,168 in FY 1991, an increase of 21 percent.

The chart on the facing page depicts the growth of the average daily prisoner population since the passage of the CCCA. During the past seven years, the average daily prisoner population has grown by as much as 33 percent per year, with an overall increase of 200 percent.

The Marshals Service houses prisoners remanded to its custody in state and local facilities through established contracts, or with Federal facilities operated by the Bureau of Prisons (BOP). The Service tracks the time prisoners stay in these facilities based on "inmate" or "jail" days.

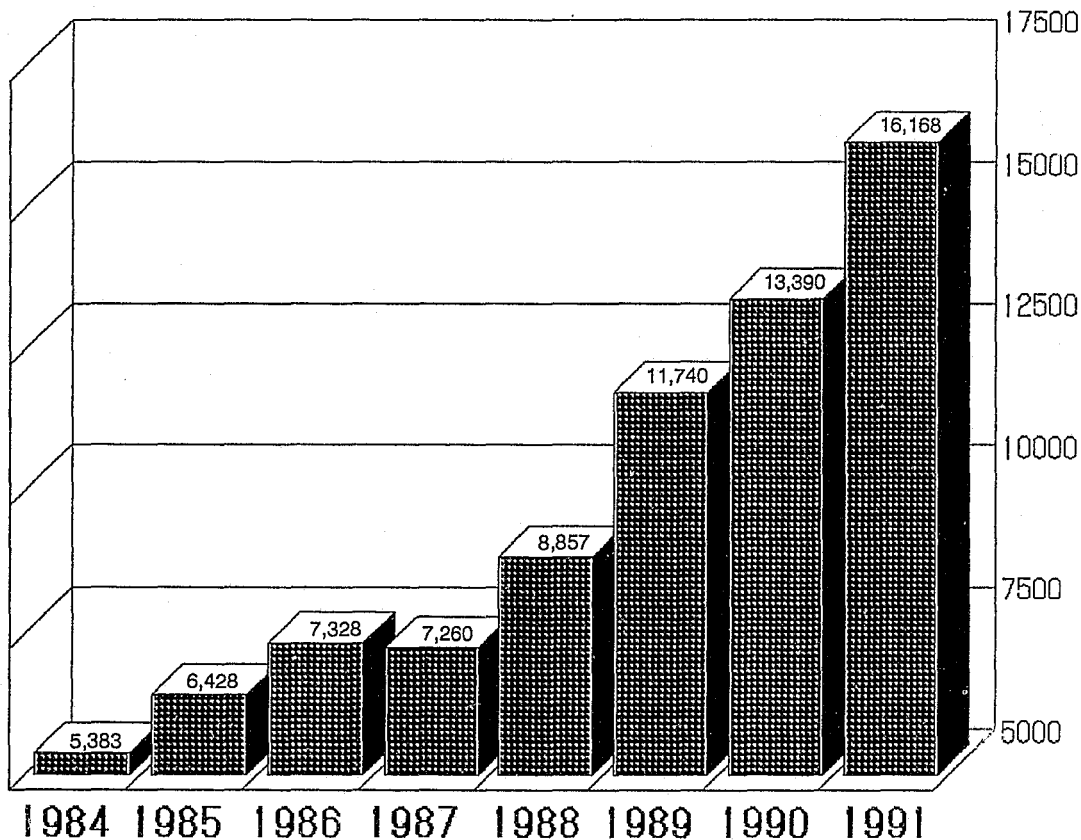
Prisoners Received into USMS Custody

Total Received during FY 1991: 90,825



Growth of Average Daily Prisoner Population

Overall increase of 200% from FY 1984 to FY 1991



As shown in the chart on the next page, the monthly average number of inmate days in contract facilities has increased steadily from FY 1984 to FY 1991. There has been an overall increase of 218 percent.

The average length of prisoner detention for both Federal and contract facilities for 1991 was 36.7 days, an increase from 35.8 days in 1990.

The Marshals Service workload is expected to continue to increase as more and more

prisoners remanded to Marshals Service custody are committed to detention facilities.

Finding Adequate Detention Space

The Federal Government has traditionally been dependent upon state and local units of government to provide for the housing, custody, and care of persons detained for violations of Federal laws or who are being held as material witnesses in a Federal prosecution. In recent years, however, the USMS has encountered serious problems in

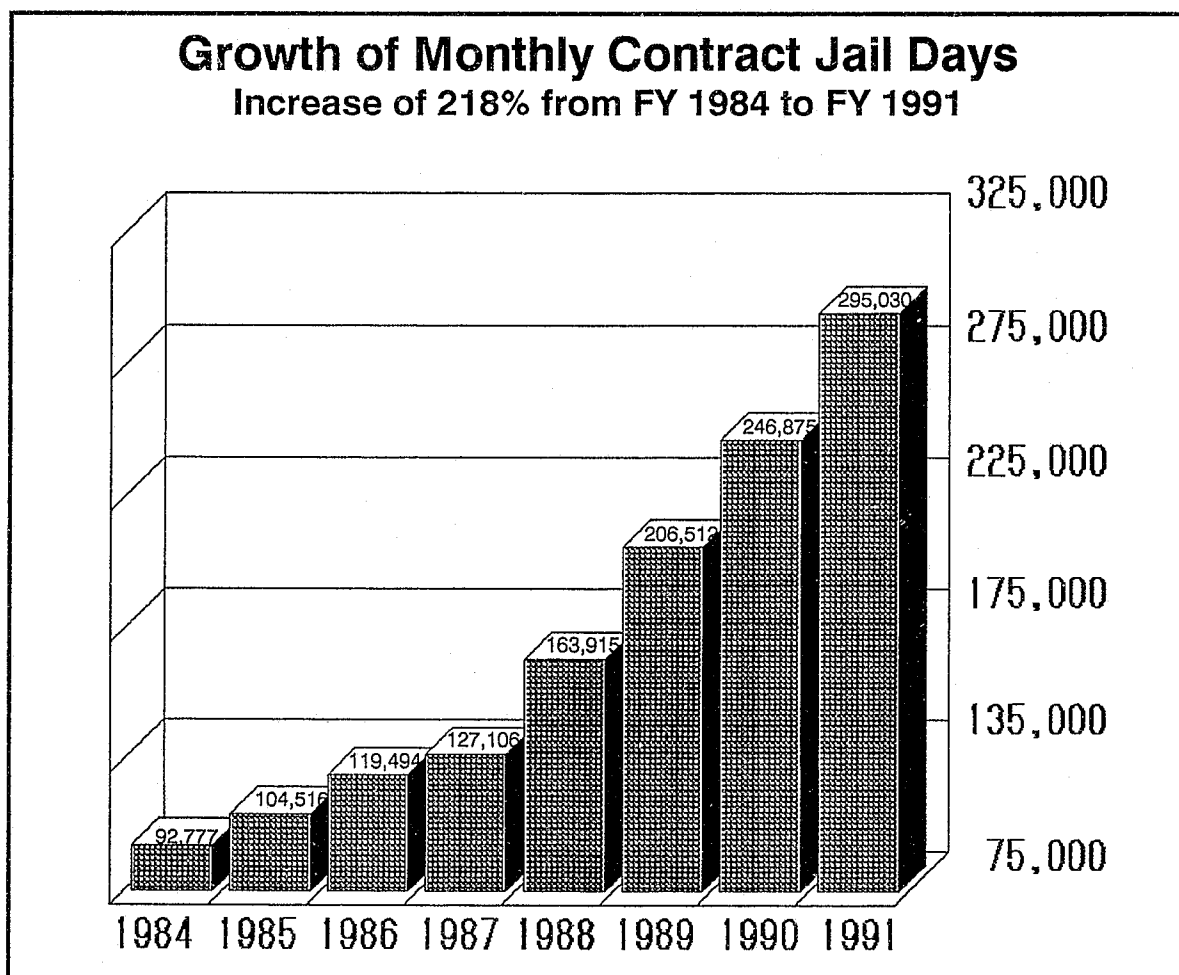
obtaining adequate bedspace for its prisoners in cities where Federal court is held.

By the end of FY 1991, 640 local jails had severely restricted or had terminated space for Federal prisoners. This was due to severe overcrowding and an increasing concern over substandard conditions of confinement: over half of the state prison systems are under court order to alleviate overcrowding. In addition, the availability of local jail space for Federal prisoners has decreased as local governments push for longer sentences for violent crimes and incarceration of drunk drivers.

Jail space available to house Federal prisoners in major metropolitan areas is

declining rapidly, requiring Deputies to travel increasing distances to find bed space for prisoners. As a consequence, the USMS has seen a significant increase in the number of pretrial detainees and unsentenced Federal prisoners who must be detained in already overcrowded Federal institutions or in contract jails in outlying rural areas.

Detaining Federal prisoners in outlying rural areas places a significant drain on limited agency resources. Rural jails are small, requiring the Marshals Service to use several separate facilities, usually located in different directions from the Court. Additional Deputies and equipment are required to transport prisoners in multiple locations. The



result has been higher costs as well as greater risks to Marshals Service personnel.

In FY 1991, all USMS districts continued to have difficulty finding adequate jail space for the increasing prisoner load. For the third year in a row, nowhere was this more evident than in the Northeast region of the country. Severely overcrowded local and Federal jails forced deputies to drive hundreds of miles to house prisoners awaiting trial.

The Northeast jail space shortage continues to create logistical and legal problems for the Marshals Service in the Southern and Eastern Districts of New York. The New York Metropolitan Correction Center (MCC) current population of 941 (up from 818 last year) far exceeds its rated capacity of 466. In order to keep the overcrowded MCC open for new arrests, a Federal bedspace allocation plan and special weekly airlifts of sentenced but undesignated prisoners to such locations as Texas and Louisiana were implemented.

Moreover, the Marshals Service has contracted for all available detention space with state and local governments from Boston, Massachusetts, to Richmond, Virginia. BOP continues to support the Marshals Service by accepting Federal detainees (prisoners who have not been convicted) even though it is faced with overcrowded conditions at all its institutions. The Federal Correctional Institution in Otisville, New York, is now totally filled with more than 800 detainees, and 150 beds at BOP's Danbury, Connecticut, facility have been converted for Marshals Service use.

In the Districts of Eastern and Southern New York, the U. S. Marshals must run overnight cellblock details in their offices when the MCC cannot accept anymore detainees. These cellblock details, which are becoming more and more frequent, present an unacceptable operational risk and cannot be

The Comprehensive Crime Control Act of 1984

The implementation of the Comprehensive Crime Control Act (CCCA) of 1984 continues to have an impact on several USMS workload areas. Since the implementation of the CCCA, the USMS has experienced increases in the volume of work related to prisoners. Passage of the Anti-Drug Abuse Act of 1988 and the ruling that upheld the Sentencing Reform Act of 1984 continue to exacerbate the impact of the CCCA.

Since the implementation of these acts, the Marshals Service has experienced workload increases in

- the daily average number of prisoners in USMS custody,
- the number of productions, and
- the average length of prisoner detention in both Federal and contract facilities.

While the nature of these USMS responsibilities has not changed, the volume of work has increased considerably as depicted in the charts throughout this chapter.

maintained. In addition, there have recently been cases when new arrestees were turned away until space at the MCC became available.

The opening of the Metropolitan Detention Center that BOP is constructing at Bush Terminal in Brooklyn will provide relief to the detention problem currently experienced in the Eastern and Southern Districts of New York. The facility will be ready to accept prisoners by January 1993.

Housing prisoners in remote detention facilities aggravates the problems of extensive overtime, excessive travel, and administrative juggling of prisoners among facilities as court dates approach.

The problems of extensive overtime, excessive travel demands, and administrative juggling associated with housing prisoners in remote facilities continue unabated. Examples of the impact of the Northeast crisis follow:

- A special airlift has been established to assist the Northeastern districts. Once a week, prisoners awaiting designation to a BOP facility are airlifted to Webb County, Texas. Prisoners with long adjournment dates, who have either pled guilty or have been found guilty, and are awaiting sentences are being housed in the West Tennessee Detention Center in Mason, Tennessee. In spite of the efforts to relieve the overcrowding, the Eastern and Southern Districts of New York have still been forced to house prisoners in their holding cells from time to time.

- The Federal Detention Center in Hartford, Connecticut, is in the process of closing down. The facility has housed 22 male prisoners and 33 female prisoners. The Marshals Service must find housing for these 55 prisoners.
- In Philadelphia, Pennsylvania, Deputy Marshals often face an 800 mile roundtrip to Alderson, West Virginia. The detention facility in Alderson is often the nearest facility that can house female prisoners. At one time, the 26 deputies in the Eastern District of Pennsylvania were responsible for 350 prisoners spread among 14 different detention facilities in a geographic area that stretched from New York to West Virginia.
- On a regular basis, the District of Rhode Island must house its prisoners in Connecticut where the nearest space is available. This results in a two hour, one-way trip to Hartford or a three and one half hour, one-way trip to Danbury each time. The time spent on transporting prisoners detracts significantly from the time needed by deputies to work on warrants or fugitive arrests.

The districts in the Northeast have turned more and more frequently to the USMS National Prisoner Transportation System (NPTS) to transport prisoners long distances for holdover due to the lack of jail space in the nearby Federal court city. As critical detention space becomes even more scarce, the need to locate prisoners wherever detention space is available throughout the country has become an ever increasing occurrence.

The severe detention space crisis in the Northeast region prompted the Marshals Service to undertake an aggressive approach to resolve the emergency detention space needs of the districts in that area. Beginning in 1989,

a system was developed to allocate detention space at BOP facilities when the Marshals have exhausted all available detention space with state and local agencies.

The first step was the formation of the Northeast Regional Task Force made up of USMS and BOP representatives. Next, to address constant emergency detention space needs of the Service, a USMS Northeast region detention space coordinator was established to manage and allocate USMS detention space in BOP facilities for districts in the region. Approximately 2,500 bed spaces are subject to this intense level of management.

Limited jail space in other regions of the country are also straining the resources of the Marshals Service to the limit. For example, because of severe overcrowding in the county jails throughout West Virginia, Federal prisoners had to be transported as far away as Kentucky, Ohio, and Virginia, in order to find jail space. Because of overcrowding in State facilities, the District of Hawaii must transport prisoners by commercial carrier on a weekly basis to the Federal facility in Los Angeles.

Use of Federal Facilities

The growth in the Service's prisoner levels has generated increased demands for bedspace, not only in overcrowded local facilities but also in Federal detention facilities. The already overcrowded Federal facilities have been unable to support increases in USMS prisoner population levels, especially in the Northeast.

The Bureau of Prisons currently operates only 68 detention facilities. Unless the facility is located within daily commuting distance to Federal courts, it is usually not able to house unsentenced Federal prisoners. Of these 68 BOP facilities, only five are designated as

MCCs—that is, assigned to provide full detention services for unsentenced prisoners. As shown in the chart on the next page, each of these five MCC facilities were operating over their capacity levels, and altogether they averaged 95 percent over capacity by the end of FY 1991.

In the seven years since the passage of the Comprehensive Crime Control Act, overcrowding in Federal facilities has increased from 30 percent over rated capacity in FY 1984 to 51 percent over rated capacity in FY 1991.

Population pressures on BOP facilities continue to increase as its prisoner levels swell. At the end of FY 1984, the BOP had an inmate population of 32,317, which was already 30 percent over the rated capacity of the BOP facilities. An additional 3,284 prisoners were housed in state, local, or private facilities. By the end of FY 1991, BOP facilities housed 64,781 inmates, which was 51 percent over their rated capacity.

The National Drug Control Policy Board's report from the Subcommittee on Pre-trial Detention, Immigration Detention, and Prison Space predicted that the impact of the Sentencing Reform Act could push BOP's sentenced population level to between 78,000 and 125,000 inmates by 1997.

Overcrowded Federal detention facilities present serious security problems. Because

BOP construction has not been able to support the population growth in the Federal prisons, the USMS must continue to rely on contract facilities to house the increasing prisoner population.

DOJ Interagency Detention Task Force

In 1991, the BOP, the Immigration and Naturalization Service (INS), and the Marshals Service continued their close working relationship through the auspices of the DOJ Interagency Detention Task Force. This group is striving to determine the Federal detention requirements of Federal court cities through 1996.

In FY 1990, through the coordinated efforts of BOP, INS, and the Marshals Service, the first Federal Detention Plan was developed to help resolve the critical jail space crisis. The

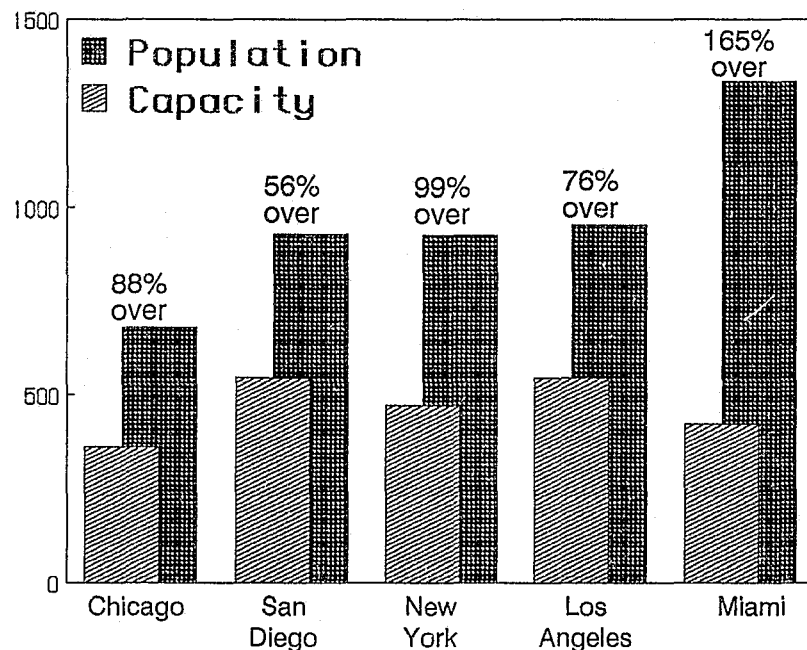
FY 1991 projections from this plan predict a pre-trial prisoner population of 27,625 by 1996.

The Federal Detention Plan calls for a total of 9,318 new bedspaces to be created for Federal court cities at an estimated overall cost of \$966 million for budget years 1992-1996. Locating adequate detention space near Federal court cities will generate significant savings in terms of prisoner security and transportation costs, as well as ensure the prompt and steady functioning of the Federal judicial system.

BOP has proposed a total of 11 construction projects (most of which are new facilities) to create a total of 6,900 new bedspaces in BOP facilities for USMS and INS prisoners. Under this plan, the Marshals Service's Cooperative

BOP Metropolitan Correctional Centers (MCCs)

**Combined the
five MCCs
average 95%
over their rated
capacity at the
end of FY 1991.**



Agreement Program will request a total of \$65 million from 1992-1996 towards acquisition of additional bedspaces.

With this critical task at hand, the Inter-agency Detention Task Force has proven to be a decisive first step in defining the Federal judicial system's immediate and long term detention space requirements as well as in addressing operational issues of mutual concern. The Federal Detention Plan is intended to provide a framework of detention needs which can be re-evaluated each year by the Task Force. It is the beginning of a long term solution to a very difficult problem.

The Private Jail Program

The Marshals Service was granted authority to enter into detention agreements with the private sector as part of the Anti-Drug Abuse Act of 1988. In 1990, the Marshals Service awarded the first jail contract for the construction and operation of a detention facility for the Kansas City Metropolitan area in Leavenworth, Kansas. The groundbreaking for the facility took place on June 3, 1991, with an expected completion date of June 30, 1992.

