



UNITED STATES MARSHALS SERVICE



**THE DIRECTOR'S REPORT:
A REVIEW OF THE
UNITED STATES MARSHALS SERVICE
IN FY 1986**

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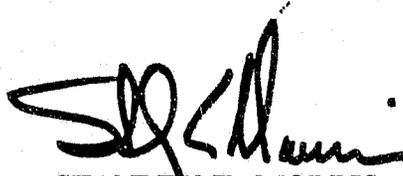
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PREFACE

This report provides a comprehensive overview of major activities and workload accomplishments of the United States Marshals Service (USMS) for the twelve month period ending September 30, 1986. It contains narrative information and charts on all USMS programs.

USMS data on workload, accomplishments, and time utilization are collected on a regular basis from the 94 district offices. Information concerning the workload of the Federal courts cited in this publication is obtained from the Administrative Office of the U.S. Courts (AOUSC).

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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 new Congress of the United States, created the office of U.S. Marshal and established the Federal judicial system. President George Washington appointed the first thirteen 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, and processed all Federal prisoners, as well as 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 coordinated by the Director of the Marshals Service under the authority of the Attorney General.

Although much has changed over the 198-year history of the U.S. Marshals, the basic functions of the Marshals Service today are as critical as ever to the Federal justice system. The Marshals Service provides the critical link between the Executive and Judicial Branches; a law enforcement agency performing Executive Branch functions that are essential to the operation of the justice system. This report reviews the functions of the U.S. Marshals Service (USMS) and its FY 1986 accomplishments in order to foster a clear understanding of the organization, its responsibilities, and its role in the Federal justice system.

President George Washington appointed the first thirteen U.S. Marshals.

The USMS is involved throughout the various stages of the criminal justice system, beginning at the investigation and arrest stage for those defendants or prisoners who escape or violate bond, probation, or parole (Fugitive Investigations). In addition, the USMS has custody of all Federal pretrial detainees. Upon receipt of the defendant, the USMS must process the individual, which involves fingerprinting, photographing, and recording personal information (Prisoner Processing and Detention). The defendant may be moved from one jail or court location to another and is produced for judicial proceedings and trial as needed (Prisoner Transportation and Production). The trial may require additional security or protection for officers of the court (Protection of the Judiciary),

and for successful prosecution, particularly in organized crime cases, protection for witnesses may be required (Witness Security).

The USMS is involved in all stages of the Federal justice system from warrant investigation to disposition of the defendant.

Also, the Court issues process related to the case, i.e., subpoenas, writs of habeas corpus etc., which must be served by a Deputy U.S. Marshal (Execution of Court Orders); and the issued court orders may include seizure, and forfeiture actions which require not only the custody, but the management of assets obtained from illegal activities (Government Seizures).

Thus, the USMS is involved at all stages of the Federal justice system from warrant investigation to disposition or release of the defendant or offender. The USMS role throughout the system can be seen through its seven functional areas outlined below:

Fugitive Investigations

- 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.

Prisoner Receipt and Processing

- Photographic, fingerprinting, and vital statistic compilation for all arrested Federal prisoners; and

- Custody and care of all remanded Federal prisoners.

Prisoner Production and Transportation

- Secure and timely presentation of prisoners for court appearance; and
- Transportation services for Federal detainees remanded to USMS custody throughout justice system processing and transfers between Federal institutions.

Protection of the Judiciary

- 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, advice and intelligence support on, courtroom and courthouse security, as well as other protective services as may be assigned.

Witness Security

- Witness protection, relocation, and child visitation services in return for testimony in critical criminal cases.

Execution of Court Orders

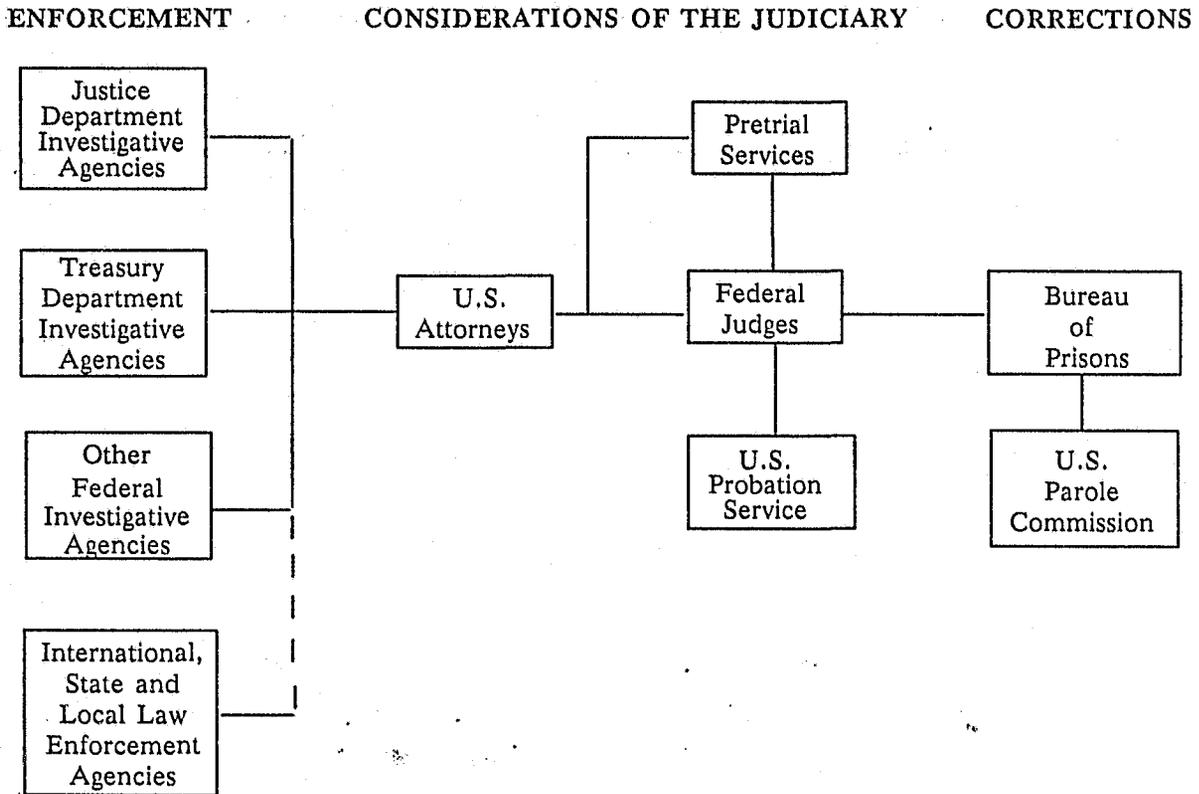
- Execution of all Federal court orders including government and private, civil and criminal process.