Intergovernmental Agreements (IGA)

During FY 1991, 897 Intergovernmental Agreements were in effect between the USMS and state and local governments for jail space. During FY 1991, 270 IGA actions were completed, a 20 percent increase over IGA actions for 1990. This increase in new awards and modifications reflects the continued demand on the Marshals Service to acquire jail space for its ever increasing prisoner population.

IGAs require the completion of periodic jail inspections. These inspections are designed to ascertain each facility's level of compliance with established national detention standards. Jail inspections also identify those conditions of confinement which are substandard and

need improvement. In many instances, the reports filed from these inspections motivate local officials to correct deficiencies and thereby reduce their liability in potential prisoner rights litigation.

In FY 1991, 85 percent of the required jail inspections were completed. This significant increase from the amount completed in the previous year is due to the newly established jail certification program.

Cooperative Agreement Program (CAP)

A program which has had a major beneficial impact on the ability of the USMS to provide for the adequate detention of unsentenced Federal prisoners is the Cooperative Agreement Program. Begun in 1982, this program allows the Marshals Service to enter into negotiated agreements with state and local governments for the necessary renovation or construction of detention facilities in exchange for guaranteed bedspace for Federal prisoners for a specified period.

**The USMS uses the
CAP program to obtain
guaranteed bedspace for
Federal prisoners in state and
local detention facilities
in exchange for funding
for renovations
and construction.**

The CAP Program was authorized \$15 million for 1991 and also obtained an additional \$15 million in CAP funding through carryover, terminations, and a reimbursable agreement with BOP. The CAP Program is the one area in which exceptional progress was made

**COOPERATIVE AGREEMENT PROGRAM
AGREEMENTS AWARDED IN FY 1991**

DISTRICT	JAIL	FUNDING	BEDS	YEARS
S/AL	Mobil County	\$1,000,000	50	15
E/AR	Faulknur County	\$150,000	15	15
CT	CT CCC (MOD)	\$3,955	N/A	N/A
M/FL	Lee County	\$1,000,000	25	15
M/FL	Jacksonville*	\$684,000	25	15
M/GA	Colquitt County	\$750,000	30	15
M/GA	Milledgeville	\$36,000	5	10
N/IA	Woodbury County	\$300,000	15	15
E/KY	Boone County (MOD)	\$20,500	1	N/A
E/LA	Tangipahoa	\$1,600,000	60	15
MD	Queen Anne County	\$150,000	16	15
MA	Essex County	\$60,000	35	15
W/MI	Kalamazoo County	\$400,000	10	15
W/MI	Marquette County	\$200,000	10	15
N/MS	Lafayette County	\$1,000,000	50	15
N/NY	Madison County	\$75,000	5	5
M/PA	Pike County	\$1,000,000	50	15
S/TX	Harris County	\$1,000,000	100	15
E/VA	Loudoun County	\$120,000	10	10
N/WV	WV Jail Authority	\$1,5000,000	60	15
S/WV	WV Jail Authority	\$1,5000,000	60	15
E/VA	VA Beach City (MOD)	\$18,800	N/A	N/A
N/NY	Albany County	\$625,000	15	15
OR	Multnomah County	\$300,000	25	15
NJ	Union County	\$810,000	50	15
AZ	Pinal County*	\$233,000	10	30
ME	Cumberland County	\$2,800,000	56	15
NE	Sarpy County	\$455,000	17	15
NV	N. Las Vegas*	\$1,841,856.50	60	15
E/NC	New Hanover County*	\$106,282.70	25	20
M/NC	Forsyth County	\$2,000,000	50	10
M/NC	Orange County	\$1,000,000	20	15
W/NC	Buncombe County	\$2,000,000	48	10
W/NC	Mecklenburg County*	\$1,259,202.80	120	15
W/NC	Swain County	\$119,658	15	15
S/NY	Putman County	\$250,000	10	8
E/TX	Jefferson County	\$200,000	75	15
W/WI	Dane County	\$1,000,000	30	15
DE	DE DOC (FR DEOB)	\$240,000	6	15
TOTAL	39 JAILS	\$30,033,195.70	1,274	

* Split Funding

towards reversing the growth of the jail space crisis which has threatened the functioning of the Federal judicial system.

During 1991, a total of 39 CAP Agreements (including modifications) were awarded for a total cost of \$30 million. As the chart on the previous page shows, the Service acquired 1,274 CAP detention spaces in 1991. The national average cost per bedspace remains about \$18,500, which is extremely cost-effective considering that to construct a new maximum security bedspace costs approximately \$60,000.

Since the beginning of the program in 1982, the Service has acquired a total of 6,700 bedspaces in 116 Federal court cities. The Cooperative Agreement Program remains an important part of the BOP/INS/USMS Five-Year Detention Plan to solve the jail crisis. The detention plan requires the Service to actively pursue CAP Agreements in Federal

court cities where state and local bedspace can be acquired. As the graph below shows, average CAP bedspace costs have remained fairly constant for the past seven years.

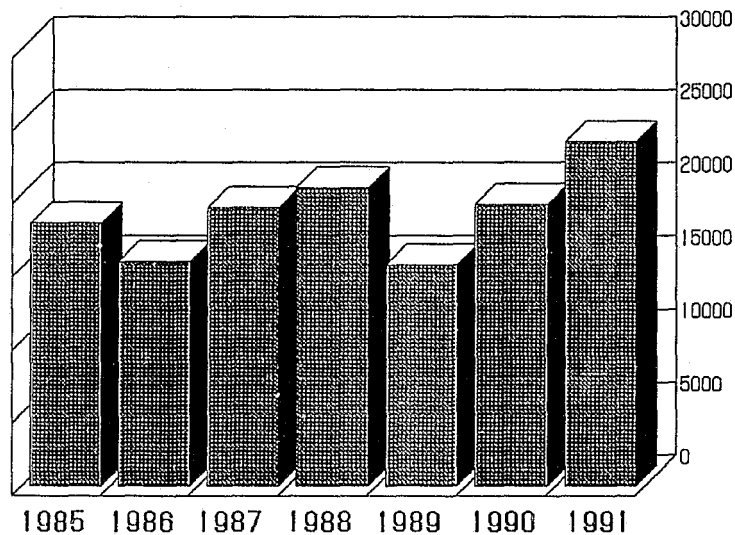
The Marshals Service estimates that by 1995 approximately 5,800 beds out of the 20,347 projected requirement can be obtained through the USMS CAP program. Most of the additional beds required by 1995 will have to be created by BOP.

Federal Excess Property Program (FEP)

As part of the effort to give local jails an incentive to provide temporary housing for Federal prisoners, the USMS developed the FEP Program in 1982. This program allows local contract facilities to utilize excess Federal property at no cost to enhance jail services and programs. It has led to a greatly improved level of cooperation between the Marshals Service and state and local governments.

AVERAGE COST PER CAP BEDSPACE

The results of the CAP negotiations between the USMS and local jails has been a fairly constant average price per bed, with a seven year average of \$18,716.



**FY 1991 Report of Excess Property
Transferred to Contract Facilities**

Property Category	Property Value
Motor Vehicles, Trailers, Cycles	\$237,696
Woodworking Machinery & Equipment	800
Metal Working Machinery	11,031
Services & Trade Equipment	910
Special Industry Machinery	8,363
Agricultural Machinery Equipment	2,210
Materials Handling Equipment	49,189
Refrigeration, Air-Conditioning, and Air Circulating Equipment	21,994
Maintenance & Repair Shop Equipment	2,511
Hand Tools	25,505
Communications, Detection, and Coherent Radiation Equipment	44,045
Electrical & Electronic Equipment Compressors	36,881
Electrical Wire and Power and Distribution Equipment	62,244
Lighting Fixtures and Lamps	35,104
Medical, Dental, and Veterinary Equipment	27,064
Instruments and Lab Equipment	2,999
Photographic Equipment	40,936
Training Aids and Devices	3,502
General ADP Equipment	2,250
Furniture	91,912
Household and Comm. Furniture, Appliances	2,193
Food Preparation and Serving Equipment	40,367
Office Machinery, Text Processors and Visible Record Equipment	12,107
Musical Instruments, Phonos, and Radios	9,102
Recreation and Athletic Equipment	2,810
Cleaning Equipment & Supplies	191
Textiles, Leathers & Tents	5,176
Miscellaneous	1,972,416
 National Account & Aggregate Total	 \$779,152
 NATIONAL TOTAL	 \$2,751,569

Accountable property equalled \$779,152 (28% of the national total) in FY 1991,
while Consumable Goods equalled \$1,972,417 (72% of the national total)

Special authorization was obtained from the Department of Justice in 1987 to allow USMS districts to transfer surplus security equipment to the FEP program. Under this authorization, the critical need for added security at holding facilities has been augmented by the provision of walk-through and x-ray metal detectors. A total of 39 contract jails have received this security equipment, including 29 major use facilities. The equipment enhances the ability of these local facilities to handle the more sophisticated Federal prisoner.

Since the program's inception, the Service has provided \$17.1 million in Federal excess property to approximately 390 jails located in 85 judicial districts. The program has been a great benefit to local governments under strict budget constraints. Transferred property ranges from everyday necessities such as clothing, blankets, medical equipment, kitchen sup-

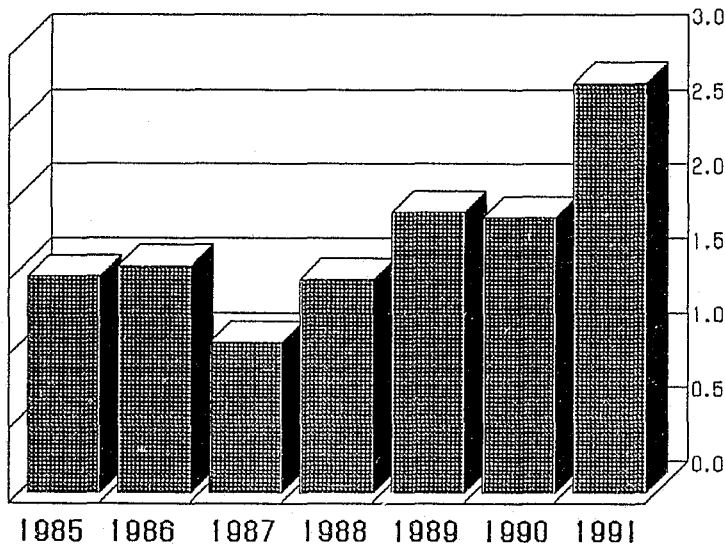
plies, and paint, to extensive electrical and plumbing supplies which were furnished to a facility in one district to upgrade an existing building. Consumable items such as clothing and individual equipment accounted for 72 percent of the transferred property.

During FY 1991, excess property valued at \$2,751,569 was transferred to 86 state and local jail and correctional facilities in 31 districts. The chart on the preceding page lists the value of the properties transferred in FY 1991.

As a result of the short duration of Operation Desert Storm, the General Services Administration (GSA) enacted Operation Desert Share to distribute excess food from Operation Desert Storm. The food was made available to various government agencies, including the Marshals Service. The Service in turn, distributed a total of \$2,621,591 worth of food to 83 USMS contract jails throughout the

PROPERTY VALUE OF FEP TRANSFERS

(Dollars in Millions)



The value of the property transferred to local jails through the FEP Program surpassed the \$2,000,000 mark for the first time in FY 1991.

United States. The food included coffee, flour, bread, canned meats, and Meals Ready to Eat (MREs). The Marshals Service distribution of the food was based on the geographic location of the military installations and ship depots where the food was initially received. The provision of Operation Desert Share food

proved to be a welcome relief to local jails during a time of economic hardship. The excess food distribution contributed to the substantial increase in FEP transfers during FY 1991, which is reflected in the graph on the previous page.

Endnote:

The function of processing and detaining prisoners has been a primary responsibility of the USMS throughout its history. As problems such as unsatisfactory confinement conditions and overcrowding have become more complex, the Marshals Service has worked to develop innovative solutions through programs such as CAP, FEP, and the Federal Detention Plan. These efforts enhance intergovernmental relations, prevent the need to construct and maintain Federal pre-trial jail facilities, and improve the conditions of local jails. The USMS continues to strive to meet the present challenges of safely and efficiently processing and detaining all Federal prisoners in order to support the functioning of the Federal judiciary and justice system.

CHAPTER 4

Prisoner Production and Transportation

The Marshals Service is responsible for the timely production of Federal prisoners during the period of USMS custody. The Service transports defendants from one geographic location to another as required for these productions. The Service also takes newly sentenced prisoners to institutions to begin serving their time, and transfers sentenced prisoners between institutions. The USMS also ensures that the security, safety, and civil rights of pre-trial detainees and sentenced prisoners are maintained while they are in USMS custody. These responsibilities can be grouped into the two closely related functions of prisoner production and prisoner transportation.

Prisoners are produced for judicial proceedings, legal hearings, meetings with attorneys, and trials; and for out-patient medical care and hospitalization, as required. The production of prisoners includes their transportation between contract and Federal facilities and the USMS district holding cells.

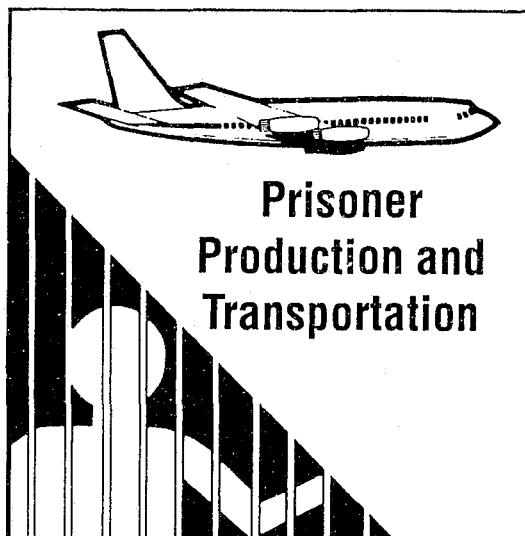
Prisoner transportation involves the physical relocation of prisoners from one USMS district to another. Usually it includes the transfer of custody, either from district to district or from the USMS to another agency. Transfers are grouped by the distance involved and whether or not there is a change of custody.

National coordination of prisoner transportation occurs in two types of situations. The first is when there is a change of custody and the receiving agency is more than 25 miles outside the originating USMS district (for ex-

ample, the transfer of sentenced prisoners from the USMS to the Bureau of Prisons (BOP), when the BOP facility is outside of the originating USMS district). The second situation involving the national coordination of a prisoner transportation is the transfer of unsentenced prisoners between USMS districts when the distance between the originating district and the ultimate destination is more than 25 miles.

Transfers of an unsentenced prisoner from one USMS district to a contiguous USMS district or transfers of a sentenced prisoner to a BOP facility within the originating district are handled by the originating district without the involvement of the national program.

In FY 1991, the prisoner production and transportation functions accounted for 16 percent of the average Deputy U.S. Marshal's duty hours.



Prisoner Productions

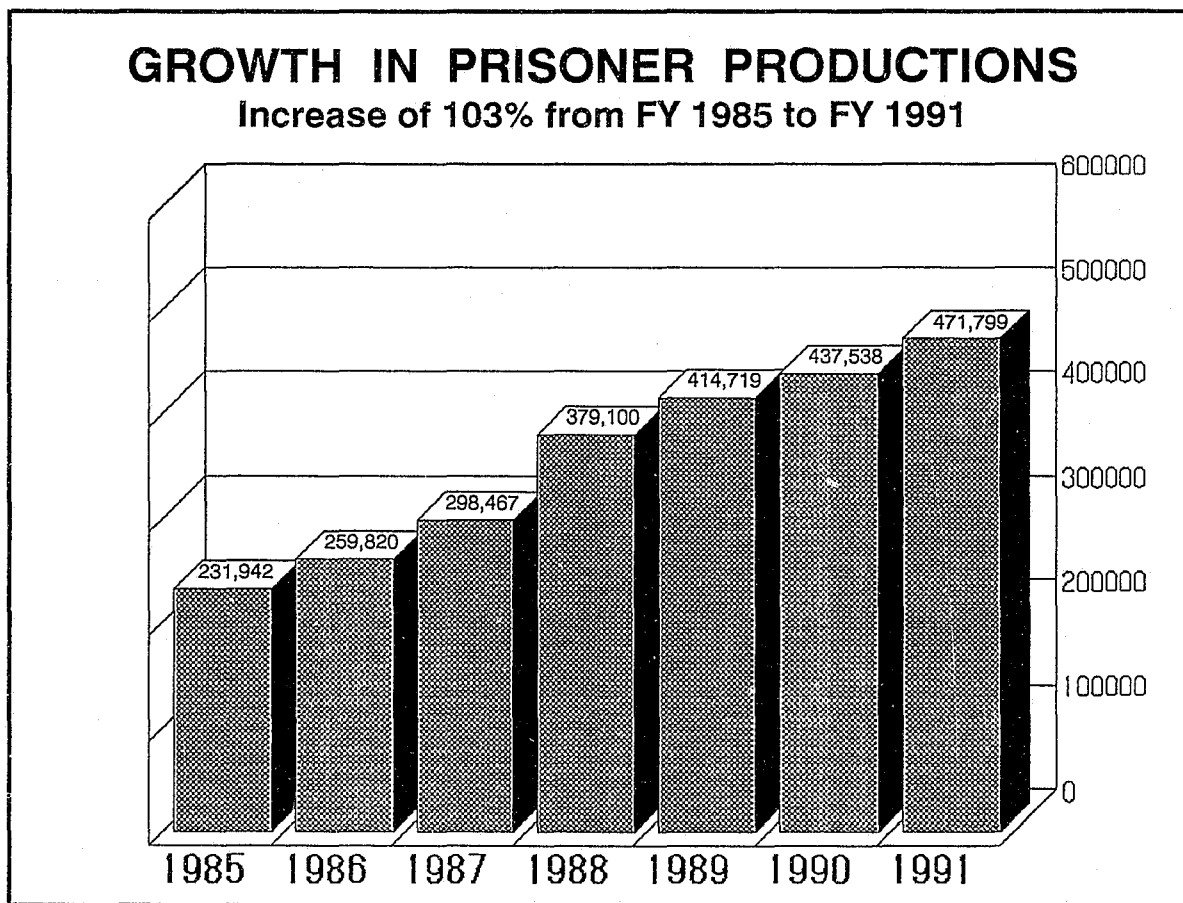
The movement of prisoners from one location to another places great demands on USMS personnel who must ensure that the safety and civil rights of both prisoners and the public are maintained at all times. As the number of prisoner productions performed during the year increases, the workload demands on Marshals Service employees also increases.

As shown in the chart below, the number of prisoner productions per year has constantly increased since 1985. The number of prisoner productions in FY 1991 increased eight percent over FY 1990, from 437,538 in FY 1990 to 471,799 in FY 1991.

The average number of productions per prisoner increased from 5.0 in FY 1990 to 5.2

in FY 1991. In 1987 and 1988, the average number of productions per prisoner increased dramatically (33 percent and 28 percent) each year. Beginning in 1989, the average number of productions has continued to increase but at a much smaller rate. The lack of Deputy U.S. Marshals to produce offenders at the initial appearances has held down the average number of productions. This function is now being performed increasingly by the arresting agency due to limited USMS resources.

Since FY 1987, the Marshals Service has maintained information on the number of prisoner productions by type of appearance. Appearances are grouped into four categories: initial appearances, judicial proceedings, trials, and other. The category "other" includes productions for medical care,



meetings with attorneys, transfers within a district from one sub-office to another, and transfers between jails because of jail space shortages.

As the chart below shows, the largest category of productions is for trials (33 percent). The second largest category is for initial appearances (25 percent). Judicial proceedings other than initial appearances or trials account for 24 percent of prisoner productions. The remaining productions (18 percent) are for such things as prisoner medical care, attorney meetings, and between-jail transfers.

For the third time since 1987, the percentage of "other" productions increased. "Other Productions" accounted for 13 percent of the total in FY 1987 and 1988, 16 percent in FY 1989 and 1990, and 18 percent in FY 1991. This increase shows the increased workload on USMS personnel as they are frequently required to shuffle prisoners between jails because of the jail space crisis.

The Marshals Service continues to be faced with providing increased security for prisoners

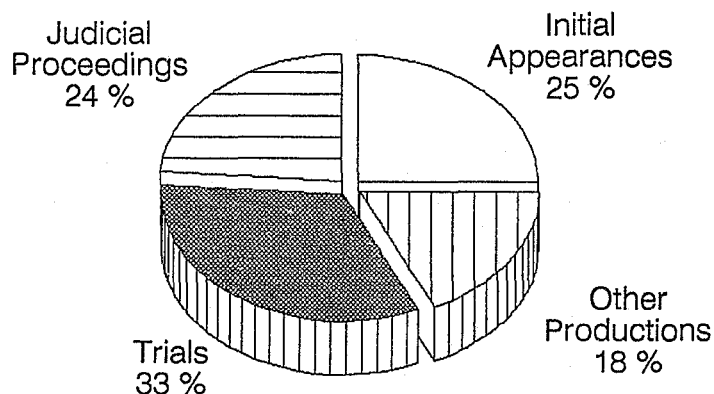
in the courtroom and while moving prisoners to and from the courtroom. As more arrests are made in support of anti-drug and organized crime initiatives, the Marshals Service must maintain custody of the most dangerous types of offenders.

The need for prompt and secure movement of prisoners is underscored by the scope of criminal activities of these offenders, the resources at their disposal, and their proven willingness to do whatever is necessary to disrupt judicial proceedings. As the full impact of the Sentence Reform Act is felt, prisoners will be even more prone to violence and will require more secure escort as the potential for plea bargaining is eliminated and mandatory sentencing is applied.

Prisoner Transportation

Prisoner transportation involves the physical relocation of prisoners from one USMS district to another and usually includes the transfer of custody of the prisoner. The Marshals Service delineates movements generally based on the distance being traveled.

FY 1991 PRISONER PRODUCTIONS



As seen in the chart below, the number of prisoner transportation movements increased by 5.2 percent in FY 1991. The amount of hours expended in district support of prisoner transportation increased by 5.7 percent. The average number of hours per prisoner movement changed from 2.3 in FY 1990 to 2.6 in FY 1991. The average number of prisoner movements per workyear decreased from 895 in FY 1990 to 753 in FY 1991.

National Prisoner Transportation System

Transportation of prisoners over short distances is completed by district personnel in vehicles such as cars, vans, and buses on a routine basis. To ensure that the maximum number of prisoners are moved in the most secure and cost effective manner, long-distance transportation is coordinated from one centralized location by the National Prisoner Transportation System (NPTS) in Kansas City, Missouri. NPTS consists of a variety of USMS aircraft and supporting feeder systems, including buses, vans, and sedans. When NPTS cannot meet court-imposed deadlines within the constraints of its fixed schedules, commercial services (commercial airlines and air charter) are used.

To reduce the reliance on commercial airlines and air charters for transportation of Federal prisoners, the Marshals Service has acquired a fleet of aircraft over the past seven years. Through Federal seizures and the Government Surplus Property Program, the Service has obtained most of its aircraft at no cost to the government, including a B727-100 jet valued at over \$4.5 million.

In FY 1991 two significant steps were made toward increasing the efficiency of prisoner transport by air. The first step was the organization of a permanent crew to operate the aircraft and manage prisoners during flights. Prior to this, Deputies were pulled from their regular duties to staff Marshals Service airlines. In addition, a 66,000 square foot aircraft hangar was completed during FY 1991 which will allow higher quality maintenance and better security of the aircraft.

During FY 1991, a total of 131,133 NPTS and 20,238 NPTS support prisoner movements were conducted by the USMS. Of this total, 47,216 (31 percent of all movements) were conducted by the Service-owned B727 jet aircraft. The increase of 4,081 in total

FY 1991 PRISONER TRANSPORTATION

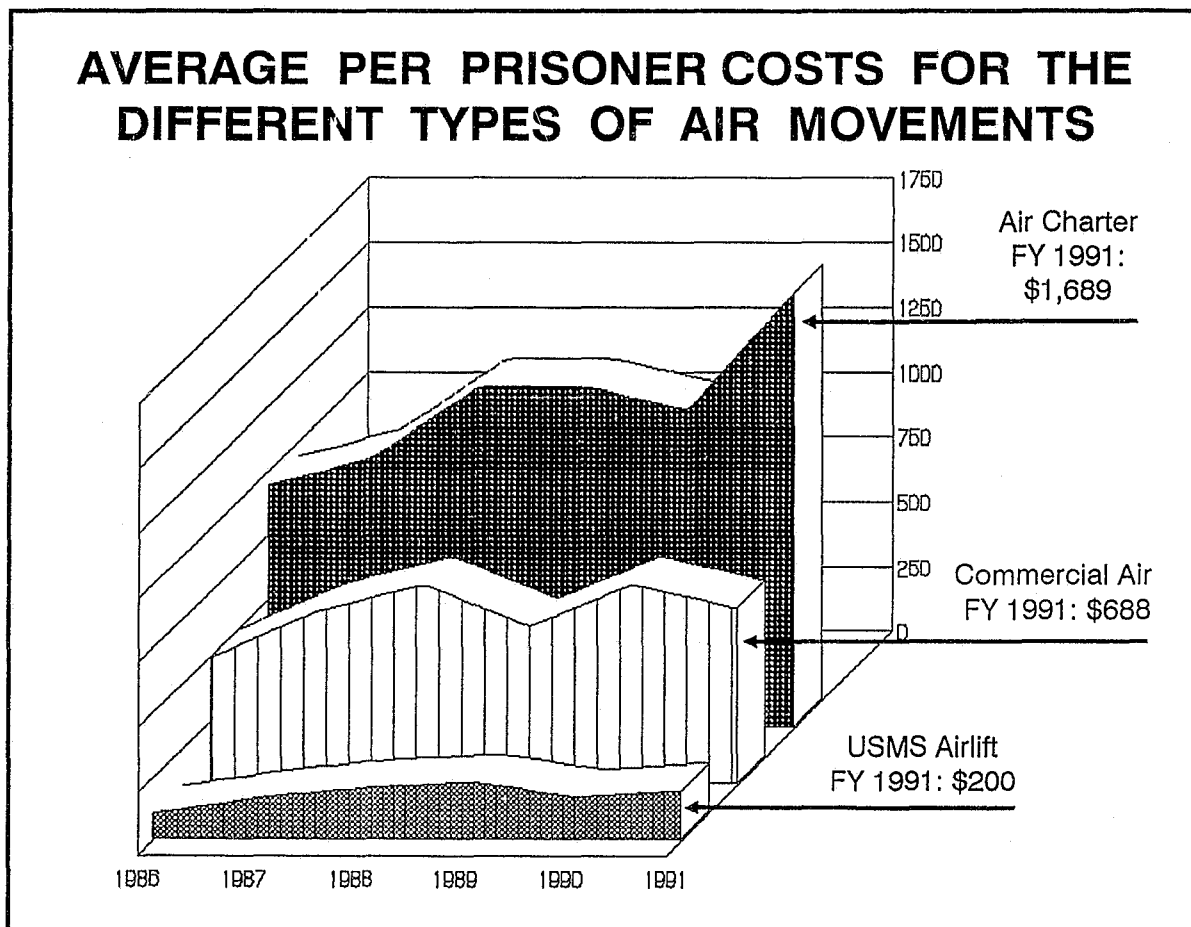
Workload Category	FY 1990	FY 1991	Percent Change
Number of Prisoner Movements	127,052	131,133	3.2%
District Support Movements to NPTS Operations	16,845	20,238	20.1%
Total Movements	143,897	151,371	5.2%
Total Hours Expended in Prisoner Transportation	295,234	312,156	5.7%
Average Number of Hours Expended per Prisoner Movement	2.3	2.6	13.0%
Average Number of Prisoner Movements per Workyear	895	753	-15.8%

movements over FY 1990 sustaining a continuing series of yearly increases averaging almost 13 percent per year.

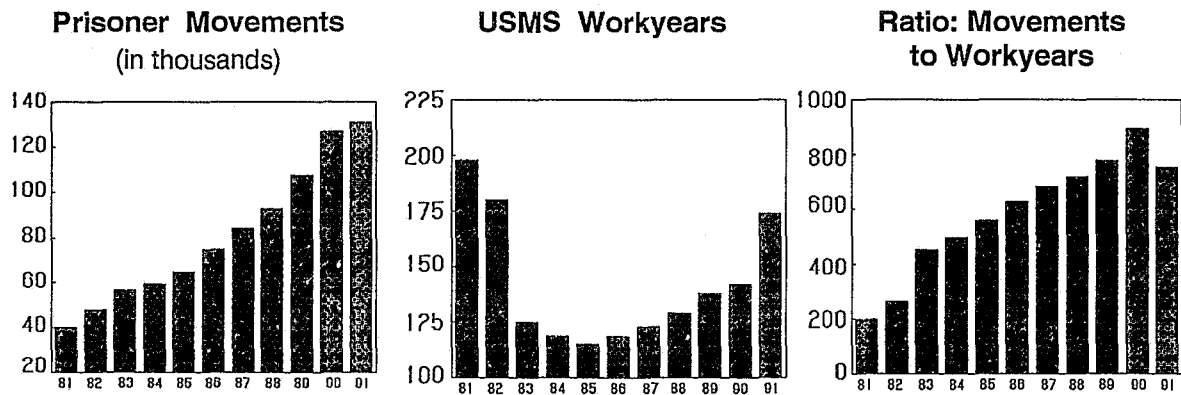
When commercial air trips have to be used to transport prisoners, NPTS schedules the trips through a centralized ticketing program. This program gives NPTS greater ability to control the scheduling, making maximum use of the best available rates while minimizing the per diem and overtime expenditures. For example, if NPTS had relied solely on normal non-discounted rates for airline travel, commercial air trips would have cost \$1,817,069 in FY 1991. By using centralized ticketing, NPTS saved a total of \$310,749 on airline fares, a 17 percent savings.

As a result of the success of centralized ticketing for scheduling prisoner trips, the program was expanded to include all Deputy Marshals traveling in support of USMS special assignments. In FY 1991, NPTS saved the Special Assignments Program a total of \$765,885, or 57.6 percent in air transportation costs.

NPTS resourcefulness continues to keep the cost per prisoner movement, as well as the overall costs of the system, as low as possible. The best example of NPTS cost efficiencies is shown in the chart below, depicting the costs per prisoner movement by air. In FY 1991, the cost per movement by the NPTS airlift was approximately \$200, compared to \$688 per movement by commercial air, and \$1,689 for each movement by air charter.



REVIEW OF NPTS MOVEMENTS FROM FY 1981 TO FY 1991



In FY 1991, for the first time in 10 years, the average number of prisoner movements per workyear decreased.

In addition to reducing the costs of prisoner movements, NPTS works to improve the efficiency of the USMS by reducing the number of workyears required to move prisoners. These efforts are shown in the three graphs above. From FY 1981 through FY 1990, the average number of movements per workyear

rose from 201 to 895. In FY 1991, the USMS made 131,133 prisoner movements using only 174 workyears, resulting in an average of 753 movements per workyear. This was the first time in 10 years that the ratio of movements to workyears decreased.

Endnote:

The production and transportation of prisoners has been exclusively a USMS function since 1789. Today, Federal prisoners are transported between distances which spread across the United States. The USMS utilizes a variety of transportation systems such as an airlift, buses, and vans to cover the vast terrain. The use of aircraft owned by the Service, centralized ticketing, and Federal seizures enable the USMS to perform this function in the most efficient and least costly manner.

CHAPTER 5

Protection of the Judiciary

The Marshals Service is responsible for ensuring the integrity of the Federal judicial system by establishing and maintaining security at nearly 700 Federal judicial facilities throughout the nation. This program provides for the personal safety of everyone involved in the judicial process.

The chart on the next page, entitled "Judicial Officers in FY 1991," depicts the categories of judicial officers and the number of persons within each category. In addition, the Service protects U.S. Attorneys and their staffs, probation officers, public defenders, other court employees, jurors, witnesses, spectators, and other trial participants. When warranted, this protection extends to members of an official's family.

Program Overview

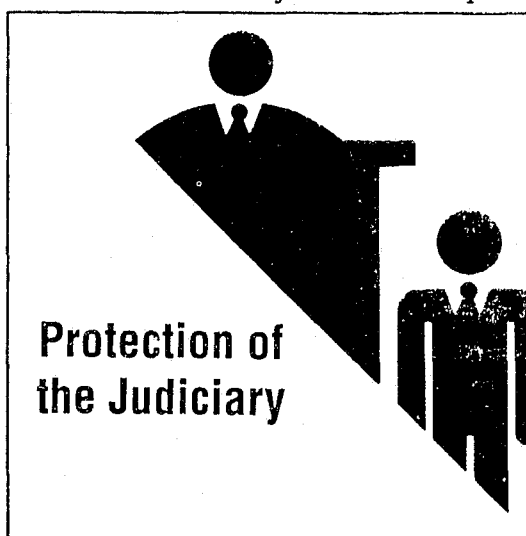
In FY 1991, 10 percent of the average Deputy U.S. Marshal's time was spent providing protection to the judiciary. This includes all time spent protecting judges or other court officers both in and away from courtrooms, plus time spent in courtrooms with prisoners.

Considering that the goal of providing protection is preventive in nature, the most significant accomplishments can be seen in terms of what did NOT occur. No prisoner escaped from a courtroom; no judicial officer was harmed while under protection; and no judicial proceeding was disrupted to the extent that justice was not served.

The Marshals Service maintained its successful record for providing security despite growing concerns about violence in the courts.

The passage of the Anti-Drug Abuse Act of 1988 and similar laws have caused a marked growth in the Marshals Service's judicial security workload. More complex security problems have resulted as the war on drugs produces more information on international terrorists, dangerous drug traffickers, and other violence prone individuals. Moreover, the publicity given to potentially volatile civil matters such as school desegregation, tax evasion, bankruptcy, and property seizures expose the courts to significantly more incidents of violent outbreaks.

The security needs of the Federal judicial system require continual reassessment. The Marshals Service strives to use the right combination of USMS personnel with other security personnel and equipment to provide a sufficient means of ensuring the safety of the judicial system and all of its participants. The preeminent responsibility of the Marshals Service is to provide a secure environment so that the administration of justice is accomplished.



Significant Events in FY 1991

By the end of FY 1991, 362 threats had been reported against members of the judiciary. Personal protection assignments are initiated whenever there is an indication that the threat may be serious, irrespective of when a threat is made. There were 109 protection details in FY 1991.

The Marshals Service initiated a personal protection detail on U.S. District Judge Patrick Kelly, District of Kansas, after he received numerous threats and gained national attention due to his rulings concerning access to abortion clinics in Wichita, Kansas.

During FY 1991, 398 trial cases also required extraordinary security, a 30 percent increase over such cases in FY 1990. These

cases most often involved charges against members of drug cartels, with an increasing number of international cartels implicated in the proceedings. The chart on the facing page shows the reasons the trials required extra security.

The following are examples of cases which required extra security considerations during FY 1991.

U.S. v MANUEL NORIEGA, et al.: This is a high threat, high media interest trial which requires intense and costly security. Noriega is indicted for illegal activity through racketeering, conspiracy to import cocaine to the United States, distribution and importation of cocaine, and interstate commerce to promote unlawful activity. An in-depth security analysis of the court and detention facilities

JUDICIAL OFFICERS IN FY 1991

Type of Officer	Authorized	Senior	Other	Total
Supreme Court	9		4	13
Circuit Court	179	79		258
District Court	649	246		895
F/Time Magistrates	345		6	351
P/Time Magistrates	113			113
Magistrate/Clerk	6			6
Bankruptcy Court	291		15	306
Claims Court	16			16
Court of Trade	9	6		15
Tax Court	19	9	13	41
D.C. Superior Court	56	13		69
D.C. Commissioners	15			15
Veterans Court of Appeal	9	7		16
TOTAL	1,716	360	38	2,114

was conducted to ensure the privacy and integrity of the documents in the ongoing prosecutions. Since his arrest in late 1989, extraordinary security requirements have been in effect. Noriega's trial, which started in September 1991 after months of hearings and other pre-trial activity, is expected to last at least five months.

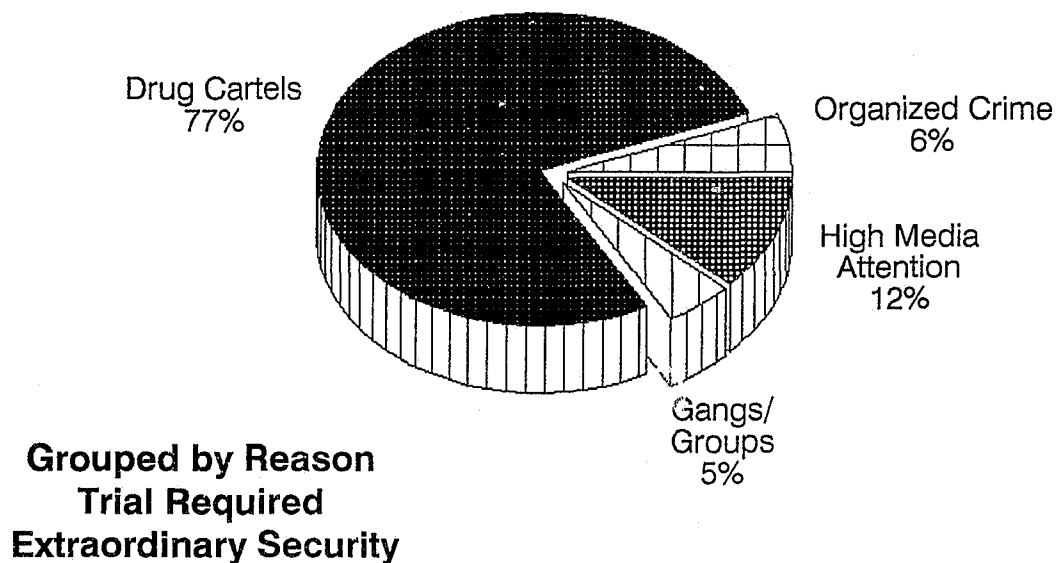
U.S. v MICHAEL ANDREWS, et al.: This high threat, high media interest case was severed into five separate trials, with a total of 22 defendants in custody. The defendants are part of a street gang known as the El Rukns who operate primarily on the south side of Chicago. The El Rukns were organized in a paramilitary structure that sought control over various geographical areas. They terrorized neighborhoods by alleged acts of murder, nar-

cotics distribution, robbery, intimidation, fraud, bribery, and kidnapping. In one count alone, the defendants are charged with 108 separate acts of murder, attempted murder, kidnapping, assault, narcotics distribution, extortion, fraud, and robbery. The El Rukns are alleged to have automatic weapons, explosive devices, and M-72 Series Light Anti-Tank Weapons, commonly known as LAW rockets. These trials cost the USMS nearly \$850,000 in FY 1991.