Government Seizures

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

In addition to supporting all the specific events in the Federal justice system, the work of the USMS can be seen in terms of its support to the major organizations of the system. (See also, Appendix A.)

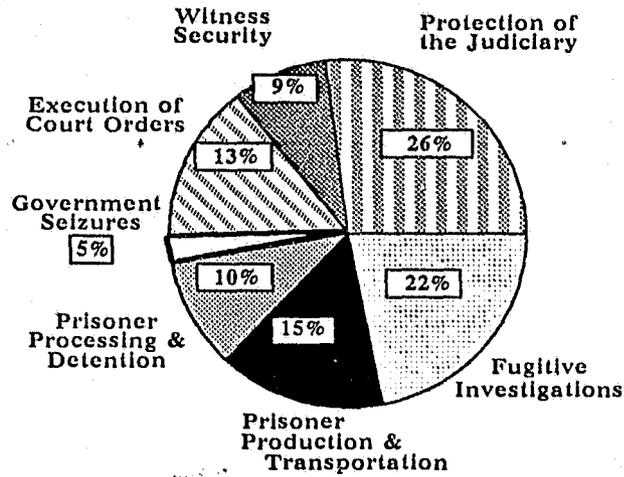
MAJOR ORGANIZATIONS SUPPORTED BY THE USMS



The USMS not only serves as a primary investigative agency performing felony fugitive arrests, but also facilitates the functioning of other criminal justice organizations by providing a variety of specialized support services such as judicial security, witness protection, detention of

prisoners, prisoner transportation, prisoner presentation to court, and seized asset management. In addition, the USMS works extensively with international, foreign, state and local law enforcement agencies across a variety of justice system operations.

Time Expended by Deputy U.S. Marshals in FY 86



As indicated above, Protection of the Judiciary (26%) and Fugitive Investigations (22%) require the largest expenditure of time, followed by Prisoner Production and Transportation (15%), Execution of Court Orders (13%), Prisoner Receipt and Processing (10%), Witness Security (9%), and Government Seizures (5%).

The chapters of this report follow the order in which defendants or offenders come into contact with the USMS and the Federal justice system as previously described. The chapters provide a comprehensive view of USMS FY 1986 activities and workload accomplishments.

Chapter II

Fugitive Investigations

The number of Federal fugitives wanted on felony charges continues to increase each year. In 1986, the USMS received a total of 77,120 Federal warrants, 50% of which were for fugitive felons. This is a 10% increase in fugitive felon warrants since FY 1985.

Each year the USMS arrests thousands of felons on Federal warrants for escape, bond default, parole and probation violations, and other felony violations. In addition to traditional investigative techniques, many innovative and resourceful methods; i.e., task forces, "sting" operations, and specialized equipment, are used to bring fugitives to justice. The USMS uses a "15 Most Wanted" program to identify the most serious offenders.

Prominent Cases in FY 1986

In the forefront of accomplishments in FY 1986 was a major Fugitive Investigative Strike Team (FIST) operation. In FY 1986, the USMS and 34 state/local and other Federal law enforcement agencies conducted a ten week operation in the Southwest United States and in Mexico. The Mexican Federal Judicial Police provided vital assistance to fugitive investigations across the border. As a result of this operation, 3,506 fugitive felons were arrested on original charges ranging from murder and narcotics violations to weapons offenses, grand theft and other crimes.

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 USMS was mandated to serve as the lead fugitive apprehension force within the Federal government. In this respect, the USMS:

- locates and apprehends thousands of fugitive felons each year;
- conducts Fugitive Investigative Strike Team (FIST) operations to locate large numbers of Federal, state, and local 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;
- provides assistance to the military in the movement of nuclear weaponry across state lines; and
- participates in special Federal task forces, such as the Organized Crime Drug Enforcement (OCDE) Task Force.

Execution of Warrants

The USMS is the repository for all warrants issued by the Federal Courts and, as such, seeks Federal fugitives wanted on felony charges, as well violators of misdemeanor crimes. A fugitive is an individual who has been convicted or is suspected of criminal activity and attempts to avoid legal sanctions by fleeing from the justice system. Fugitive warrants are issued for a variety of violations; e.g., escape, bond default, parole or probation violations, failure to appear for judicial proceedings, or for fugitives from state or local jurisdictions wanted on "unlawful flight" warrants.

In 1986, the USMS arrested 14,303 Federal fugitive felons. The major workload and program

accomplishments are indicated in the chart below. In addition, it should be noted that, in FY 1986, criminal investigations accounted for 22% of all operational time expended by the USMS.

15 Most Wanted Fugitives

In 1983, the USMS first identified its "15 Most Wanted" fugitives. Those who appear on this nationally distributed list are considered to be major criminals of extreme danger to the community or are high-profile cases.

The investigation of these most wanted felons involves the use of "task forces", with investigative support being provided at the national level to coordinate leads and resources throughout the country.

From 1983 through FY 1986, 34 felons from the list were arrested. Ten of these arrests were made in FY 1986. Among the most notable arrests in FY 1986 were the following:

Bernard Marchesani, a career criminal and enforcer for the Giocolone crime family in Detroit, Michigan. Marchesani was convicted of extortion and was armed with a handgun at the time of his arrest by USMS personnel in Detroit.