U.S. v SONIA BERRIOS, et al.: This case involved two alleged members of a major drug cartel, indicted on various drug charges. Security concerns in this case increased when one co-defendant and a convicted member of the drug cartel escaped from prison by helicopter two months before the trial started. For

FY 1991 "SENSITIVE TRIALS"

FY 1991 Total Number of Sensitive Trials: 398
Reflecting a 30% Increase over FY 1990



security reasons Berrios had been held in another Federal jurisdiction, but was brought to Puerto Rico under court order one month prior to the trial to prepare for her defense. Berrios was housed in special detention facilities with additional around-the-clock coverage. The jury was sequestered for the duration of the trial, which lasted six weeks. Further complications were added by the fact that the Federal Courthouse was undergoing construction during the same time period. The combination of the jury sequestration, high escape risk, and courthouse construction required extensive security for this case, costing over \$700,000.

Planning for a trial's security requires that the Marshals Service not only address issues of an extraordinary nature (escape risk, high media attention and protecting the jury), but also deal with ordinary problems such as courthouse renovations and early morning traffic.

U.S. v WALTER LEROY MOODY, JR.: This high media interest trial began in June 1991. Walter L. Moody, Jr., was charged in the December 1989 mail-bomb murders of Federal Judge Robert S. Vance of the 11th Circuit Court of Appeals, and Robert E. Robinson, Alderman (Savannah, GA) and NAACP leader, and a series of related criminal and civil rights offenses. On June 28, 1991, Moody was convicted on all 71 counts and sentenced to seven consecutive life terms, an additional 400 years incarceration, and five

years special supervised release. The trial lasted four weeks and cost the Marshals Service approximately \$70,000.

Judicial Security Workload

The workload of the Federal court system is an important indicator of the Marshals Service's workload. The Marshals Service processes (fingerprints, photographs, etc.) and detains Federal defendants, produces them for court, and transports them between Federal judicial districts as required by the courts. As more cases are commenced and more defendants charged in these cases, the entire spectrum of Marshals Service responsibilities increases.

In FY 1991, the U.S. District Courts commenced 47,035 cases against 65,670 criminal defendants charged with a variety of crimes. This represents a four percent decrease in the number of cases and a two percent increase in the number of defendants over FY 1990 figures. The chart on the next page shows the number of defendants by offense.

Although the overall number of cases and defendants decreased, many of the types of offenses which are considered high risk for court security continued to show increases in 1991. For example, despite a seven percent decrease in the number of cases and a two percent decrease in the number of defendants in all cases involving drug abuse offenses, the number of controlled substance and narcotics cases increased by two percent. Other offenses that have increased are:

- Weapons and Firearms: 10 percent increase in cases and 11 percent increase in defendants;
- Robbery: 14 percent increase in cases and 12 percent increase in defendants;
- Fraud Involving Lending Institutions: 21 percent increase in cases and 17 percent increase in defendants;

- Extortion and Racketeering: 14 percent increase in cases and 19 percent increase in defendants; and
- Gambling and Lottery: 40 percent increase in cases and 31 percent increase in defendants.

The Marshals Service also provides judicial protection in civil proceedings when there is potential for harm to court personnel or disruption to proceedings, or if the civil case involves an incarcerated individual. The total number of civil cases commenced in FY 1991 (207,742) decreased by five percent from FY 1990, but the types of cases in which the Marshals Service provides security increased. Although forfeiture and penalty cases decreased by ten percent, drug-related seizures of property rose 27 percent in 1991.

Preliminary proceedings disposed by magistrates (178,789) rose by seven percent in

FY 1991. This includes a 14 percent increase in the number of detention hearings and five percent increase in the number of bail review hearings. Because both of these types of hearings require the presence of Deputy U.S. Marshals, the increases in magistrate workload indicate an increased workload for the U.S. Marshals Service.

The increase in felony cases handled by magistrates in FY 1991 continues a six-year upward trend. The necessity for magistrates to concentrate their efforts on felony duties has interrupted the upward growth in the number of civil duties performed by magistrates. Because the Marshals Service provides security to civil cases only when there is potential for harm or disruption, these decreases in magistrate civil workload have little impact on Marshals Service workload.

U.S. DISTRICT COURTS DEFENDANTS IN CRIMINAL CASES COMMENCED IN 1991

Homicide	231	Controlled Substances	1,806
Robbery	1,841	Other Drug Related Statutes	169
Assault	716	Sex Offenses	477
Burglary	183	Weapons and Firearms	3,358
Larceny	4,127	Traffic and Drunk Driving	7,825
Embezzlement	2,147	Other (General)	2,013
Fraud	9,529	Agricultural Acts	523
Escape	881	Forgery and	
Marijuana	6,272	Counterfeiting	1,547
Narcotics	15,985	Immigration Laws	2,743
Custom Laws	172	National Defense Laws	149
Auto Theft	408	Other (Special)	2,568

Total: 65,670

** Source: Administrative Office of U.S. Courts (AOUSC).
Note: the AOUSC Fiscal Year is from July 1 through June 30.

Security for Judicial Facilities

Determining the best way to ensure adequate and appropriate court security has been a long term concern of both the Federal judiciary and the executive branch agencies which support it. In July 1981, the Chief Justice requested the Attorney General to form a Task Force on Court Security. A Joint Statement by the Chief Justice and the Attorney General at the Judicial Conference in March 1982 announced the task force recommendations.

The USMS Judicial Facility Security program provides security, equipment, and protective services for the U.S. Courts in courtrooms and adjacent areas.

Based on one of these recommendations, the Administrator of the General Services Administration (GSA) granted the Attorney General a Delegation of Procurement Authority to contract for security and protective services. Under this delegation, in 1983 the Marshals Service established the Judicial Facility Security Program and assumed responsibility for the contracting of guard services and the acquisition and maintenance of security equipment at Federal court facilities. Under this program, the Marshals Service provides security, equipment, and protective services for the United States Courts in courtrooms and adjacent areas. Funds to administer the program are transferred from the Administrative Office of the U.S. Courts to the United States Marshals Service.

In order to identify the resources necessary for appropriate security, each judicial district established a court security committee. Composed of the Chief Judge of the District, a Bankruptcy Judge, the Clerk of the Court, the U.S. Marshal, the U.S. Attorney, and a representative of the agency responsible for managing the facility, these committees continue to identify the security requirements for existing and projected court facilities. The Marshals Service is responsible for providing up-to-date security surveys of each facility to aid the committees in establishing the security requirements for each location.

The two major facets of the Judicial Facility Security program are described in the following sections. The Court Security Officer Program manages the contract guards who provide court security screening. The Judicial Security System Program provides the security equipment used in judicial areas.

Court Security Officer Program

The very nature of judicial proceedings creates a volatile and potentially dangerous environment. Experts are unanimous in their belief that the most critical aspect in protecting any potential target is perimeter security. The primary mission of the Court Security Officer (CSO) program is to protect the perimeter of courtrooms and adjacent areas, to prevent the unlawful introduction of weapons or other dangerous devices into judicial areas, and—by their visible and physical presence—deter disruption and violence.

Under the authority of their special, limited deputation through the Marshals Service, CSOs enforce laws and maintain order within Federal courthouses and buildings. Operating from fixed and roving posts of duty, they ensure that unauthorized persons do not gain entrance to courtrooms or adjacent areas. They are a deterrent and reactive force against

unauthorized, illegal, or potentially life-threatening activities directed toward judges, jurors, witnesses, defendants, and other court personnel. Without CSOs, the risk to the lives of the court family and the general public increases.

Since its inception in 1983, the CSO program has grown to incorporate a force of 1,927 officers located in all 94 Marshals Service districts. The "street smarts" of Court Security Officers, gained from their prior law enforcement experience, have proven invaluable in the detection of unlawful weapons and explosive devices that might enter the courthouse. Their valor in arrests, participation in hostage situations, and detection of illegal weapons and contraband have established their effectiveness as the first line of

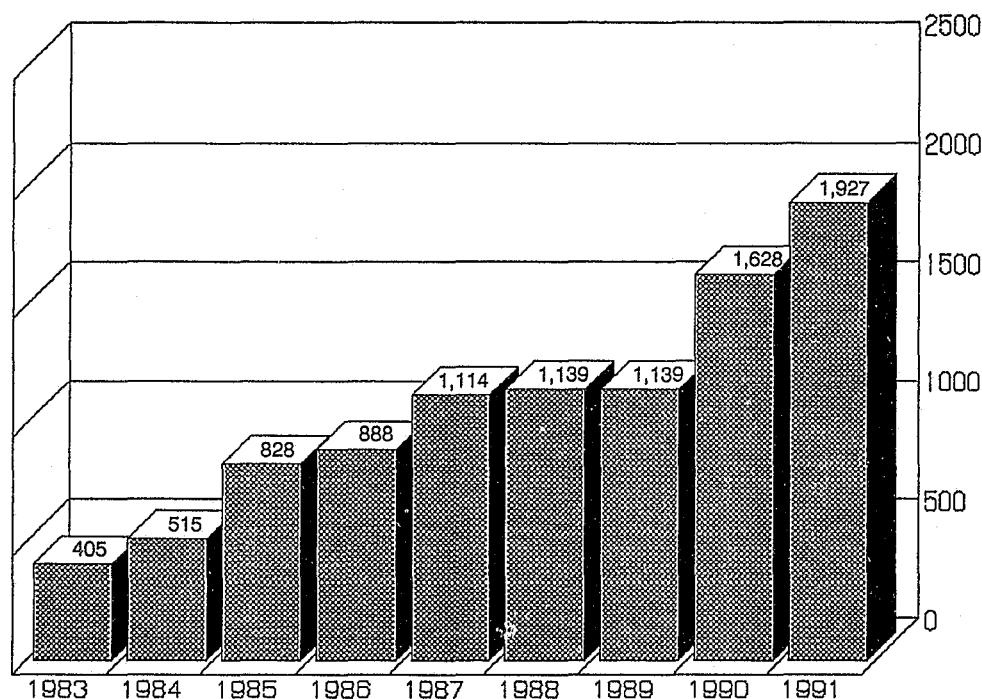
protection in meeting the security needs of a trial. When preparing for a sensitive trial, the Marshals Service includes the activities of the CSOs as an integral part of the security plan.

In FY 1991, CSOs detected 228,851 concealed weapons (8,549 of which were confiscated) that individuals were attempting to bring into U.S. courthouses. Additionally, CSOs confiscate pieces of contraband which can be used as weapons (e.g., 5-inch safety pins, ice picks, hacksaw blades).

During October 1990, in the Western District of Kentucky, a U.S. Probation Officer activated the duress alarm when an armed subject entered his office. A court security officer responded and disarmed the subject. One round was fired while the subject was being

Growth of the Court Security Officer Program

Number of CSOs by Fiscal Year



disarmed, but no one was injured. The subject was identified as an individual who served time for threatening the life of President Bush when he was Vice President.

At the request of other agencies that have noted the success of the Court Security Officers Program, the Marshals Service has implemented similar security programs in offices around the country.

The success of the Court Security Officer program has been noted by other agencies and offices around the country. The Marshals Service has implemented similar security programs on a reimbursable basis for the:

- U.S. Attorneys in the:
 - Southern District of New York,
 - Eastern District of New York,
 - Northern District of Alabama, and the
 - District of Columbia;
- International Court of Trade;
- U.S. Tax Court;
- Veterans Appeals Court;
- National Courts Building in Washington, D.C.;
- District of Columbia Superior Court; and
- Drug Enforcement Administration (DEA) headquarters.

In all, 157 additional CSOs are providing security at these locations.

Judicial Security System Program

Prior to 1983, GSA designed and installed all security systems and equipment in Federal courthouses. After the Marshals Service ac-

cepted responsibility for physical security of the courts, several independent private contractors provided installation and repair service at nearly 700 court locations. A single national contract was awarded in FY 1987 to consolidate all services.

The Marshals Service oversees the installation of security systems in new and renovated court facilities. Marshals Service participation begins early in the design phase and continues through the review of plans and specifications and on-site visits. New court space is constantly being acquired and close coordination with GSA is maintained to ensure that appropriate attention is given to the security requirements for the court buildings maintained by GSA. In older courthouses, security systems are replaced due to age or poor installation. Supplemental equipment must often be acquired to meet increased security needs for specific trials.

Court security systems personnel are working with several interagency and private security committees to standardize and develop new security system equipment. These organizations include: the Interagency Committee for Security Equipment (IACSE) and the American Society for Testing Materials (ASTM) where Marshals Service security systems personnel are providing input concerning thoroughly tested equipment; the FBI, Secret Service, and various airline security departments on standardization of testing for metal detectors and x-rays; the Department of Energy, through Sandia Laboratories, in the testing of various types of security equipment; and the American Society of Industrial Security (ASIS) on mutual security technology requirements.

As participants on the Committee to revise the Courts Design Guide, Marshals Service security systems personnel recommended that

the following changes be implemented into the new guide: electrical installation upgrades, security systems connection to the building emergency power supply, coordination of security engineering with GSA, additional and improved security equipment for various members of the court family, additional courthouse entrance screening guidelines, and the coordination of complimentary security and safety guidelines for building occupants.

In FY 1991, a contract was awarded for x-ray systems which will expedite procurement of these screening devices for the next five years. Also in FY 1991, 236 enhancement projects were initiated by Mosler, Inc., the national security systems contractor. These enhancement projects provide modern and reliable electronic security systems to the courts.

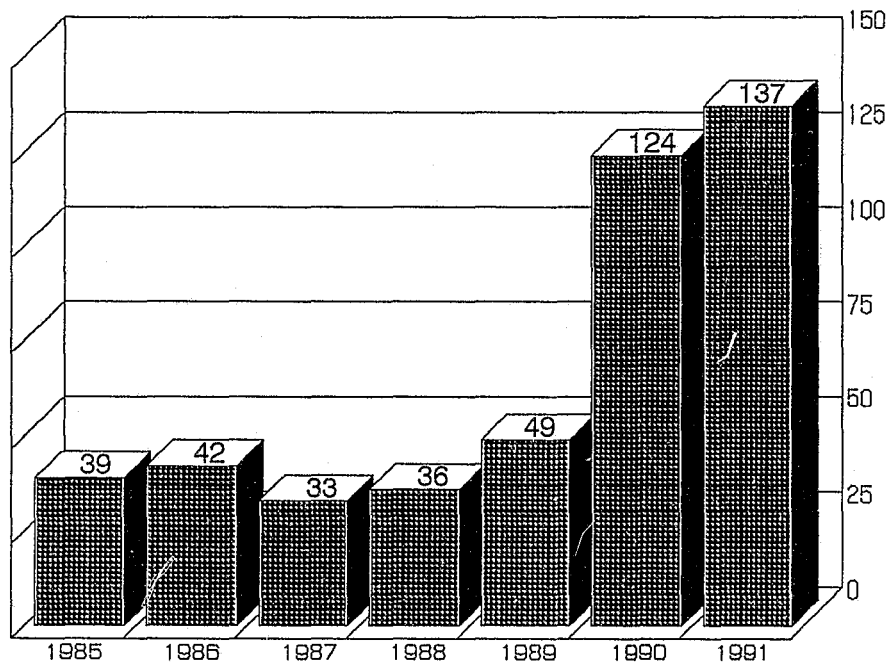
Other Judicial Security Duties

Court Security Inspectors assigned to the judicial circuits provide technical assistance, particularly for high risk or sensitive trials and personal protection details. This assistance ranges from basic advice on courtroom security to coordinating and deploying additional personnel and equipment for high threat situations. In FY 1991, 99 state and local law enforcement agencies requested technical assistance on court security matters.

Court Security Inspectors implement physical and personal security for judicial conferences. In FY 1991, the Marshals Service provided security for 137 judicial conferences, a 10 percent increase over FY 1990. The Marshals Service provides personal protection for all meetings of the Judicial Conference Com-

JUDICIAL CONFERENCES SUPPORTED BY THE USMS

After the 1990 bombings in the 11th Circuit, the USMS began providing security to all meetings where a large number of judges are in attendance.



mittees, as well as other meetings where large numbers of judges are in attendance.

Each conference requires special security procedures because of the number of judicial officers attending. Usually, the district in which the conference is located provides the security services needed to protect the conference. The Marshals Service sends additional personnel from other districts to increase security if the conference is held in a small district, at a remote location, or if one or more of the attending judges is already under a protective detail. The visible and physical security presence at conferences deters disruptive incidents.

The Marshals Service is responsible for the protection and security of sequestered juries. These assignments require substantial resources for the physical protection of jurors and to ensure that the jury's objectivity is not tainted. The Service provided protective services for 62 sequestered juries in FY 1991, a 38 percent increase over FY 1990.

In FY 1991, the Marshals Service developed a handbook on "Security in the Work Place." This handbook was prepared in order to inform employees in Federal Court buildings about steps they can take to enhance their personal safety while at work.

Endnote:

The judicial security programs of the Service are experiencing rapid growth, both in total workload and in areas of responsibility. This growth is expected to continue into the 1990s as the nation continues to utilize judicial procedures to fight the drug crisis. The Service gives its highest priority to meeting the needs of the judicial process.

CHAPTER 6

Witness Security

The Constitution of the United States assures those accused of committing a crime that they are presumed innocent until proven guilty. The burden of establishing that proof falls upon the government. Modern investigations rely on sophisticated methods of collecting and analyzing physical evidence tying the accused to the scene of the crime—fingerprints, hair samples, clothing threads, shoe prints, and dozens of other physical traces. Yet, by far the best way to prove a crime and convict a criminal is with eyewitness testimony. Juries find the accusing finger and the words "I saw him do it!" the most persuasive of all evidence.

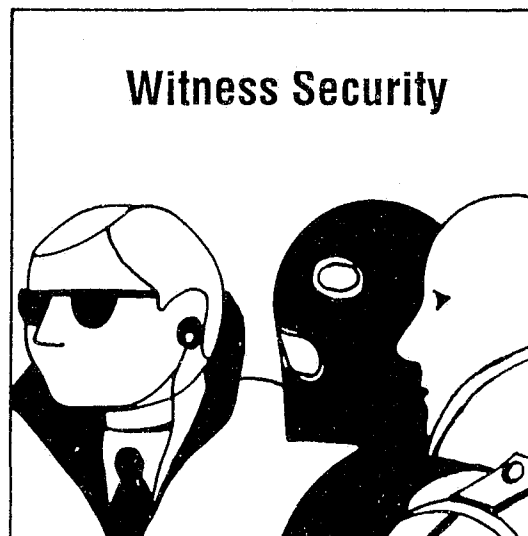
Precisely because witnesses are so effective at convicting criminals, they are also perilously at risk. The best way to silence their testimony is to intimidate or kill them.

In 1970 the Organized Crime Control Act was passed. That law authorized the Attorney General to spend money for the protection of endangered witnesses. In 1971, the U.S. Marshals Service established the Witness Security Program devoted to keeping witnesses for the prosecution alive. FY 1991 marked the 20th year the Marshals Service has safely and securely produced witnesses in open court to give their testimony before the accused. This protection is provided 24 hours a day to all witnesses while they are in a "threat" environment and when they return to a danger area for trials or other court appearances.

During the past 20 years, nearly 6,000 witnesses and over 7,000 family members have

been authorized into the Program. The witnesses and dependents are given new identities, moved to another city, and provided services necessary to assist them in becoming self-sustaining and acclimated to their new community as quickly as possible. In 89 percent of the prosecutions relying on a protected witnesses' testimony, the government has obtained a conviction. One of the greatest achievements over these past two decades is the fact that not a single witness who followed the Program's guidelines has ever been killed for testifying.