Eugene A. Gesuale, a reputed member of the Genovese crime family who was operating a

large narcotics trafficking ring from the island of Jamaica. USMS personnel worked closely with Jamaican Police in the arrest of this fugitive and his removal from Jamaica to the United States.

Clifford Bailey, a career criminal and an enforcer for a major narcotics ring. His arrest in Washington, D.C. was the result of the clever work by USMS Deputies and Metropolitan Washington Police officers. A Deputy spotted Bailey getting into a taxicab and tracked the cab to its destination. A team of Deputies and police officers borrowing a taxicab arrived at the house the following day. While one Deputy posing as a cabdriver went to the door, the others watched and waited. The "cabdriver" told the woman who answered the door that a passenger on the previous day had left a large sum of money on the back seat of his taxicab. As this conversation continued in the open doorway, the Deputies recognized Bailey in the room and made the arrest without incident.

Edward R. Vigiotto, a career criminal who escaped from Federal custody in Santa Clara, California, while awaiting trial for bank robbery. His career in crime included kidnapping, armed robbery, and an attempt to kill a Connecticut police officer in 1980.

| FY 1986 USMS WARRANT WORKLOAD | | | | | | | |
|-------------------------------|----------------------|-----------------|----------------------|-----------------|---------------|-------------------------------------|-------------------------------|
| Categories | Received During Year | Warrants Closed | | | | On Hand Beginning of Year (9-30-85) | On Hand End Of Year (9-30-86) |
| | | USMS Arrests | Other Agency Arrests | Detainers Filed | Dismissals | | |
| USMS Felony Fugitive | 11,645 | 6,832 | 441 | 2,683 | 1,089 | 8,909 | 9,509 |
| Other Felony | 28,346 | 7,471 | 11,906 | 3,200 | 2,395 | 14,929 | 18,303 |
| Misdemeanor | 37,129 | 11,390 | 2,899 | 1,383 | 19,278 | 18,274 | 20,455 |
| TOTAL | 77,120 | 25,693 | 15,246 | 7,266 | 22,762 | 42,112 | 48,267 |

FIST Operations

While remaining at large, the majority of fugitives continue to commit crimes. Whether fugitives from Federal or local justice systems, these felons present a problem to all jurisdictions. Taking the lead in fugitive investigations, the USMS encourages state and local governments to join in organized task force efforts, called FIST operations, to decrease the population of fugitive felons in the target areas.

The FIST program has expanded significantly since its inception in 1981. A total of 14,770 felony fugitive arrests were made during the four years, with 3,506 of them being made during FY 1986. Over 90 percent of these FIST arrests have been as a result of state or local felony warrants. This has been a great benefit to state and local governments where funds for fugitive investigations are scarce and the backlog of cases is overwhelming.

FIST arrestees have been convicted of such charges as narcotics trafficking, robbery, murder, rape, grand theft and other felonies.

Many of the felons arrested during FIST operations are termed career criminals because they engage in criminal activities while they are at large. FIST arrestees have been convicted of such charges as narcotics trafficking, robbery, murder, rape, grand theft and other felonies. Those arrested during the FY 1986 FIST operations accounted for 10,163 previous felony convictions, an average of three prior felony crimes per arrestee.

As a result of the major FIST operations, a number of smaller operations or "mini-FISTS" have occurred throughout the districts. These mini-FISTS are led by the USMS district offices

and involve Federal, state and local law enforcement agencies. The agencies share resources such as information from investigations, office space, equipment, and personnel to track down and apprehend fugitives.

FIST operations have succeeded in upgrading working relationships between Federal, state and local law enforcement agencies. Long after FIST operations are concluded, the participating agencies continue to share vital investigation information. An additional benefit from the FIST operations is that while they remove criminals from the street and enhance working relationships between agencies, they cost the taxpayer relatively little money. At an average cost for all the major FIST operations of \$754 per felony arrest, it is an effective and efficient method of returning fugitives to the justice system.

International Fugitive Operations

In late 1985, the USMS recognized a continuing increase in the requests for international fugitive investigations. To properly address this increase, the Enforcement Division expanded its International Assistance Desk (IAD) into a full branch operation under the title of International Operations Branch.

The International Branch consists of a Headquarters which includes the Branch Chief, a Criminal Investigator, an Extradition Coordinator and an administrative support staff. The branch also has a field staff which includes USMS representatives at the National Central Bureau Interpol offices in Washington, D.C., and St. Cloud, France, the El Paso Intelligence Center (EPIC) and the National Narcotic Border Interdiction System (NNBIS).

The responsibilities of the International Branch include the management and coordination of all international investigations and extraditions referred to and from the USMS. Additionally, the International Branch is the focal point of inquiries and liaison from within and outside the

USMS in relation to international issues affecting USMS law enforcement responsibilities.

To demonstrate the international investigation workload increase imposed on the USMS, statistics show that in 1985, the Service received from Interpol approximately 300 cases for investigation. In 1986, the USMS received and investigated approximately 500 international cases, an increase of 66%. In 1985, the USMS referred 85 cases to Interpol for overseas investigations. In 1986, this number exceeded 125 cases, an increase of approximately 50%.

Noteworthy international cases include the arrest of USMS fugitive Santiago Panzardi-Lespier, the second ranking member of the most prolific drug smuggling organization in Puerto Rico. Panzardi-Lespier had fled Puerto Rico after posting a substantial bond. Dominican Republic authorities, acting on information provided by USMS investigators, located and arrested him in Santo Domingo and released him to the custody of USMS personnel.

Canada requested USMS assistance in locating and arresting William Player. Player was wanted by Canadian authorities for what has been described as the "largest fraud case in Canadian history". The case involved Player and others defrauding various Canadian lending institutions of \$600 million. He was located and arrested by USMS investigators in South Florida after a six month investigation.

The International Branch establishes and maintains its international contacts through Interpol, Department of State, the Central Intelligence Agency, EPIC, NNBIS, foreign embassy law enforcement attaches, foreign governments and other sources.

Extraditions

The USMS is responsible for handling international extraditions involving individuals who have violated Federal criminal law. This

responsibility was assigned to the USMS in 1977 when a Memorandum of Understanding was executed between the Department of State and the Department of Justice. This memorandum transferred the appropriation authority to the Department of Justice for extraditing fugitives charged with criminal offenses from foreign countries to the United States.

The responsibility includes performing international extraditions for Federal, state and local agencies. Extraditions performed for other Federal agencies are funded by the USMS, while extraditions performed for state and local agencies are completed on a reimbursable basis.

In 1986, the USMS received and investigated approximately 500 international cases.

The extradition process is complicated and time consuming. Except in FIST-related cases or cases involving expulsions, the process involves coordination with the host government, the Office of International Affairs at the Department of Justice (which must approve each request for extradition), the Department of State (which must formally present the warrant through its diplomatic channels), the district where the warrant originated, and any other Federal, state or local agency involved in the extradition.

In cases where the fugitive has organized crime connections, affiliation with a terrorist group, or is a member of a known dangerous gang, stringent security arrangements must be made. These may include increasing the number of personnel escorting the fugitive, pre-arranging the use of a military base, and using military aircraft if necessary.

In FY 1986, the USMS conducted 136 international extraditions. Examples of high profile fugitives extradited in FY 1986 are:

- Jose Antonio Cabrera and Severo Escobar were returned to the United States from Colombia along with three other fugitives wanted for drug trafficking. Cabrera is a major cocaine trafficker with ties across two-thirds of the United States. Escobar is a major east coast cocaine trafficker.
- Two Nazi war criminals were extradited from the United States. The first, Andrija Artukovic, was extradited to Yugoslavia the same day his final appeal was denied. It has since been reported that Artukovic has been sentenced to death for his concentration camp atrocities.
- The second, John Demjanjuk, a Nazi war criminal known as "Ivan the Terrible", was extradited to Israel after his final appeal was denied after many years of fighting extradition.
- Both subjects were found extraditable for concentration camp atrocities. Media coverage of both was extensive in the United States, Yugoslavia and Israel.
- Three female members of the Baghwan Rajneesh group were extradited from Germany to the United States. Sheila Silverman, Catherine Elsea and Diane Onang were returned to face numerous state and Federal charges including attempted murder, immigration fraud, salmonella poisoning, arson and wiretapping. Because of the propensity for violence on the part of the Rajneesh group, three teams of three Deputies were assigned to each fugitive. Three different flights transiting different parts of the United States were used to eliminate the possibility of an incident.
- Walter Otis Lane was extradited from Italy to the United States by a cadre of Federal and state officers. Lane, while being sought for a kidnapping and rape charge, took a bank officer and his wife hostage, forced the bank officer to drive to his bank and withdraw a large sum of money, and then murdered the bank officer and his wife.

Missile Escort Program

Through a reimbursable agreement with the U.S. Air Force, the USMS provides civilian law enforcement assistance to the military during nuclear weapons movements. The Department of Defense reimburses the USMS for positions which were dedicated to providing this support to the Strategic Air Command in the northcentral 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 without dedicated positions.

Organized Crime Drug Enforcement Task Forces

During FY 1986, the USMS was directly involved in Organized Crime Drug Enforcement (OCDE) Task Force operations. This program involves a coordinated drug enforcement effort in thirteen OCDE task force regions and promotes the full use of investigative techniques and forfeiture actions to impede major criminal organizations.

The USMS interacts routinely with various law enforcement agencies from Federal, state and local government, and international organizations.

One Deputy U.S. Marshal is assigned to each of the thirteen USMS OCDE Task Force locations in Boston, New York, Baltimore, Atlanta, Miami, Detroit, Chicago, St. Louis, Houston, Denver, San Francisco, Los Angeles, and San Diego.

OCDE cases often generate additional work for USMS field offices, particularly in the area of asset seizures. The operation of the OCDE task

forces also generates work in the areas of international extraditions, witness security, and criminal investigations.

Fugitive Investigations is a diverse and challenging USMS function involving domestic and international fugitive operations, executing warrants, escorting nuclear missiles, and participating in task forces and other joint

operations. Within these activities, the USMS interacts routinely with various law enforcement agencies from Federal, state and local government, and international organizations. These interactions often result in innovative and resourceful means to effectively carry out the historic duty of the USMS to bring fugitives to justice.

Chapter III

Prisoner Processing and Detention

Program Overview

The USMS is responsible for all Federal prisoners detained for judicial proceedings. Its Prisoner Support Program was established to ensure expeditious, economical, and secure methods for the receipt, processing, custody, and production of Federal prisoners. This responsibility includes the need to acquire sufficient, acceptable detention space for Federal prisoners who must be detained in non-Federal facilities.

The USMS assumes custody of individuals arrested by all Federal agencies.

Each individual arrested or detained for violation of 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 released on bond or personal recognizance, is tried and acquitted, or is convicted and delivered to an institution for service of the imposed sentence.

The USMS assumes custody of individuals arrested by all Federal agencies and maintains custody of detained illegal alien material witnesses. Each individual who is brought into USMS custody who is not already or has not been previously in the Federal prison system, is assigned a prisoner control number, fingerprinted

and photographed. 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 data bases to determine if there are other outstanding charges against the individual, and requests for name and fingerprint checks are forwarded to the Federal Bureau of Investigation.

The USMS is also responsible for the negotiation, award and administration of approximately 820 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 Program (FEP) are designed to provide assistance to those state and local facilities that provide housing of Federal prisoners.

Each year, the USMS responds to thousands of Federal prisoners' complaints concerning alleged violations of the prisoners' civil rights. The Federal courts also call upon USMS personnel to investigate and resolve prisoner complaints against local jails. This assistance given to the local governments provides the USMS an extra opportunity to maintain the support of the local governments which house the majority of USMS prisoners.