During FY 1991, 175 new principal witnesses entered the Witness Security Program. During the same period, the USMS provided protection and funding for 1,844 principal witnesses and their families who were already under the auspices of the Program.



Prominent Cases in FY 1991

Witness Security continued to have a significant impact on the government's efforts to break up and destroy drug cartels, organized crime, and terrorist groups in the United States during 1991. The Marshals Service produced protected witnesses in numerous Federal, state, local, and even foreign courts to testify about the inner workings of these illicit groups. Examples of significant cases in which protected witnesses provided testimony are:

USA v. Manuel Noriega, et al. After months of pretrial hearings, the trial of the deposed dictator of Panama began in September 1991, and continued into the next fiscal year. Two protected witnesses testified during that month about Noriega's alleged involvement in drug smuggling, conspiracy, racketeering, and murder.

**In its 20th year of operation,
Witness Security continued
to significantly impact
on the government's efforts
to break up and destroy
drug cartels, organized crime,
and terrorist groups in
the United States.**

USA v. Juan Matta-Ballesteros. Two protected witnesses testified against Juan Matta-Ballesteros who was convicted of multiple charges in three separate trials. Matta-Ballesteros was reputed to have been one of the world's most notorious cocaine traffickers and a key link to Colombia's Medellin Cartel. The defendant was sentenced to life plus 150 years after he was convicted in the

first trial on 11 counts of narcotics violations. He was convicted in a second trial on seven counts of narcotics violations, and he was sentenced to life without parole plus 70 years. In the third trial, during FY 1991, he was convicted of the murder of DEA Special Agent Enrique Camarena and was sentenced to three life sentences to run concurrently to one another but consecutive to any previously imposed sentences.

USA v. Sonia Berrios-Rodriguez, et al. Five protected witnesses testified in several major trials during 1991 which resulted in the conviction of Sonia Berrios and eleven members of the "Sonia Berrios-Rodriguez Organization" for cocaine distribution charges. Berrios-Rodriguez was the principal leader of a major Puerto Rican drug smuggling group with Medellin Cartel connections. The Organization allegedly murdered several individuals who were suspected of cooperating with the government.

Berrios was sentenced to 17 years.

USA v. Eugene Johnson, et al. Two protected witnesses testified against eight defendants, four of whom were convicted of the distribution of cocaine, violent crime in the aid of racketeering, interstate travel in the aid of racketeering, operating a continuing criminal enterprise, conspiracy, and using someone under 18 years old in a drug transaction. The case targeted Eugene Johnson and his drug enterprise, which is believed to be responsible for the importation and distribution of multi-kilo quantities of cocaine into the Richmond, Virginia, area on a weekly basis. As Johnson's drug enterprise thrived, homicides in Richmond soared to a level that ranked fourth in the nation. Eugene Johnson received four life sentences plus 225 years in prison. The three other convicted defendants received prison terms which ranged from six to 10 years. Four defendants were found not guilty.

USA v. Luis Santacruz Echevarria. The defendant, the alleged number two man in the Cali Cartel, was tried and convicted of RICO and continuing criminal enterprise charges and was sentenced to 40 years in prison. The testimony of four protected witnesses help to convict Echevarria.

USA v. Juan Jose Quintero-Payan, et al. Three protected witnesses testified against five defendants, four of whom were convicted on cocaine importation and distribution charges. One protected prisoner witness provided the primary testimony against a Colombian cocaine smuggling operation that sought to establish a Houston-based drug ring that would import an estimated 20 million dollars of cocaine weekly. The same protected prisoner witness is described by the U.S. Attorney's Office as a hard-core billion dollar narcotics kingpin with worldwide narcotics connections. The four convicted defendants received prison sentences which ranged from 12 to 15 years. The other defendant in the case was acquitted.

USA v. Gustavo Dejesus Ruiz. This case targeted the "Gustavo Ruiz Organization," a group of Colombian Nationals who allegedly imported multi-kilo quantities of cocaine into the United States and distributed the cocaine in Oklahoma and Kansas during a seven year period. Ruiz, who has a known propensity for violence, was also a prime suspect in the deaths of his two brothers who were killed while involved in the organization's drug trafficking activities in Miami and New York. One protected prisoner witness testified against Ruiz, who was convicted of conspiracy to import and distribute cocaine and received a 20 year prison sentence.

USA v. Lazaro Rico-Pinson. The protected witnesses in this case introduced U.S. undercover agents to the defendants. This allowed the agents to infiltrate the defendants' or-

ganization to the point where they actually received a drug shipment from Colombian drug lord Pablo Escobar. The agents subsequently delivered the illicit shipment to the defendants. The protected witness testified against three defendants who were convicted of the importation of two-and-a-half tons of cocaine from Central America to Arizona. The defendants received prison sentences which ranged from 24 years to life.

**Production of protected
witnesses overseas
resulted in new
law enforcement and
intelligence contacts.**

Protected witnesses were also produced in foreign countries during FY 1991. These productions not only expanded Witness Security's geographic area, but also necessitated the establishment of foreign law enforcement/intelligence contacts with overseas' governments.

At the end of FY 1991, Witness Security Inspectors produced a witness in Greece for a criminal trial against accused terrorist Mohammed Rashid. Rashid is accused of the bombing of the Pan Am flight between Tokyo and Hawaii in 1982. This is a United States trial that is being prosecuted in Greece because the Greek government has refused to extradite the defendant for political reasons.

Another protected witness was produced in Luxembourg to testify in a proceeding regarding a money laundering scheme that is purported to have been organized by Colombian drug cartels. A total of \$65 million is reported to have been laundered through European banks.

Other Significant Accomplishments

Other Witness Security accomplishments during FY 1991 included the primary responsibility for security arrangements for the following functions:

The Attorney General's Summit on Law Enforcement—President Bush, Vice President Quayle, and Chief Justice Rehnquist were among the 800 people attending the Attorney General's Summit on Law Enforcement. Extensive security coordination between the USMS, the U.S. Secret Service, and other law enforcement agencies was required.

**In addition to
protecting witnesses,
the Marshals Service
provides security to special
government functions.**

Second National Conference of State and Local Drug Policy—The Second National Conference of State and Local Drug Policy, which was held in Washington, D.C., was hosted by National Drug Control Policy Director Robert Martinez. Attendees included the Attorney General, the Mayor of Washington, D.C., and mayors of other U.S. cities. Witness Security Inspectors provided 24-hour security for the conference site as well as a security detail for Governor Martinez.

OCDETF Conference—Witness Security Inspectors provided site and personal security for the OCDETF Conference held at Tampa, Florida. Hundreds of attendees, including the Attorney General and the National Drug Control Policy and USMS Directors, were at the conference.

Multinational Asian Organized Crime Conference—In January 1991, then Attorney General Dick Thornburgh approved the United States Department of Justice's Organized Crime National Strategy. A critical component of the National Strategy involves measures to combat the emerging Asian organized crime problem in the United States. A small minority of Asian immigrants to this country engage in various serious criminal activities, often victimizing the innocent, law-abiding members of their own ethnic groups. The conference was organized to address the problem and maximize the effectiveness of cooperative efforts in this area.

Conference participants included the Attorney General and senior law enforcement officials and prosecutors from the United States and 10 other countries. Approximately 60 foreign officials attended, including participants from Japan, Canada, Hong Kong, Australia, New Zealand, Singapore, Malaysia, Thailand, Korea, and the Netherlands.

United Nations General Assembly—This year marks the thirteenth consecutive year that the USMS has been requested by the Department of State, Diplomatic Security, to provide trained and qualified protective service personnel to support Department of State security details during the 46th U.N. General Assembly in New York. On-site coordination of USMS personnel who were providing protective security for the Secretary of State, high ranking foreign officials and foreign ministers, was provided by Witness Security Inspectors.

In addition, these foreign law enforcement officials, intrigued by the success of witness protection, frequently request briefings by Witness Security on strategies for producing witnesses in the midst of dangerous defen-

dants, relocating protectees, and integrating these former witnesses into communities. FY 1991 was no exception. During the year, presentations were made to the Guardia Civil and the Spanish National Police; Italian law enforcement officials; and various local and state agencies from the Washington, D.C. metropolitan area. In addition, six DEA basic agent classes in FY 1991 included segments on how DEA agents can use the Witness Security Program during their law enforcement careers.

In situations requiring unique or specialized security arrangements, Witness Security has been used to provide protection, even when there are no protected witnesses involved. During FY 1991 the personal security detail for the Director of the President's Office of the National Drug Control Policy was continued. Pursuant to a verified threat of the existence of a Colombian assassin, security was provided for a high-ranking official at the Department of Justice.

Program Overview

Applications for Program participation originate with the various U.S. Attorneys or

Organized Crime Strike Force offices and are forwarded to the Department of Justice's Office of Enforcement Operations (OEO) in the Criminal Division. This office determines the suitability of Program applicants based on information supplied by the U.S. Attorney, the investigative agency, and the USMS, as well as psychological evaluations performed by the Bureau of Prisons.

Applications for prisoner witnesses are also directed to OEO. The Bureau of Prisons is responsible for providing protection to prisoner witnesses while they are serving their sentences. The USMS ensures their safety during their court-related appearances in the danger area (the location where they are best known and in the greatest jeopardy because of their cooperation). Upon completion of their sentences, prisoner witnesses may be sponsored for full services under the Witness Security Program. In such cases, the U.S. Attorney must follow all of the admission requirements specified for new witnesses.

New participants age 18 and over must enter into a Memorandum of Understanding which clearly delineates the obligations of the

FY 1991 WITNESS SECURITY PROGRAM PARTICIPANTS

Activity	FY 1990	FY 1991	%Change
New Principal Witnesses	173	175	+1%
Active (Funded) Witnesses	766	657	-17%
Active (Funded) Program Participants (Witnesses and Family Members)	1,609	1,844	+15%
Cumulative Principal Witnesses	5,612	5,787	+3%
Cumulative Program Participants (Witnesses and Family Members)	12,611	12,982	+3%
Number of Principal Witnesses Reactivated During Fiscal Year	81	71	-14%

Program participant and the extent of Program services to be provided. The pre-enrollment and orientation phases of the Program and the day-to-day maintenance of funded witnesses are generally handled by Witness Security inspectors. Deputy U.S. Marshals assist with security and protection when witnesses are returned to testify in the danger area.

**New participants
age 18 and over sign
a written Memorandum
of Understanding
that clearly states
what they must do
to stay in the program.**

The guidelines of the Program provide that the Attorney General may terminate protection for any individual who substantially violates the terms of the Memorandum of Understanding. Such a decision is not subject to judicial review. If the witness violates the terms of Program participation, the witness is subject to removal from further services. If the decision is made to cease further services, the witness receives written notification of the decision.

Program admissions were up one percent from FY 1990 to FY 1991. Cumulative Principal Witnesses and Cumulative Program Participants (witnesses and family members) both increased by three percent. The number of principal witnesses reactivated during FY 1991 decreased by 14 percent. Reactivated witnesses are individuals who were once considered terminated from funding, but who have had to be placed back into an active status

in the Program. The decrease in the number of reactivated witnesses is due to fewer threats against witnesses and fewer breaches of security. This data and other program numbers are listed in the chart on the preceding page.

Program Services

The Attorney General approves protection and the extent of protective services to be provided to witnesses and their dependents. During FY 1991, the full range of Witness Security services was available to all authorized non-prisoner witnesses. As the chart on the next page illustrates, these services may include personal protection during productions, providing new documentation, relocation, transportation of personal belongings, assistance in finding employment, housing, a living stipend, and other services as needed.

In FY 1991, 530 witnesses were produced in 1,500 unique productions involving 3,750 production days. "Production days" represent the number of days that a witness, who has been returned to the danger area, is produced for a court appearance. During all of these production days, no witness following the guidelines of the Program was injured or killed. This is no small accomplishment in that a verified death threat hangs over the majority of witnesses.

In FY 1991 the number of court-ordered productions for child visitations averaged 2.5 per week. Child visitations require the difficult coordination of bringing together family members from the different states in which they live, without compromising the security requirements of the multiple protectees. These visits require around-the-clock security details and expend a substantial amount of personnel and resources. Program participants are eligible for up to 12 visits per year with their non-program parents or children.

Approximately 50 families participated in child visitations during FY 1991.

The benefit of the services provided by the Marshals Service can be seen in the high rate of conviction in cases involving protected witnesses. For the years 1986 through 1989, the government obtained an 89 percent conviction rate in prosecutions relying on the testimony of protected witnesses. The chart on the next page depicts the annual percentage of convictions when protected witnesses testify. Because these cases are complex and time-consuming, taking years to adjudicate, the results of the testimony are very often not seen within the year that the witness enters the Program.

Safesite and Orientation Center

The Marshals Service opened the Witness Security Safesite and Orientation Center in November 1987. This Center provides a safe and secure place to interview protected witnesses and their families and initiate them into the Program.

New protected witnesses and their families become acclimated to the Program's requirements at the Witness Security Safesite and Orientation Center.

The Center was designed to provide a secure environment in which the new participants can begin to acclimate to the new life they are starting. The Center has full-service apartments and holding cells, medical and dental facilities, indoor and outdoor exercise areas, and interview rooms.

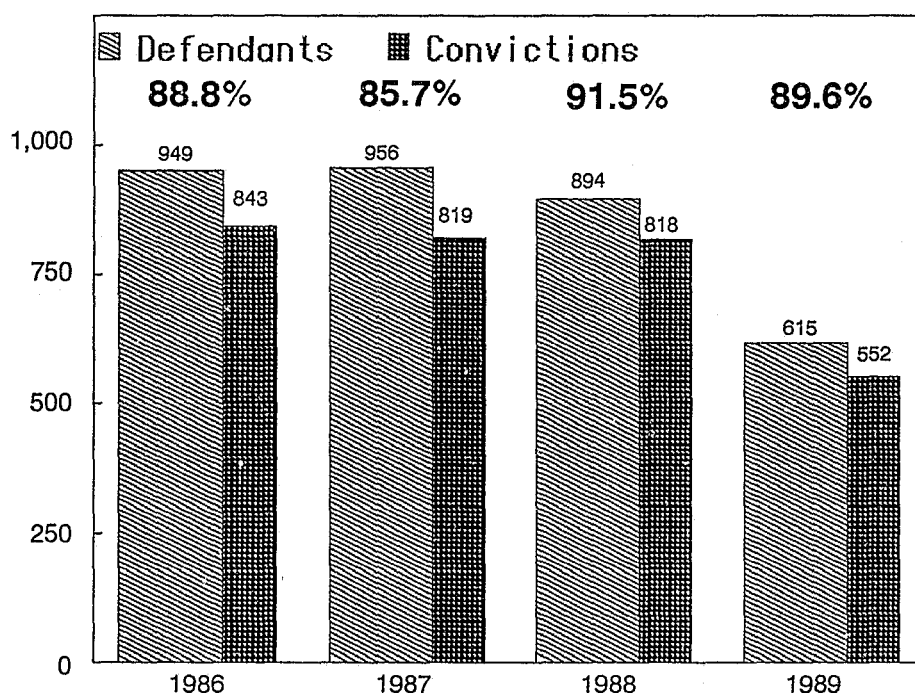
At the Center, new witnesses complete a comprehensive admission and evaluation agenda before moving to their permanent relocation area. Each family is given orientation briefings about the relocation area, including information on jobs, schools, and

FY 1991 WITNESS SECURITY PROGRAM SERVICES

Primary Services	184	Preliminary Interviews
	530	Witnesses Produced
	3,750	Production Days
	1,500	Unique Production Trips
	139	Child Visitations
Support Services	1,704	New Personal History Documents
	2,499	Employment Assistance
	177	Household Relocations
Financial Services	24,711	Voucher Transactions

PERCENTAGE OF CONVICTIONS WHEN PROTECTED WITNESSES TESTIFY

Source: Department of Justice Office of Enforcement Operations (OEO)



climate. Participants choose their new names to begin the redocumentation process.

Security is the foremost consideration at the Center, with sophisticated communications

and security equipment installed to provide constant surveillance. Patrols of the outer perimeter supplement the monitoring equipment.

Endnote:

After 20 successful years, the Witness Security Program continues to be an effective mechanism for the successful prosecution of drug traffickers, organized crime, terrorists, and other serious criminal elements. The USMS will continue to effectively meet its responsibilities in protecting government witnesses and eradicating serious criminal enterprises from society.

CHAPTER 7

Execution of Court Orders

The legislation creating the Office of the U.S. Marshal in 1789 granted the Marshals the authority to carry out all lawful orders issued by the three branches of the Federal government. This included serving subpoenas, warrants, writs, and other process.

The tasks performed by the Marshals Service for the Federal courts through the execution of court orders are both fundamental and practical. By ensuring that these court documents are delivered under the required conditions, the Federal justice system is able to operate in a smooth and efficient manner.

Program Overview

Every year the USMS executes hundreds of thousands of summonses, writs, mandates, and other process for the Federal courts, United States Attorneys, private litigants, Federal agencies, foreign governments, and others. Service of process consists of summonses and complaints in civil actions, subpoenas in both civil and criminal actions, writs of habeas corpus, writs of execution, and enforcement of major injunctions.

Each type of court order requires the performance of specific actions to be successfully executed. Deadlines are established by the courts for every court order, setting the time frames in which the Marshals Service must carry them out. Prior to the date set by the court, the Marshals Service must either successfully execute the court order or return it to the court with an explanation of why it was not executed.

In FY 1991, the execution of court orders and other process accounted for 16 percent of the average Deputy U.S. Marshal's duty hours—10 percent in activities relating to government seizures and six percent in activities covering all other types of court orders. The work hours include all hours expended in the investigation and execution of process and related activities on behalf of the government and private litigants. [For more information about activities related to government seizures, see Chapter 8.]

Program Accomplishments

During FY 1991, two civil disturbances received national attention: the Ku Klux Klan march in Washington, D.C., and the "Operation Rescue" Abortion Clinic Blockade in Wichita, Kansas. The Marshals Service had the responsibility to enforce the orders of the



Execution of Court Orders

courts that stemmed from the civil and criminal litigation that followed the outbreak of violence. As in 1962, when U.S. Marshals escorted James Meredith to the University of Mississippi amid strong and dangerous protest, the USMS personnel again were required to restrain civil unrest associated with public demonstrations.

Along with other police agencies, during the Klan march the Marshals Service was required to provide a contingent of officers equipped to deter violence between the Klan and demonstrators against the march. The Marshals Service remained involved throughout the demonstration, which eventually resulted in 40 demonstrators being arrested and seven police officers injured.

In response to the civil demonstrations called "Operation Rescue," in which anti-abortion participants rallied and blocked entrances to abortion clinics, a Federal court order was issued which prohibited protestors from blocking access to clinics where abortions were performed. The Marshals Service was involved in the execution of the restraining order and the approximately 2,600 arrests that

were made throughout the entire event. In addition, a special detail of Deputies were assigned to the Federal judge whose life was threatened after issuing the restraining order.

In FY 1991, the Marshals Service continued to enforce court orders issued to protect copyrights, trademarks, and patents. While some consider imitation as the sincerest form of flattery, copyright holders take a dim view of lost revenue from pirated items. This is evidenced by the statement of the communications director of the Motion Picture Association of America that pirating cost film studios \$1 billion a year. One example of USMS activities relating to enforcement of this type of court order is the case in which two Deputy Marshals in the District of Connecticut seized over 260 illegally copied video tapes at a local rental store. An estimated 60 percent (1,875) of the tapes in the store were suspected to be counterfeit copies.