Responsibility for the detention of prisoners is challenging in its diversity and complexity. Deputy U.S. Marshals, for example, are faced with resolving such complex issues as investigating inmate suicides, arranging for the hospitalization and care of prisoners with terminal illnesses or contagious diseases such as AIDS, finding lodging for dependent children of prisoners and alien material witnesses, and deciding whether the

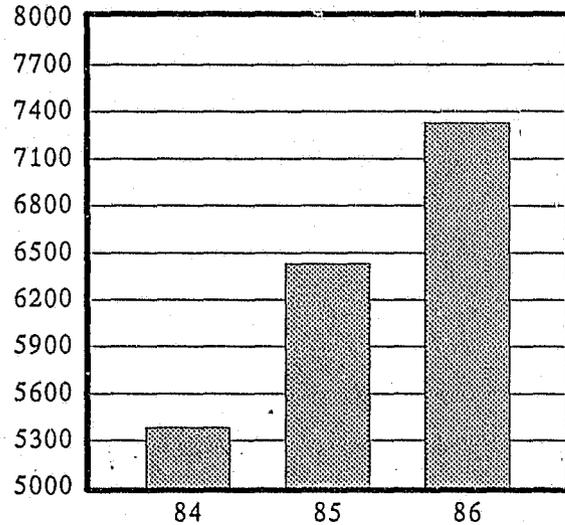
USMS will grant the transfer of prisoners to state authorities pursuant to state writs.

In FY 1986, the receipt and processing of prisoners consumed 10 percent of all Deputy U.S. Marshals duty hours. This included time spent in the actual receipt of prisoners as well as time spent in inspections of local jails or in administering interagency agreements with state or local detention facilities.

The implementation of the Comprehensive Crime Control Act (CCCA) of 1984, impacted several USMS workload patterns. These include the custody and housing of pre-trial defendants; production of defendants at detention and other judicial hearings and trial; and the apprehension of defendants who have violated release conditions or have failed to appear for trial. While the nature of these responsibilities of the USMS did not change with the enactment of the CCCA, the volume of work has increased considerably. In addition, the administration's law enforcement initiatives in organized crime and drug trafficking have also contributed to USMS workload increases.

In FY 1986, the number of Federal prisoners received increased from 82,390 to 89,558, up 9% from FY 1985. The daily average number of prisoners in USMS custody increased from 5,383 to 7,328, up 36% from FY 1984 to FY 1986.

GROWTH OF AVERAGE DAILY POPULATION LEVELS
(Up 36% from FY 84-86)

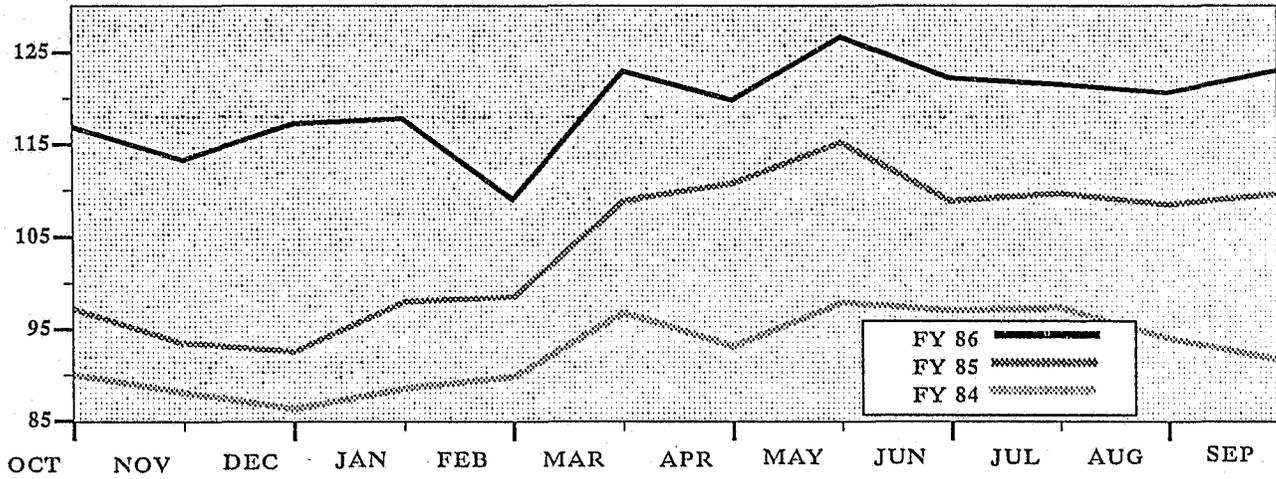


The average length of prisoner detention for *both* Federal and contract facilities increased from 26 days to 31 days, an increase of 19 percent from FY 1984 to FY 1986. The length of prisoner detention in contract facilities increased 29% from FY 1984 to 1986. The length of prisoner detention in Federal and contract facilities increased 26% from FY 1984 to FY 1986. (See charts on following page.)

USMS CONTRACT JAIL DAYS

(THOUSANDS)

(29% INCREASE FY 84-86)

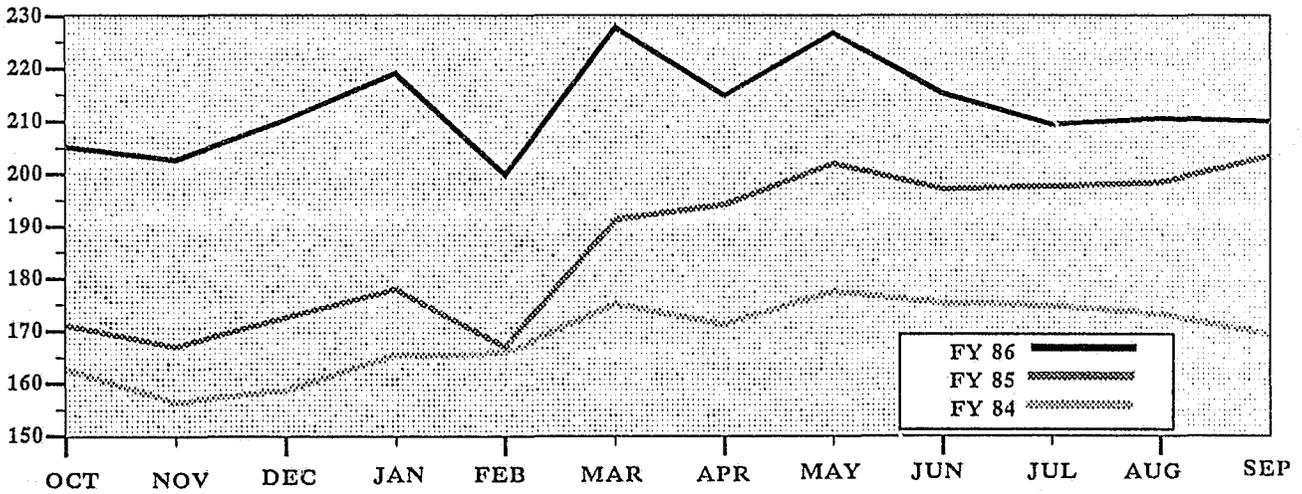


USMS INMATE DAYS

(THOUSANDS)

(FEDERAL & CONTRACT DAYS)

(26% INCREASE FY 84-86)



Since FY 1984, the USMS has experienced increases in the volume of work relating to prisoners in terms of the number of Federal prisoners received, the daily average number of prisoners in USMS custody, and the average length of prisoner detention in both Federal and contract facilities. USMS workload is expected to continue to increase due to the passage of the Anti-Drug Abuse Act and Immigration Reform Act of 1986.

Finding Adequate Detention Space

The Federal Government has traditionally relied upon state and local units of government to provide for the housing, custody, and care of persons detained for violations of Federal laws who are awaiting trial or sentencing or held as material witnesses in a Federal prosecution. However, the USMS has continued to encounter serious problems in obtaining adequate bedspace for its prisoners in cities where Federal court is held. (See Appendix B for districts with most serious housing shortages for Federal prisoners.)

During FY 1986, approximately 820 Intergovernmental Service Agreements (IGA) were in effect between the USMS and state and local governments for jail space. This was a slight increase over the number of agreements in effect during the previous fiscal year. Of these 820 agreements, 135 were written or modified during the fiscal year.

Periodic jail inspections are performed as a requirement of the IGA. These inspections are designed to ascertain the level of compliance of each facility with established national detention standards and to identify those conditions of confinement which are substandard and need improvement. In FY 1986, 429 jail inspections were completed, an increase of 46% from FY 1985. In many instances, the reports filed from these inspections motivated local officials to correct deficiencies and thereby reduce their liability in potential prisoner rights litigation.

Two hundred and sixty-three local jails severely restricted or terminated space for Federal prisoners during FY 1986. These restrictions or terminations were due to severe overcrowding and an ever-increasing amount of prisoner litigation and court orders concerning substandard conditions of confinement. The result for the USMS has been a significant increase in the number of unsentenced Federal prisoners who have to be detained in already overcrowded Federal institutions or in jails in outlying rural areas.

Detaining Federal prisoners in outlying rural areas is problematic in that rural jails are small and the caseload has to be divided into several jails usually in different directions from the Court. One district lost its detention agreement with a major facility due to overcrowding, and in one month utilized 22 different facilities to house its prisoners. Additional Deputies and equipment are required to transport prisoners in multiple locations; subsequently, there are higher costs as well as greater risks involved. One district transports prisoners to a jail which is located six hours from the Court. Their problems are further compounded with the significant increase of drug-related multi-defendant trials in that judicial district.

The growth in the Service's prisoner levels has generated increased demands for bedspace not only in already overcrowded local facilities, but also in Federal detention facilities as well. In FY 1986, the average daily population of USMS detained prisoners housed in Federal institutions increased 14% from FY 1985, (365 additional detainees a day.)

Population pressures on the Bureau of Prisons (BOP) facilities continues to increase. At the end of FY 1986, BOP facilities were 48 percent over their rated capacity. Thirteen institutions which the USMS utilizes on a routine basis were an alarming 62% over their capacity. Overcrowded Federal detention facilities present serious security problems.

Cooperative Agreement Program

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 (CAP). Begun in 1982, this program allows the Marshals Service to enter into negotiated agreements with the state and local governments for the necessary renovation or construction of detention facilities in exchange for guaranteed bed space for the Federal prisoners for a specified time period. The amount of funding is based on

the number of guaranteed beds provided for Federal prisoners.

Since the beginning of the program, the Service has acquired a total of 3,048 bedspaces in 55 Federal Court cities; however, the increased number of prisoners confined are diluting the gains made by the CAP program. In addition to caseload growth, local officials are at times unwilling to relinquish detention space regardless of the amount of funding involved. In FY 1986, 6 CAP agreements were awarded in 5 districts with a total funding value of \$2.3 million. An additional 11 funding modifications were obligated for a total of \$2.7 million.