Statistically, the Marshals Service categorizes court orders and process by the type of case and plaintiff. These groups are government civil, government criminal, private civil, and private criminal process.

**FY 1991 EXECUTION OF
NON-WARRANT COURT ORDERS**

Categories	Received from Courts	Served in Person	Served by Mail	Returned Unexecuted
Government Civil	85,322	57,467	17,585	10,722
Government Criminal	155,025	145,513	5,313	10,046
Private Civil	106,181	38,582	48,494	17,636
Private Criminal	4,367	3,113	118	702
TOTAL	350,895	244,675	71,510	39,106

As shown in the chart on the preceding page, the USMS received 350,895 court orders excluding warrants, a decrease of one percent over the volume of process received in FY 1990. A total of 355,291 court orders were closed out, a decrease of two percent over the volume closed in FY 1990. The total amount of court orders closed out exceeded the volume received because of carry-over from the preceding fiscal year.

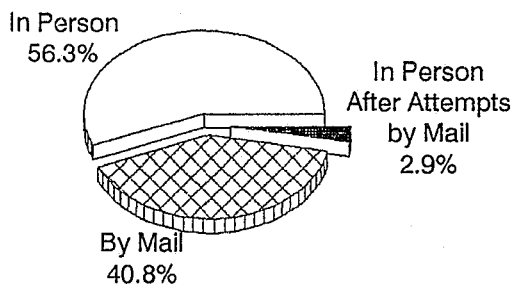
Court orders are closed either by successfully serving the process or by returning it to the court unexecuted. In FY 1991, 244,675 court orders were served in person, 71,510 were served by mail, and 39,106 were returned to

the courts unexecuted. Successfully served process accounted for 89 percent of the process closed out in FY 1991, the same as in FY 1990.

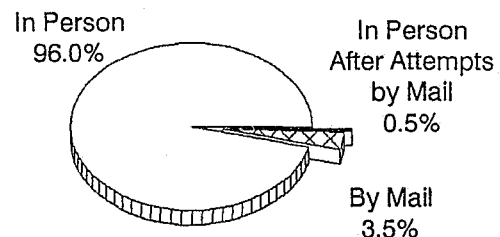
The Marshals Service continues to encourage the service of process by first class mail (as permitted in the 1983 change in the Federal rule covering the procedures for serving process [Federal Rules of Civil Procedure 4(c) 2(C) (ii)]). In FY 1991, the majority of process continued to be executed in person because personal service is required in the majority of criminal process and in government seizure cases. The volume of process served by mail decreased by more than 11,000

FY 1991 EXECUTION OF COURT ORDERS BY TYPE OF SERVICE

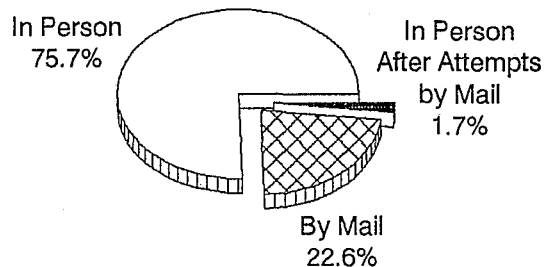
CIVIL PROCESS SUCCESSFULLY SERVED



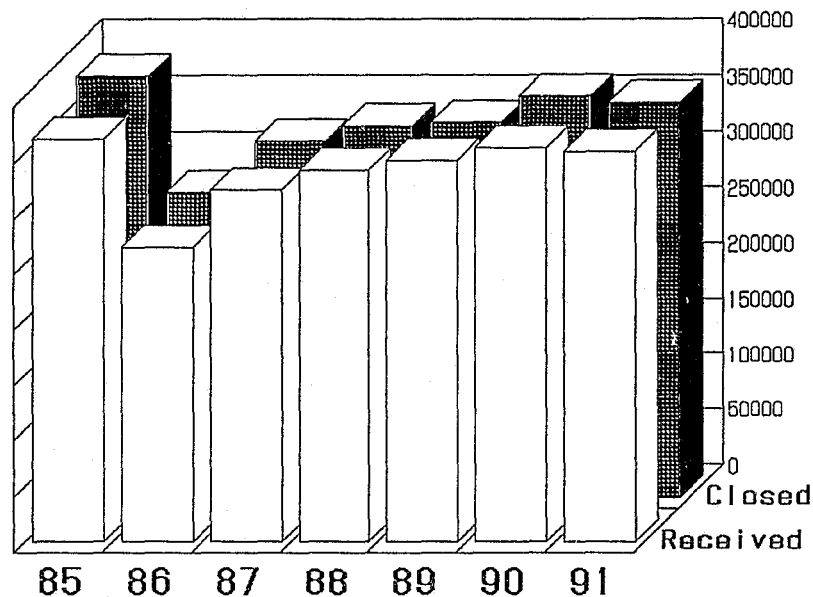
CRIMINAL PROCESS SUCCESSFULLY SERVED



ALL PROCESS SUCCESSFULLY SERVED



COMPARISON OF VOLUME OF COURT ORDERS RECEIVED AND CLOSED



pieces. In FY 1991, the volume of process successfully served in person after unsuccessful attempts to serve by mail rose by three percent.

As shown in the charts on the preceding page, the percentages for the categories of

successful service are significantly different between civil and criminal process. Service by mail accounted for 41 percent of all civil process served, but less than four percent of all criminal process. Overall, mail service accounted for 23 percent of all successfully executed process.

Endnote:

Although a far more complex activity than when the Marshals Service first became responsible for it in 1789, the execution of court orders remains one of the primary functions of the Marshals Service. By ensuring that hundreds of thousands of summonses, writs, mandates, and other process are served under the required conditions, the USMS contributes to the smooth and efficient operation of the Federal justice system.

CHAPTER 8

Government Seizures

During FY 1991, United States Marshals dealt with increasingly complex asset seizure and management problems. The Marshals Service's seized assets program is a critical component of the Department's asset seizure and forfeiture initiative—a powerful tool for dealing with major criminal enterprises.

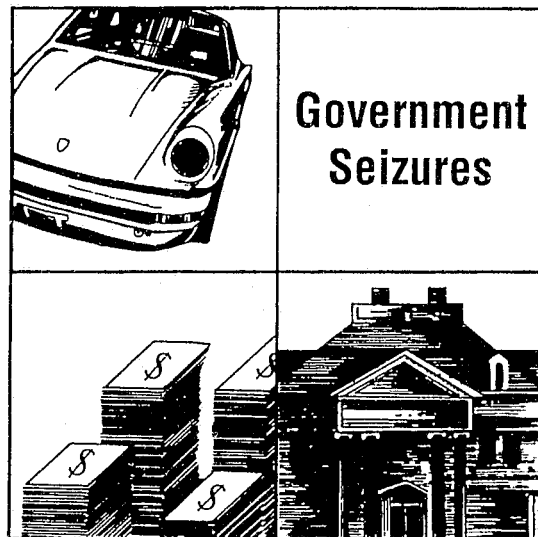
The objective of the asset seizure and forfeiture initiative is to dismantle drug trafficking rings and other continuing criminal enterprises, not only by prosecuting and imprisoning the drug kingpins, their top echelons, money launderers, and drug financiers, but also by stripping away the criminal assets of the illegal organization. Removing both the leadership and the illegal assets from a criminal organization destroys its power and ability to continue its illegal activities.

The Marshals Service has responsibility not only for seizing property but also for administering the Department of Justice's program for the management and disposal of property subject to judicial and administrative forfeiture. Specially trained and knowledgeable property managers, criminal investigators, deputy marshals, and administrative personnel are assigned to the seized assets program. Their mission is to establish and oversee seized asset management services, funding, and information within the Marshals Service.

One important responsibility within the seized asset function is the administration of the Department of Justice Assets Forfeiture Fund. The primary purpose of the Fund is to provide a source of funding for seizure and

forfeiture related expenses that would otherwise be paid from the budgets of the seizing agencies. FY 1991 was the sixth full year of operation for the Fund, with gross income totalling \$643.1 million, plus an additional \$15.6 million carried over from the previous fiscal year. Payments from the Fund for management expenses, liens and mortgages, equitable sharing disbursements, and program-related expenses totalled \$433 million. An additional \$150 million was transferred to the Office of National Drug Control Policy for use in the "war on drugs."

A major accomplishment in FY 1991 was the increase in income to the Fund from U.S. Marshals' sales of forfeited property. Income from sales of forfeited property totaled \$102.5 million in FY 1991—\$16.8 million more than in FY 1990. Sales income constituted 16 percent of all income to the Fund in FY 1991.



Additionally, FY 1991 was the third year during which the Marshals Service invested excess amounts on deposit in the Assets Forfeiture Fund in interest bearing market-based U.S. Government Securities. In FY 1991, investment income totaled more than \$13.5 million, which represented a 61 percent increase over FY 1990.

Because the asset forfeiture program has a high risk for waste, fraud, or abuse, the program management review is an important tool in ensuring effective operation.

Six years of Marshals Service experience managing seized and forfeited funds has resulted in effective policies for managing seized cash nationwide. By the end of FY 1991, \$303 million in seized cash awaiting forfeiture was being protected by the Marshals Service through the use of a special U.S. Treasury Department account known as the Seized Asset Deposit Fund.

Depositing seized cash to this account means both better accountability and that less money must be borrowed by the government for operating expenditures. Over the past five years, this has resulted in millions of dollars of savings. Marshals Service management of seized cash through the Seized Asset Deposit Fund saved taxpayers over \$20 million in interest in FY 1991, with cumulative interest savings of over \$89 million since its inception in FY 1987.

Through the Equitable Sharing Program, in FY 1991 the Department was able to share a

portion of the seized cash and proceeds of forfeiture sales and property (e.g., cars, boats) with state and local agencies that participated in case investigations resulting in a successful forfeiture. During FY 1991, approximately 24,000 equitable sharing decisions were made to transfer cash and property worth over \$285 million.

Many valuable operating businesses, parcels of real property, and other assets were seized and successfully managed and/or disposed of in FY 1991. Some of the more interesting cases are noted below.

In the District of Hawaii, a residence on the Island of Maui appraised in 1989 for \$260,000 was listed with a real estate broker with a list price of \$850,000. After only three weeks, the property was sold for \$1,000,500 which represents 117.7 percent of the appraised value. Net profits to the government totalled over \$500,000.

What appeared to be a routine administrative vehicle seizure of a 1987 GMC Pick-up truck in the Western District of Texas yielded a surprise. After the vehicle had been taken into USMS custody, DEA and IRS agents, acting on information obtained from an informant, searched it and found over \$300,000 hidden in a cardboard box inside one of the vehicle's fuel tanks.

A case in the District of Minnesota resulted in the seizure of what is considered the largest single residence in the entire state. This house, valued at \$6 million, includes an indoor pool with a slide from the second floor, a bomb shelter, and even a sound-proof shooting range.

To help U.S. Marshals better manage the numerous and varied seized properties in their custody, many management contracts are developed and put into place. Types of proper-

ties being managed in this way include real property, aircraft, and vehicles. During FY 1991, nine real property management contracts were awarded, increasing the number of districts covered by real property contracts from 13 to 24. An additional 20 contracts were awarded for the towing, storage, and disposal of vehicles. Also awarded in FY 1991 was a national jewelry contract.

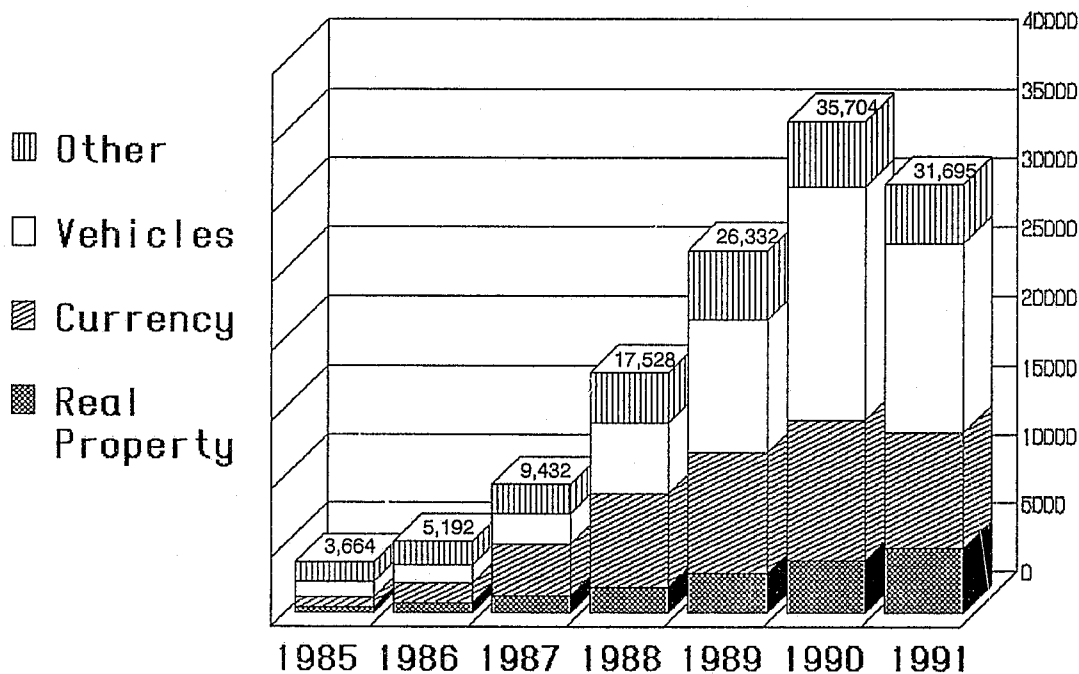
Contract compliance reviews were a major initiative in FY 1991. As stated above, the number of national, regional, and local contracts in place into to maintain and dispose of seized and forfeited assets have continued to grow. Due to the reliance on independent contracts to provide the necessary custodial management services needed, the impetus has been placed on the Marshals Service to ensure that both contractors and the government un-

derstand and comply with the terms of the various contracts. Through the contract compliance reviews, Marshals Service personnel from both district offices and headquarters work to identify and deter fraud, waste, and abuse by contractors who manage and dispose of seized and forfeited property.

Program management reviews were also an important part of the oversight effort in FY 1991. Program management reviews, which are on site reviews of district seized asset programs, are intended to ensure that district marshals offices are in compliance with Department of Justice and Marshals Service program policies, procedures, and practices. These reviews include a thorough look at specific activities such as the management and disposition of seized property, internal controls, pre-seizure planning, and procurement.

NUMBER OF ASSETS IN CUSTODY

Grouped by Fiscal Year and Type of Asset



Because the asset forfeiture program is an area with a high risk for waste, fraud, or abuse, the program management review is an important tool in ensuring effective operation of the Marshals Service's seized asset management program.

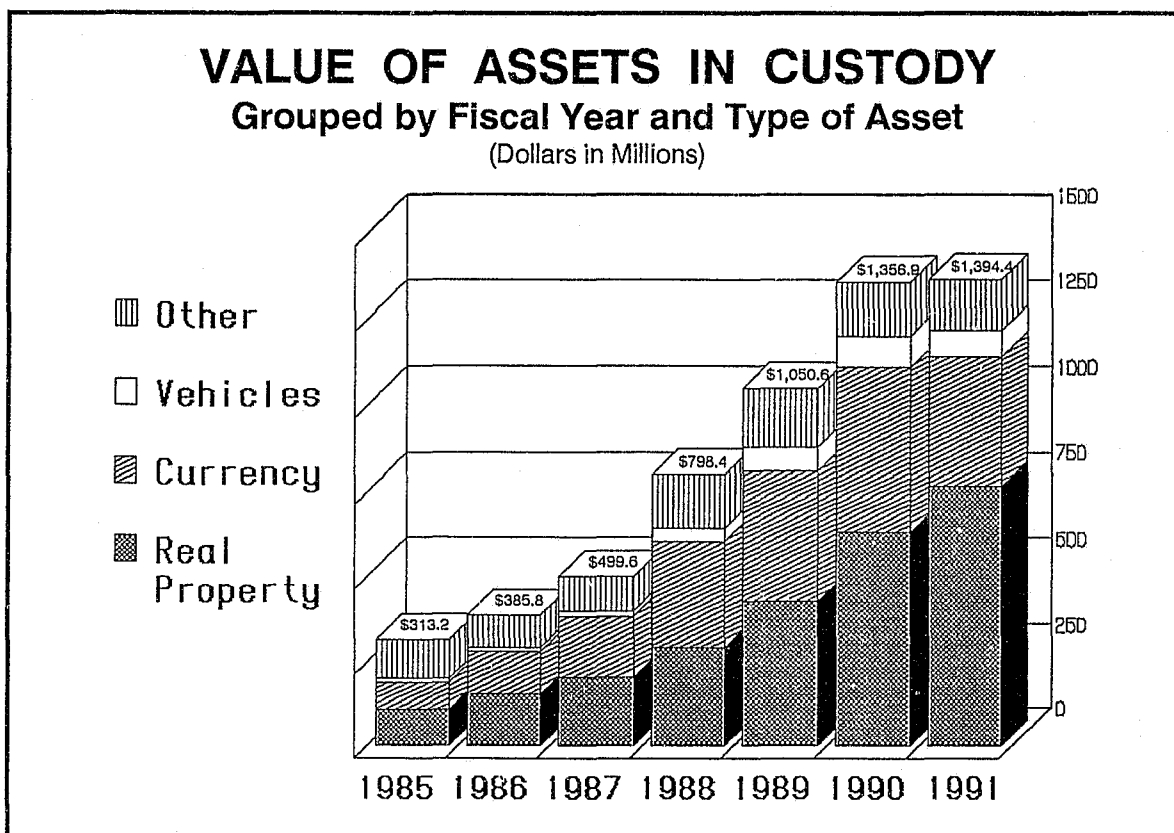
Better seized property management necessitates better automated information systems to track these properties. During FY 1991, the Seized Assets Management System (SAMS) was installed in all 94 districts. SAMS was designed to provide each district with an automated means for managing and tracking properties in their custody. Installation of SAMS, which began in a pilot program in the Southern District of New York in late FY 1989, was completed in March 1991.

By the end of FY 1991, the Marshals Service had in custody 31,695 properties worth almost

\$1.4 billion. Properties under seizure are divided into four categories: real property, cash, vehicles, and other. "Other" includes all property excluded from the first three categories, including antiques, livestock, jewelry, laboratory equipment and chemicals, and electronic equipment.

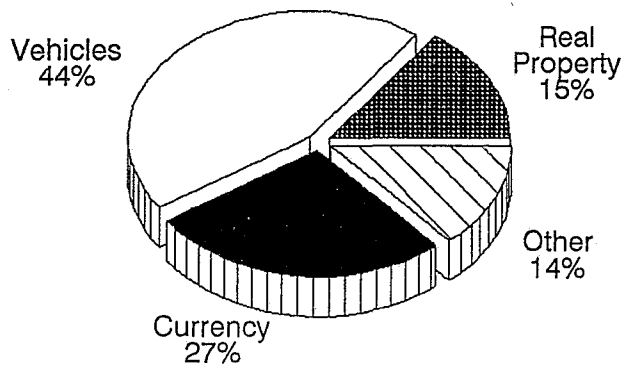
The chart on the preceding page shows the *volume* of properties under seizure at the end of each fiscal year. The chart below shows the *value* of these properties. Each of the bars in the two charts show the proportion of properties by category. The chart on the next page highlights the differences between volume and value within the categories.