COOPERATIVE AGREEMENT PROGRAM AGREEMENTS AWARDED IN FY 1986

New CAP Agreement Awards

| USMS District | Jail | Funding | Number of Beds | Length of Agreement in Years |
|------------------|------------------|-------------|-------------------|------------------------------------|
| M/Florida | Osceola Co. | \$ 500,000 | 32 | 10 |
| M/Georgia | Chatham Co. | 316,000 | 30 | 15 |
| E/Kentucky | Boone Co. | 100,000 | 20 | 10 |
| Maine | Androscoggin Co. | 60,000 | 5 | 5 |
| Maine | Penobscot Co. | 400,000 | 15 | 15 |
| E/Michigan | Wayne Co. | 1,000,000 | 82 | 15 |
| Total | | \$2,376,000 | 184 | |

CAP Agreement Modifications Processed

| | | | |
|--------------|--------------------|-------------|-----|
| E/California | Yolo Co. | \$ 500,000 | n/a |
| M/Florida | Union Co. | 18,000 | n/a |
| M/Florida | Nassau Co. | 2,408 | n/a |
| M/Florida | Baker Co. | 389,195 | 20 |
| M/Florida | Seminole Co. | 700,000 | 18 |
| S/Florida | Dade Co. (N. Dade) | 30,000 | n/a |
| M/Louisiana | E. Baton Rouge | 50,000 | n/a |
| Maryland | Baltimore City | 150,000 | n/a |
| W/Montana | LaFayette Co. | 75,000 | 5 |
| S/Texas | Starr Co. | 325,000 | 5 |
| S/Texas | Montgomery Co. | 500,000 | 100 |
| Total | | \$2,739,603 | 148 |

| | | | |
|-------------------|--|--------------------|------------|
| USMS TOTAL | | \$5,115,603 | 332 |
|-------------------|--|--------------------|------------|

Federal Excess Property Program

.. As part of the effort to give local jails an incentive to provide temporary housing for Federal prisoners, the USMS developed the Federal Excess Property (FEP) Program in 1982 for contract facilities. This program allows local facilities to utilize government furnished excess Federal property which will enhance jail services and programs and has led to a greatly improved

level of cooperation between the USMS and state and local governments.

During 1986, program, policy and procedures were updated along with the development of a comprehensive FEP handbook for USMS districts and jails. An on-site inventory was conducted of all accountable property in approximately 175 jails.

FY 1986 Report of Excess Property Transferred to Contract Facilities By Property Category

| Property Category | Property Value |
|---|---------------------|
| Motor Vehicles, Trailers, Cycles | \$ 59,112 |
| Metal Working Machinery | 44,447 |
| Materials Handling Equipment | 144,080 |
| Refrigeration, Air-Conditioning & Air Circulation Equipment | 14,885 |
| Maintenance and Repair Shop Equipment | 4,303 |
| Communication Detection & Radiation Equipment | 11,750 |
| Medical, Dental & Veterinarian Equipment & Supplies | 15,809 |
| Photographic Equipment | 5,040 |
| Furniture | 120,223 |
| Food Preparation & Serving Equipment | 19,795 |
| Office Machinery (Text Processing, Visible Records) | 30,308 |
| Musical Instruments & Home Radios | 3,089 |
| Recreational and Athletic Equipment | 3,164 |
| Clothing & Individual Equipment & Insignia | 584,040 |
| Consumable Items* | 462,495 |
| Other** | 11,260 |
| National Total | \$ 1,533,800 |

*Consumable Items include bedding and linens, footlockers, step ladders, batteries, paint, etc.

**Other includes such categories as Woodworking Machinery and Equipment, Electrical Wire & Power & Distribution Equipment, Cleaning Equipment and Supplies, and Instruments and Laboratory Equipment.

To date, the Service has provided \$8.2 million in federal excess property (72 percent of which is consumable property) to jails located in 75 judicial districts. In one district, the FEP helped equip an inmate occupational training school which offered vocational training as well as GED preparatory courses. In another district, the FEP made possible the opening of a satellite detention facility with a capacity for 250 work release prisoners. This enabled the jail to increase the amount of detention space available for unsentenced prisoners. FEP projects continue to provide an incentive for local governments to contract with the USMS.

During FY 1986, excess property valued at \$1,533,800 (as compared with \$1,573,271 in FY 1985) was transferred to 90 state and local jail and correctional facilities in 33 districts.

Consumable items such as clothing and individual equipment accounted for 68 percent of the transferred property. The chart on the preceding page shows the distribution of items by type.

The function of processing and detaining prisoners has been a primary responsibility of the USMS throughout its history. As problems such as confinement conditions and overcrowding have become more complex, the USMS has worked to discover innovative solutions through programs such as CAP and FEP. These efforts enhance intergovernmental relations, prevent the cost of constructing and maintaining 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 IV

Prisoner Production and Transportation

The U.S. Marshal is responsible for the timely production of Federal prisoners for legal hearings, meetings with counsel, and trials. This includes the movement of defendants from one geographic location to another, the movement of newly sentenced prisoners to institutions, as well as the transfer of sentenced prisoners between institutions. The USMS is also responsible for ensuring the rights, safety, and security of pre-trial detainees and sentenced prisoners in USMS custody while they are in transit. These responsibilities can be grouped into the two functions of Prisoner Production and Prisoner Transportation.

Prisoner Production involves the local transportation of prisoners to and from contract and Federal facilities and district holding cells for appearances at judicial proceedings in accordance with court calendars and for out-patient medical care and hospitalization, as required.

Prisoner Transportation involves the movement, transfer and custody of prisoners from one USMS district to another or from the USMS

to another agency. When the transfer is of sentenced prisoners from the USMS to the Bureau of Prisons (BOP) and the BOP facility receiving the prisoners is more than 25 miles outside the originating USMS district, the transfer is considered a "long-haul" and is coordinated at the national level.

Transfers of unsentenced prisoners between USMS districts when the distance between the originating district and the ultimate destination is more than 25 miles are also called long-hauls and involve the national program. Transfers of an unsentenced prisoner from one USMS district to a contiguous USMS district when the transfer does not require a trip of more than 25 miles into the contiguous district, or transfers of a sentenced prisoner to a BOP facility within the originating district, are "short-haul" movements and are handled by the originating district without assistance of the national program.

As the chart below indicates, the number of Prisoner Productions increased 12 percent from FY 1985 to FY 1986. The average number of productions per prisoner increased from 2.8 in FY 1985 to 2.9 in FY 1986.