The seized assets program provides a vital public service in the seizure and successful management of assets previously used for illegal purposes. Seizure of criminal assets, and



COMPARISON OF NUMBER AND VALUE OF PROPERTIES UNDER SEIZURE IN FY 1991

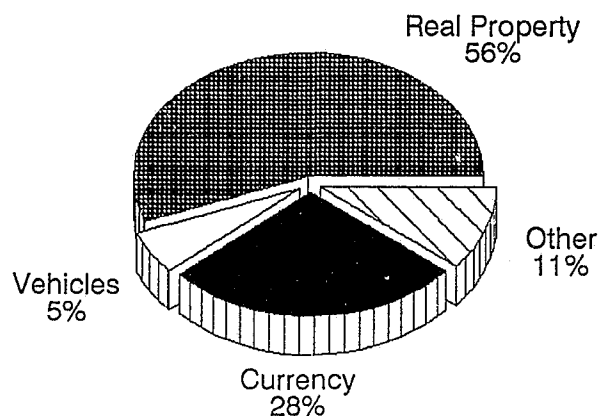
**Number of Properties under Seizure
at the end of FY 1991: 31,695**



**Vehicles account
for the majority
of properties
under seizure
with 44%, while
Real Property
makes up only
15% of the total.**

**Value of Properties under Seizure
at the end of FY 1991: \$1,394,418,459**

**Real Property
accounts for 56%
of the value
of properties
under seizure,
while Vehicles
account for only
5% of the total.**



the resulting lack of necessary resources to continue drug operations, effectively dismantles drug enterprises.

Awarding some of the forfeited assets to state and local law enforcement agencies allows these agencies to utilize the forfeited assets to strengthen existing law enforcement activities and reduce the burden on the tax-

payers. By successfully managing seized businesses, the Marshals Service provides economic protection to innocent employees and clients, who were unaware of the owner's illegal activities and are dependent upon the enterprise for employment or services. Through these activities, the seized asset program constitutes an effective strategy against drugs and an important public service.

Endnote:

The Marshals Service's seized assets program continues to be a critical component of the Department's asset seizure and forfeiture initiative—a powerful tool for dealing with major criminal enterprises. Working in tandem with efforts to prosecute and imprison the drug kingpins, their top echelons, money launderers, and drug financiers, the seized assets program helps to dismantle drug trafficking rings and other continuing criminal enterprises.

Seizures of illicit assets benefit the government in many ways. The Assets Forfeiture Fund uses the seized assets to provide a source of funding for seizure and forfeiture related expenses that would otherwise be paid from the budgets of the seizing agencies. Federal, state, and local law enforcement agencies share in the use of seized assets, augmenting their resources and reducing the burden on taxpayers. Using local businesses to manage the properties while under seizure provides revenues to the community and economic protection to innocent employees and clients.

CHAPTER 9

Special Operations and Analysis

Because of its wide range of duties and associations, the Marshals Service plays a unique role in the Federal criminal justice system. Just as the USMS responsibilities have continued to evolve during its 202-year history, the strategies and techniques for fulfilling those responsibilities have changed. To keep up with the capabilities of other law enforcement agencies and to stay ahead of the criminals, the Marshals Service has developed special skills and programs.

In the early 1970s, special programs, such as the Anti-Air Piracy Program, were developed to address extraordinary problems. Although most of these have been integrated into other programs, the Missile Escort function remains a distinct responsibility of the Marshals Service.

During this same time period, the Service recognized the need to develop better means of responding to emergency situations. The Special Operations Group (SOG) was established as an emergency response team. Through the years, SOG has grown to incorporate a wide variety of response tactics and range of training responsibilities.

By the mid-1980s, the Service recognized the need to enhance its capacity to assess the level of danger in the threats made against judicial officers. Additional information gathering and threat assessment capabilities have developed as the threat analysis function has become an integral part of many of the traditional functions of the agency.

Missile Escort Program

Because the government cannot use military force to restore order in civilian situations, Deputy U.S. Marshals provide law enforcement assistance during nuclear weapons movements. Deputies arrest civilians who interfere with the missile convoy, provide information on individuals or groups who pose a potential threat, and assist with traffic control.

This assistance is provided to the military through a reimbursable agreement with the U.S. Air Force. The Department of Defense reimburses the USMS for positions which were dedicated to providing this support to the Strategic Air Command in the North Central United States, Missouri, Montana, North Dakota, South Dakota, and Wyoming. In addition, the USMS provides the same type of assistance to the Department of Defense in the Southwestern section of the country for cruise missile movement.

In FY 1991, USMS personnel escorted 856 missile convoys without a major incident. As a result of the changing international environ-

As a result of the changing international environment, USMS personnel were required to escort only 856 missile convoys in FY 1991.

SOG Recipient of Attorney General Award

The skills of SOG members are frequently used to maintain and restore order in a variety of situations. The range of activities—from maintaining order inside courtrooms, to quieting demonstrations outside court buildings, to completing international extraditions—can be seen in the tasks completed by one SOG inspector during FY 1991.

As Task Force Commander of SOG operations in two major drug trials, Inspector Donald Johnson assured that two of the most notorious narco-terrorists were presented in court on numerous occasions without a significant incident. He led the SOG team in San Francisco that dealt with an anti-war demonstration, bringing calm to a volatile situation. He also led teams to Columbia to extradite 10 Colombian citizens charged with drug offenses in the United States.

Inspector Johnson's professionalism and outstanding performance are being recognized by the Attorney General as this exceptional member of SOG is awarded the AG's Excellence in Law Enforcement Award.

ment, this number is 37 percent less than FY 1990 and is even lower than the 866 convoys escorted in FY 1984.

Special Operations Group

As the role of the USMS evolved in the criminal justice system and the nature of its duties became more complex, the Service required higher levels of proficiency to effectively perform its functions. In 1971, the Special Operations Group was established in order to meet demands for specialized expertise and to provide back up support to U.S. Marshals as they carried out their responsibility for enforcing major restraining orders and injunctions issued by the Federal Courts. SOG also provides support in areas that concern priority or dangerous situations, such as movements of large groups of high risk prisoners, and high risk trials involving drug traffickers or subversive groups and organizations.

SOG consists of an elite, well trained, self-sufficient, mobile group of Deputy Marshals capable of responding anywhere within the United States and its territories within a few hours of receiving an activation order. Members of the SOG unit keep with them, at all times, a ready deployment bag of issued equipment. This facilitates their response to an assignment at a moment's notice. In this manner, when the group arrives, it is fully equipped and self-supporting.

In order to be self-sufficient, members receive special training to augment the distinctive talents they bring into the unit from past experiences. Training includes building entry and search techniques, helicopter operations including rappelling and deployment, confrontation management, operational planning and organization, small unit tactics, leadership reaction, emergency medical care, bomb recognition, and the use of special purpose

equipment such as night vision devices, laser scopes, and video equipment. SOG has personnel trained as helicopter and fixed-wing pilots, emergency medical technicians, explosive ordnance and disposal technicians; and bilingual deputies (Spanish, French, and German). All SOG personnel receive training in the proper use and deployment of automatic weapons.

SOG's design permits individual Marshals and Headquarters elements to gain immediate access to expert supplemental personnel and equipment to meet operational needs beyond the scope of normal functions. Additionally, the unit's design enables the Director of the USMS to respond to the needs identified or requested by the Attorney General in addressing situations of national significance.

In FY 1991, the Special Operations Group took part in several special assignments and major operational details. For instance, SOG made a key contribution to the success of Operation Sunrise, a law enforcement offensive coordinated to capture fugitives in several major East Coast cities. SOG's support teams, equipped with sophisticated weaponry, assisted Federal, state, and local authorities in Miami and New York to apprehend those fugitives considered armed and dangerous.

SOG's skills are frequently used to maintain and restore order in a variety of situations. Protestors demonstrating against Operation Desert Storm in December 1990 were met by members of SOG at the Federal Building in the San Francisco. SOG and the Deputies of the Northern District of California maintained order throughout the demonstrations. Another example is the participation of SOG during an uprising by Cuban inmates at the Federal prison in Talladega, Alabama. By providing vital assistance and gathering intelligence, law enforcement personnel were able

to enter the prison and restore order without suffering casualties.

Major operational assignments often involve the transportation of extremely dangerous prisoners. In FY 1991, SOG provided security for the movement and trials of high risk prisoners such as Manuel Noriega and Sonia Berrios-Rodriguez, allegedly a key figure in the planned escape of inmates from a prison in Puerto Rico. Other significant SOG operational assignments included the extradition of high risk defendants from Jamaica, Guatemala, Panama, Colombia, and Costa Rica.

The Special Operations Group Tactical Center and base is located at Camp Beauregard, Pineville, Louisiana. Here, SOG instructors conduct the tactical law enforcement training for Marshals Service personnel and other Federal, state, local, and foreign police agencies. To make training situations more realistic, construction of an urban village was begun at Camp Beauregard during FY 1991. This mock village, which will be one of several training facilities at the Special Operations Group Tactical Center, will occupy 47 acres and will be outfitted with sidewalks, streets, and buildings.

**The situations into which
SOG is sent often require
USMS personnel to work
closely with personnel from
a variety of agencies**

The situations into which SOG is sent often require USMS personnel to work closely with personnel from other agencies, including local, state, Federal, and international jurisdic-

tions, and both civilian and military agencies. Under United States law, the government cannot use military force to restore order in civilian situations; therefore, the military authorities have to rely on civilian law enforcement agencies if trouble develops.

In addition to the ongoing assistance the USMS Missile Escort program provides to the military, SOG provides specialized assistance on both a continuing and an ad hoc basis. Under the terms of a Memorandum of Understanding, SOG responds to the aid of the military if circumstances develop which military security cannot handle.

In FY 1991, SOG trained over 200 law enforcement officers from various foreign countries under the sponsorship of the State Department's Anti-Terrorism Assistance Program. Personnel from Czechoslovakia, Greece, Hungary, Bolivia, Colombia, and Thailand received basic police training, including street survival tactics and use of firearms. In addition, the State Department requested

that the SOG commander travel to Poland to view and critique their training methods.

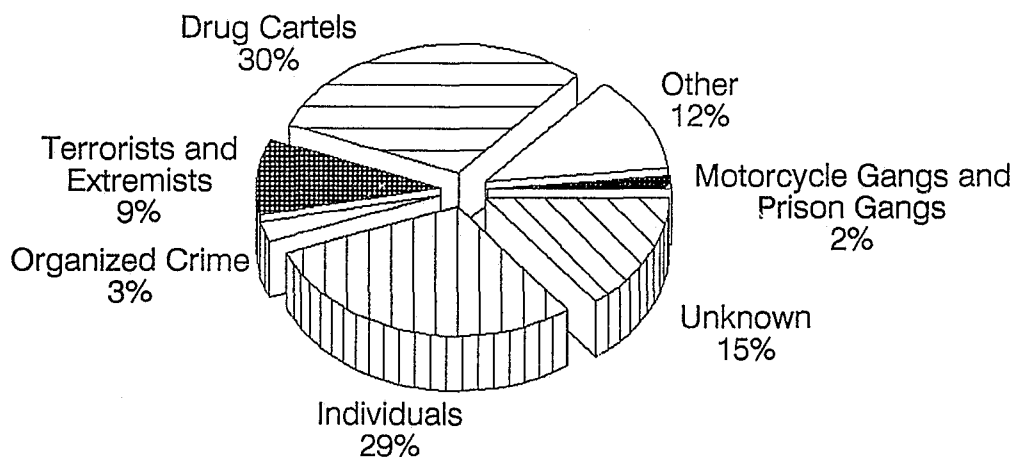
Threat Analysis

The USMS established a threat analysis unit in 1983 to enhance its capability to assess the level of danger related to threats against the judicial community. The increasing number of threats and the growing sophistication of criminal organizations, including terrorist groups, compelled the Marshals Service to develop the ability to assess any dangerous situation. In short, the threat analysis function is to collect, analyze, and disseminate information relating to threats against all USMS protectees.

In FY 1991, 116 formal assessments involving drug cartels, dangerous individuals, extremist groups and terrorist organizations were conducted. In addition, threat analysts handled 184 investigations requested by USMS district offices, Headquarters, and other law enforcement agencies. The chart below illustrates the types of groups that were the targets of these investigations.

FORMAL THREAT ASSESSMENTS

FY 1991: 116



In FY 1991, the majority of threats from known sources were received from individuals (41 percent) and prisoners (26 percent). Since FY 1990, there has been a dramatic increase in the number of threats to the judiciary from drug cartels. These drug related, non-traditional organized crime groups now comprise the highest percentage of groups identified as a threat source prompting a substantial increase in assessments concerning their activities.

After the information about a specific threat source or situation is collected and analyzed, it is disseminated to USMS field offices in the form of Threat Intelligence Briefs. In FY 1991, such information was provided to USMS district offices 342 times. The chart below demonstrates the FY 1991 breakdown in Threat Intelligence Briefs by threat source.

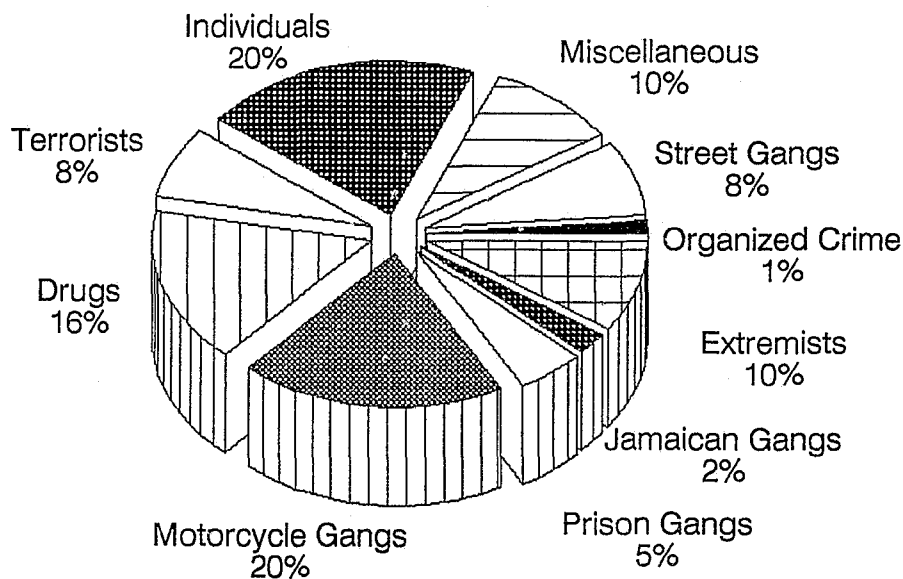
Some of the more widely publicized cases in which threat information was disseminated were the new indictments involving members of the Medellin and Cali drug cartels, Loren Belrichard, the West End Gang, the Dixie Mafia, Jerry LeQuire, Juan Matta-Ballesteros, the Black Guerilla Family, Walter Leroy Moody, Nubian Bank Robbers, James Monaco, Michael Mundy, Tony Alamo, and members of the Luciano Crime Family.

Through the threat analysis function, the USMS also provides on-site assistance to field operations, such as personally briefing individuals assigned to protection details, prisoner movements, sensitive trials, and property seizures.

Marshals Service districts designate Deputies to be Threat Coordinators. The

THREAT INTELLIGENCE BRIEFS

FY 1991: 342



coordinators have recently received advanced training to develop the skills necessary to provide in-district threat analysis support as well as to support national-level threat assessments through investigation and collection of information.

The USMS also provides training in threat assessments to other Federal, state, and local law enforcement officials on a select basis. Through the threat analysis function, the Marshals Service maintains formal liaison with every major Federal civilian and military law enforcement agency, as well as numerous state and local agencies. Through these contacts, the Marshals Service is represented on the following task forces and working groups:

- Federal Bureau of Prisons Disruptive Groups Task Force

- California Prison Gangs Task Force
- National Drug Policy Board
- Italian/American Organized Crime Working Group
- International Association of Law Enforcement Intelligence Analysts
- Counter Narcotics Center (CIA)
- Defense Intelligence Agency
- Department of Defense Counter Narcotics Intelligence Community

These contacts provide the USMS with direct access to information and critical personnel in other agencies for the purpose of emergency assistance, coordination, and security considerations.

Endnote:

The Marshals Service has developed special skills and programs to keep up with the capabilities of other law enforcement agencies and to stay ahead of the criminals. The Missile Escort Program provides law enforcement assistance in civilian situations when the military cannot use its own force. The Special Operations Group provides the specialized expertise and back up support to U.S. Marshals as they carry out their responsibility for enforcing major restraining orders and injunctions issued by the Federal Courts, and in operations that involve large groups of high risk prisoners or high risk trials. The Threat Analysis function assesses the level of danger related to threats against the judicial community, and disseminates information relative to threats against all USMS protectees.

CHAPTER 10

USMS Headquarters

Since the creation of the office of the U.S. Marshal in 1789, the basic organizational unit has been the district office, with one Marshal's office for each Federal Judicial district. In 1991, there were 94 USMS district offices, staffed by more than 2,500 employees working in 239 locations.

To manage the national and international programs effectively, and to coordinate the various operations of the 94 district offices, the Marshals Service Headquarters was established in 1969. In addition to providing executive direction and control, Headquarters operational and administrative divisions provide specialized management support functions to minimize the time spent on administrative matters by managers and supervisors in the field, to ensure consistent execution of USMS policies and procedures, and to provide stringent control for the management activities contained within these programs.

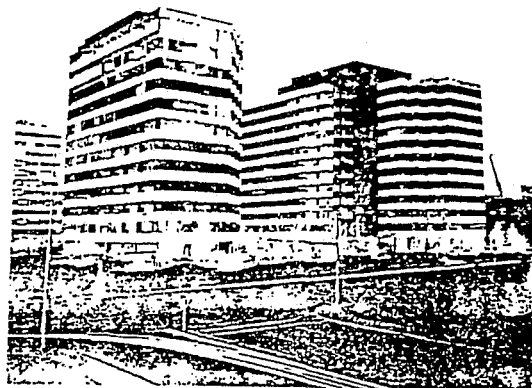
Executive Direction

The Office of the Director of the U.S. Marshals Service exercises overall managerial direction and supervision, establishes policy, and determines the goals and objectives of the Service. The Director represents the Service in interactions with high level officials throughout the public and private sectors.

The Office of the Deputy Director for Administration and the Office of the Deputy Director for Operations provide overall guidance to the Headquarters divisions. The Deputy Directors assist in the establishment of policy, goals, and objectives; approving

specific policy guidelines; overseeing internal control review activities; and assuming the functions of the Director whenever necessary. The Deputy Director for Operations also exercises overall executive direction and supervision of U.S. Marshals.

The Office of Legal Counsel provides legal representation and advice to the Director and other USMS officials, and adjudicates all claims filed with the agency. Legal Counsel represents the USMS and its officials at the Merit Systems Protection Board, at Equal Employment Opportunity hearings, and in the adjudication of union grievances, arbitrations, adverse actions, and unfair labor practices. It also represents the Marshals Service at U.S. District and Circuit Courts in litigation regarding USMS official actions and operations. Legal advice is also rendered to management and all USMS district offices with respect to the legality of procedures, regulations, and



practices relating to criminal law, personnel practice, labor relations, ethics, and other matters.

In addition, Legal Counsel provides advice and counsel to all USMS employees concerning ethics and conflict of interest matters, ensures compliance with financial disclosure requirements, and prepares and conducts training of USMS employees on ethics rules and regulations.

**Executive direction for the
94 districts and Headquarters
is provided by the Offices of
Legal Counsel,
Congressional and Public
Affairs, Inspections, and
Financial Management.**

During FY 1991, Legal Counsel handled 346 administrative tort claims, 11 employee claims, 61 personnel matters, 837 Freedom of Information/Privacy Act requests and appeals, 161 litigation matters, 277 contract matters, and 244 ethics inquiries; and issued 1,421 legal opinions.

The Office of Congressional and Public Affairs manages the internal and external communications with Congressional offices, other Department of Justice (DOJ) units, the media, the general public, and USMS personnel. This office monitors and reviews all proposed and pending legislature with potential impact on the Service. In addition, the office produces information fact sheets, the Service's law enforcement magazine, and other publications. During FY 1991, Congressional and Public Affairs developed and

disseminated over five million informational products, almost double the amount of 2.8 million products distributed in FY 1990.

The Office of Inspections investigates allegations of misconduct by Service personnel (Internal Investigations); performs audits of operational, administrative, and financial activities (Program Review); conducts background investigations (Internal Security); and manages the U.S. Marshals Service Manual and the Internal Controls Program (Policy Review). The Office of Inspections is responsible for administering agency-wide security with regard to personnel and documentation, managing the emergency preparedness program to ensure continued operation in the event of a national emergency, and overseeing compliance requirements with the Federal Managers Financial Integrity Act and the Waste, Fraud, and Abuse Program.

During FY 1991, Inspections closed out 40 external audits on various USMS programs which were conducted by outside agencies, such as the DOJ Office of Inspector General and the Government Accounting Office. The Office also completed 10 program reviews of district office operations and provided over 200 recommendations for improved operations throughout the Service.

The Office of Financial Management is responsible for the acquisition and deployment of the financial resources that are necessary to operate the Marshals Service. In addition to managing the procurement and acquisition functions, this office provides guidance and staff support in all areas of budget and finance for the Service, including financial planning.

The Budget Division formulates, presents, and justifies the budget submissions for the Marshals Service Appropriations: Salaries and Expenses, Support of U.S. Prisoners, and the

DOJ Assets Forfeiture Fund. The budget submissions are presented to DOJ, the Office of Management and Budget (OMB), and the Congress. In addition to developing related plans, programs, policies, and procedures, this Division performs all budget execution activities for the three appropriations. The Division also assists the 94 districts in tracking their workplan allocations.

The Finance Division is responsible for maintaining and developing the mechanisms that enable the Marshals Service to track its financial obligations and to satisfy all valid financial claims through the disbursement of available funds. To carry out these responsibilities, the Division formulates general procedures and guidelines, and furnishes instruction and direct assistance to USMS Divisions and Offices as necessary.

In addition, each year the Finance Division arranges for the payment of approximately 20,000 invoices, audits and pays approximately 3,000 travel and relocation vouchers, and operates an imprest fund for travel advances, local travel expenses, and small purchases. The Division coordinates USMS relations with government contractors that provide charge cards, travel services, and employee relocation services.

Responsibilities of the Procurement Division include awarding and administering all contracts and small purchases for the Service to acquire the goods and services necessary for the USMS to function. After working with program managers to define their requirements for goods and services, the division seeks out the best sources in the American economy to provide the goods and services. In addition, the Procurement Division staff trains field personnel regarding the applicable procurement laws, regulations, and procedures.

During FY 1991, the growth of the Marshals Service operational responsibilities was reflected in the Procurement Division's workload. Total contract actions and the dollar amounts associated with those actions, increased for all programs. The largest increase was in the seized assets contracts for real property and vehicle storage and for property sales. In FY 1991, 878 contract actions were completed, an 86 percent increase from the 472 contract actions completed in FY 1990. In addition, responsibility for negotiation of Intergovernmental Agreements (IGAs) with state and local jails transferred from Prisoner Operation Division to the Procurement Division in FY 1991.

**Under the leadership of the
Deputy Director for Operations,
the operational divisions
provide program oversight
and guidance on the law
enforcement responsibilities
of the Marshals Service.**

Operations

The operational divisions at the USMS Headquarters provide program oversight and guidance on the law enforcement responsibilities described in the preceding chapters of *The Director's Report*. The chart on the next page identifies the operational divisions as they are related to the chapters in the *Report*. In addition, two divisions provide support to all of the operational programs.

Special Assignments develops the policies and procedures for all non-routine operational missions throughout the 94 judicial districts.

This office implements the programs relating to the staffing and funding of such missions, as well as providing technical assistance and coordination. During FY 1991, Special Assignments arranged for security personnel for several high profile judicial proceedings such as the Manuel Noriega trial in the Southern District of Florida, several trials involving the El Rukn Gang in the Northern District of Illinois, and the Berrios trial in the District of Puerto Rico. The Service was also a major provider of agents to the State Department's Dignitary Protection detail at the annual U. N. General Assembly.

Air Operations provides support to all law enforcement functions through the effective management of the USMS fleet of aircraft.

During FY 1991, permanent crews of detention officers and guards were established to improve the consistency of daily operations, to eliminate the costs of detailing temporary crews, and to reduce manpower demands on the district offices.

Administration

The administrative divisions provide support to the district offices and other Headquarters divisions through the management of human resources, physical resources (offices, equipment, and vehicles), and information resources. The services provided by the administrative divisions in FY 1991 were essentially the same as in previous years, although several divisions started using new designations to stay aligned with designation

RELATIONSHIP BETWEEN USMS PROGRAMS AND OPERATIONAL DIVISIONS

Chapters in *The Director's Report*

Related Division Name

Fugitive Investigations (#2)

Enforcement Division

Prisoner Processing and Detention (#3)

Prisoner Program Division

Prisoner Production and Transportation (#4)

Prisoner Production and Transportation (#4)

Prisoner Transportation Division

Protection of the Judiciary (#5)

Court Security Division

Witness Security (#6)

Witness Security Division

Execution of Court Orders (#7)

Seized Assets Management Division

Government Seizures (#8)

Special Operations and Analysis (#9)

Special Operations Division

Missile Escort Program

Special Operations Group

Special Operations and Analysis (#9)

Threat Analysis Division

Threat Analysis

Chapters are listed in the order they appear in *The Director's Report*. Operational divisions are listed as they were structured at the end of FY 1991.

changes throughout DOJ and other government agencies. The following summaries describe the divisions at the end of the fiscal year.

Equal Employment Opportunity (EEO) provides assistance on matters relating to provision of employment and promotion opportunities within the Marshals Service. In this regard, EEO coordinates the Service's minority and female recruitment program and monitors the career development of employees. EEO provides advice and assistance in the formulation of EEO policy and procedures and training for managers concerning these procedures. This division administers the EEO complaints processing system, which provides informal counselling for employees, applicants, and management in an effort to resolve allegations of discrimination, and requires the investigation and adjudication of all formal complaints of discrimination.

In FY 1991, 64 employees were selected to assist with the agency's affirmative employment program. As a collateral assignment (that is, in addition to their regular job respon-

sibilities), the Special Emphasis Program Managers work with the Black Affairs, Hispanic Employment, Federal Women's, and Disabled Veterans/Selective Placement Programs. During FY 1991, the Affirmative Employment Program staff and collateral program managers made contact with more than 7,000 potential Deputy U.S. Marshal applicants. EEO also conducted five pre-test workshops, attended by over 400 persons.

During FY 1991, EEO continued to coordinate an aggressive minority and female recruitment campaign. This effort involved both Headquarters staff members and designated district personnel. On behalf of the Service, these individuals conducted minority and female recruiting activities at over 40 colleges and universities. In addition, EEO staff and district personnel attended approximately 50 job/career fairs to recruit women and minorities for Deputy U.S. Marshal and administrative positions.

Complaints Processing continued to reduce the backlog of EEO cases in FY 1991. A summary of complaints processing activities is listed below.

FY 1991 Equal Employment Opportunity Statistical Data

Counsellings Initiated	41
Counsellings Resolved	13
Formal Complaints Filed	21
Formal Complaints Resolved	7
Cases Accepted for Investigation	12
Investigations Contracted Out	14
Investigations Completed	9
Informal Adjustments	4
Proposed Dispositions	7
EEO Settlements	9

Through its human resources management programs, the Service continues its commitment to programs that contribute to quality job performance by addressing the overall needs of USMS employees and their families. Human resources management provides direction and supervision over recruitment, payroll, promotion, fitness, and other employee related concerns that benefit Marshals Service employees, their families, and the public.

Employee Relations is responsible for matters pertaining to labor practices, health awareness, retirement, and employee benefits. This area administers the Employee Assistance Program, Critical Incident Response Program, Medical Review Program, Drug Deterrence Program, and Fitness-in-Total Program.

**Telephone and mail support
was provided to 34 employees
serving on active duty during
Operation Desert Storm.**

In FY 1991, the Employee Assistance Program negotiated and implemented a new counseling/referral contract which expanded services and reduced costs. Additionally, telephone and mail support was provided to 34 employees serving on active duty during Operation Desert Storm.

The Medical Review Program instituted a medical record tracking system which will significantly reduce the response time for notifications of medical examination results.

The Fitness-In-Total Program (FIT) continued to stress the USMS belief in the

importance of physical fitness and well-being. In FY 1991, FIT organized and managed the USMS participation in the World Police and Fire Games Competition where USMS athletes won more than 60 medals. In addition, a USMS Pistol Team competed in the Games for the first time in FY 1991. The FIT program also organized the first two Advanced FIT Coordinators Training Conferences to teach the latest advances in health and fitness.

The Critical Incident and Response Program (CIRP) continued to assist employees who were victims of traumatic events in FY 1991. Because law enforcement personnel are highly likely to experience, witness, or participate in overwhelming traumatic events during their careers, the Service established CIRP as an avenue to help employees cope with the normal stress reactions produced during such events.

In a crisis situation, Critical Incident Response Teams are sent to the location within 48 hours to help all involved employees and their families deal with any intense emotional feelings or acute distress they may be experiencing. Teams provide follow-up services as needed through the USMS Employee Assistance Program.

Employment and Compensation is responsible for the development and execution of personnel programs and policy pertaining to employment, compensation, performance management, and personnel processing. Employment and Compensation manages the Career Development, Three-Year Deputy Development, and the Cooperative Education Programs.

The Career Development Program took significant strides in FY 1991. Four U.S. Marshals were selected for the Harvard University Program for Senior Executive Fellows, an eight week residential program that provides

intense management training for upper-level government managers. Also in FY 1991, participation increased in the Three-Year Deputy Development Program. Deputies completing work assignments in the Program were awarded certificates of completion.

One recruiting tool used by the Marshals Service is the Cooperative Education (Co-op) Program, which is designed to recruit, train, and place college students in USMS law enforcement positions. The primary objectives are to improve recruiting of minority group members and women; to increase USMS involvement with a variety of educational institutions; and to better control the quality of permanent hires, through the on-the-job evaluations completed while the employees were still students.

Administrative Services has responsibility for all the programs related to space acquisition and facilities management, systems and conventional furniture acquisition, physical and electronic security, radio and telecommunications, motor vehicle fleet management, property management, health and safety, printing, publications, reprographics, graphic services, photography, warehousing and relocation services for all U.S. Marshals Services offices nationwide.

Space Management controls the acquisition and release of all office, special purpose, and parking space. This includes responsibility for the planning and designing all construction and renovation projects relating to USMS space, the installation or replacement of electronic security equipment, and the design and acquisition of systems furniture for major projects. During FY 1991, the Service used approximately \$1,679,552 to purchase systems furniture for 48 projects with another 25 projects in the planning stage.

Space Management worked closely with the Bureau of Prisons (BOP) in the design and construction of a prisoner bridge/tunnel connecting the new Metropolitan Correctional Center (MCC) and the existing U.S. Courthouse in Miami, Florida. As a result of this cooperation, the USMS will receive, at no cost, a secure prisoner transportation system which will be totally funded by BOP. Space Management was also instrumental in acquiring the necessary sites for "Operation Sunrise" for the apprehension of fugitives in New York, Boston, Miami, Atlanta, and Baltimore.

Managing the Marshals Service's physical resources is the responsibility of Administrative Services.

A major accomplishment during FY 1991 was the preparation and printing of the publication titled "Requirements and Specifications for Special Purpose and Support Space." The publication was given to the General Services Administration (GSA) as well as contractors, engineers, and architects working on USMS construction or renovation projects. It expands upon the U.S. Courts Design Guide and provides a clear and detailed understanding of the specifications and materials required to construct detention, isolation, and courtroom holding cells; secure interview rooms; prisoner corridors; and elevators.

Property Management is responsible for employee relocations and the management of all USMS personal property which includes an inventory of over 37,000 items valued at \$75.5 million. Through this program, the Marshals

Service also has delegated authority to place the forfeited property of convicted felons into use for law enforcement activities. In FY 1991, 218 items valued at \$715,000 were converted into official use. In coordination with the Departmental Property Staff, the DOJ Property Management System module was developed and implemented in FY 1991. This system improves reporting capabilities by updating and printing out copies of corrected inventories within days of receiving a request from USMS district offices. In addition, 700 items were disposed of through the processing of excess property reports to GSA. The sale of vehicles returned more than \$270,000 to the Marshals Service workplan. This revenue was used to purchase additional vehicles for the USMS fleet.

The Publications Management function is responsible for the printing and distribution of USMS publications and forms, the acquisition of reprographics equipment, and providing graphic and photographic services. It also includes management of the USMS warehouse, which has developed a comprehensive control system that automatically integrates all classes of items inventoried, stock balances, and "customers." This system allows on-line display and instant updating of inventory as stock is issued, and tracking and back-order monitoring by both item and customer.

Transportation Management is responsible for motor vehicle acquisitions, fleet management, and accident investigations. During FY 1991, at least 80 sedans, vans or buses were purchased for district or headquarters offices at a cost of \$1,206,000. The Service leased 989 new sedans, vans, and four wheel drive vehicles for district offices or headquarters organizations at an approximate annual cost of \$4.2 million. In addition, 69 forfeited vehicles were identified for official use.

Communications and Technical Support is responsible for the installation, maintenance, and operation of the Service's telecommunications systems, including the secure and on-secure telephone and facsimile networks; the secure nationwide two-way radio communication system; and the nationwide teletype network. During FY 1991, the branch acquired \$4 million dollars through the Department of Defense for the purchase of radio communications property and equipment. A total of 13 base stations, 28 repeaters, 285 mobile radios, and 287 handheld radios were purchased for USMS support. Additionally, \$1.5 million of this funding allowed the USMS to begin its conversion from Digital Voice Protection (DVP) to the Digital Encryption Standard (DES). This conversion should be completed by the end of FY 1992.

In addition to managing human and physical resources, the Marshals Service uses information resources management as a valuable tool for accomplishing the agency's missions.

The Marshals Service continues to increase employee productivity and effectiveness through the use of computers, specialized software, and treatment of information as a valuable resource. Information Resources Management (IRM) provides the technical services to support the agency-wide automated data processing (ADP) and data communication services. It also provides staff support and management assistance across a

wide range of organizational planning and general management concerns. By combining the responsibility for data collection and use with the services to facilitate automation of information, the Marshals Service is able to support missions in more effective and efficient ways. The management decision making process, worker productivity, and the quality of information all benefit from this holistic approach.

Information Planning and Analysis involves the long-range design of information systems within the agency. To this end, a five-year strategic information plan is developed to provide long-range direction. Annual reviews of the strategic plan then define the tactical plans that implement the goals for each system. On a continuous basis, as special studies and reviews are conducted for the agency, the information used is analyzed for impact on other data systems. The data from the systems is used to prepare the annual evaluation of fulltime permanent resources to be distributed to the 94 districts. In addition, the concepts of Total Quality Management (TQM) are being integrated into the information planning efforts to ensure more responsive service to the users and more effective use of the information.

Systems Development involves the design and programming of new computer applications, and the evaluation and modification of existing applications that are used within the Marshals Service. Systems Development also maintains the USMS Data Center at the Headquarters facility. In FY 1991, the District Accounting System (DAS) was redesigned in order to provide more timely and accurate financial and accounting information through the Financial Management System (FMS). Modifications of the Prisoner Population Management System (PPMS) were begun in FY 1991. Implementation of a telecommunications network called MNET was started in FY 1991 to provide a basic in-

frastructure for the transmission of data between districts and Headquarters in a secure mode.

System Support consists of a wide range of duties to keep computer systems running, including maintenance of hardware and software, testing and implementation of new software, and preparation of manuals to explain USMS applications. It also involves the preparation of contracts for the acquisition and maintenance of ADP equipment and services. In FY 1991, a new "hotline" was established to assist end-users in the districts and at Headquarters.

Information Management entails verifying the correctness of the data that is entered into USMS computer systems. It also involved the use of the data in management reports and special analyses. Efforts during FY 1991 included administering Forms Management and Records Management Programs, managing the USMS Time Utilization Reporting System (USM-7), and developing the USMS Decision Support System.

**In FY 1991, the USMS Academy
trained 1,870 personnel in
39,727 student training days.**

Training

The U.S. Marshals Service Training Academy conducts basic, refresher, specialized, and management training for Marshals Service law enforcement and administrative support personnel. In order to provide the most comprehensive and current instruction possible, the Academy continually modifies and updates its courses. Curriculum committees consisting of field and headquarters

USMS TRAINING IN FY 1991

Class	Number of Classes	Number of Students
Administrative Financial Management	3	49
Administrative Officer's Conference	1	104
Advanced Witness Security	1	29
Basic Deputy U.S. Marshal	6	261
Basic Instructor Training	5	11
Basic Seized Assets	6	152
Contemporary Management Concepts	1	20
Court Security Officer Orientation	8	393
Criminal Intelligence Analyst Training Program	1	2
Detention Officer Training	2	22
Electronic Time and Attendance	6	95
Firearms Instructor Training Program	3	72
Instructor Development Program	2	34
Introduction to Management and Leadership Seminars	4	78
Law Enforcement Spanish Training Programs	6	47
Managing for Success	4	79
Prisoner Detention School	1	23
Protective Services Training	3	69
Radio Communications School	3	72
State and Local Seized Assets Management School	3	63
State and Local Court Security	2	94
State and Local Fugitive Investigators Course	3	72
U. S. Marshal Orientation	1	8
Witness Security Basic	1	21
TOTAL	76	1,870

personnel convene on a regular basis to evaluate program content and to ensure that the courses contain the knowledge and skills essential to fulfill the various missions of the Service.

In FY 1991, the Academy trained 1,870 personnel in 76 separate schools and conferences, including students from the Marshals Service as well as from other law enforcement agencies. The resulting 39,727 student training days helped the Marshals Service maintain its position as one of the top 10 agencies at the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia. The chart on

the preceding page depicts the training conducted by program areas.

Seventy-eight operational supervisors received introductory supervisory training in four two-week courses, and 79 supervisors received follow-up supervisory training in four five-day courses. One eight-day class was also held for 20 of the Service's Chief Deputies and unit chiefs on leadership issues and concerns.

Additionally, 104 of the Service's Administrative Officers and Business Managers received a week of job specific training that was conducted in New Orleans, Louisiana.

Endnote:

This report describes the USMS programs and functions, but as is true of any Service-oriented organization, the Marshals Service is best described by the people who do the work. It is through the combined efforts of the dedicated employees in the districts and at Headquarters that the Service is able to carry out its complex responsibilities while maintaining the tradition codified in the agency's motto: Justice, Integrity, Service.