PRISONER PRODUCTION FY 1986

| Workload Category | FY 1985 | FY 1986 | Percent Change |
|-------------------------------|---------|---------|----------------|
| Number of Prisoners Moved | 231,942 | 259,820 | 12% |
| Average Number of Productions | 2.8 | 2.9 | 3.6% |

* FY 1985 adjusted for changes in data collection system.

Also in FY 1986, as seen in the chart below, the number of Prisoner Transportation movements increased by 15 percent, yet the total hours expended in district support of prisoner transportation increased by only 3%.

In FY 1986, the prisoner production and transportation functions accounted for 16 percent of the average Deputy U.S. Marshal's duty hours in FY 1986.

National Prisoner Transportation System

Short-haul transportations are routinely completed by district personnel in vehicles such as cars, vans, and buses. The National Prisoner Transportation System (NPTS) coordinates long-haul transportations from one centralized location in Kansas City, Missouri to ensure that the maximum number of prisoners are moved in the most efficient and cost effective manner. NPTS consists of USMS aircraft with supporting bus and van feeder systems. When NPTS cannot meet court-imposed deadlines because of the limited frequency of its scheduled runs, commercial air service is used.

Prior to FY 1984, the Marshals Service used a commercial Convair 580 large aircraft to transport Federal prisoners to and from required court appearances. During FY 1984, the Marshals

Service implemented a program to acquire Service-owned aircraft (SOAP) to use in support of prisoner transportation requirements. Through Federal seizures, the Service acquired, at no cost to the government, eight single and multi-engine aircraft with a market value of \$500,000. In FY 1985, the USMS acquired a B727-100 jet to replace the smaller Sierra Pacific Convair 580. Valued at over \$4.5 million, the jet was obtained by the USMS at no cost through the government surplus property program. Retrofitting was required to bring the aircraft up to Federal Aviation Administration standards and to equip it for transporting prisoners. This was made possible by using funds which would have been expended for commercially contracted aircraft to support prisoner transportation requirements. In FY 1986, a seized Cessna 310 aircraft was also brought into the USMS aircraft fleet through the National Asset Seizure and Forfeiture Program.

During FY 1986, a total of 74,824 prisoner movements were conducted by the USMS. Of this total, 21,027, or approximately 28 percent of all movements were conducted by the Service-owned B727 jet aircraft. This represents a 92 percent increase over FY 1985 airlift movement totals. There were 1,706 prisoners transported by commercial air, which amounts to 2.3 percent of all movements and represents a reduction from FY 1985 figures.

| PRISONER TRANSPORTATION FY 1986 | | | |
|---|---------|---------|----------------|
| Workload Category | FY 1985 | FY 1986 | Percent Change |
| Number of Prisoners Moved | 64,345 | 74,834 | 16% |
| Total hours Expended in Prisoner Transportation | 206,407 | 214,200 | 3% |
| Average Number of Hours Expended per Prisoner Transported | 3.2 | 2.8 | -12.5% |

For commercial air trips, NPTS uses a centralized ticketing program to control the scheduling of prisoner trips. This program ensures the use of the best rates available to maximize use of the Government contract rates for travel between certain designated cities, and to limit the per diem and overtime expenditures. In FY 1986, use of the centralized ticketing program saved NPTS a total of \$463,338 on airline fares, which would have cost \$1,061,053, or a 43.6 percent savings. As a result of the success of centralized ticketing, the program has been expanded to include all Deputy Marshals traveling in support of USMS operations.

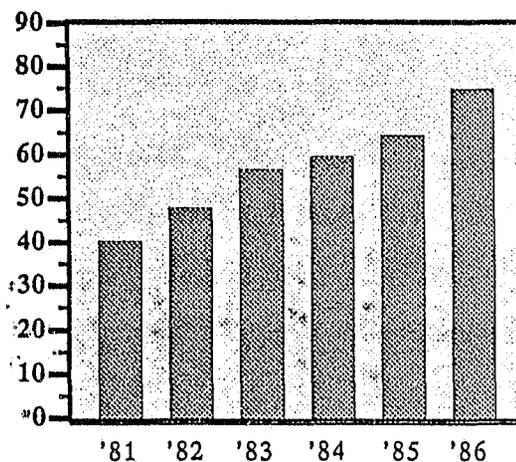
Implementation of NPTS through FY 1986 has resulted in reductions to cost per prisoner movement as well as overall costs of the system. An example is the \$111.00 cost per movement by the NPTS airlift compared to FY 1986 costs of \$499.17 per prisoner moved by commercial air and \$946.44 for each movement by air charter.

In addition to reducing the costs of prisoner movements, the NPTS has also increased the efficiency of the USMS by steadily reducing the number of workyears required to move prisoners. For example, in FY 1981, 200 workyears were required to move 40,218 prisoners. In FY 1986, 74,824 prisoners were moved using only 119 workyears. These reductions in workyears used have enabled the Service to address critical workyear shortages in other pressing areas. As the chart below shows, the number of prisoners moved through the NPTS system has consistently climbed while the number of workyears expended in transportation below has decreased.

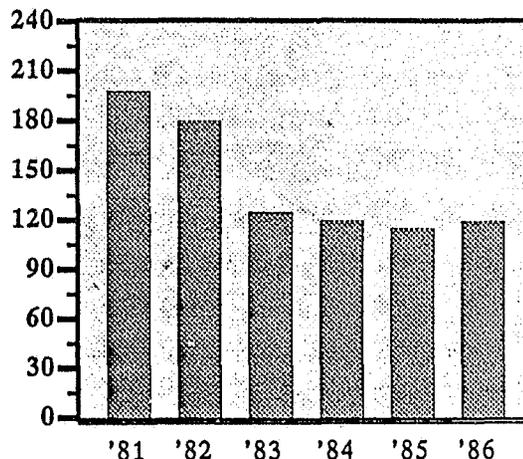
The production and transportation of prisoners has been exclusively a USMS function since 1789. Today, Federal prisoners are transported between distances which spread across the United States. The USMS utilizes a variety of transportation systems such as an airlift, buses, and vans to cover the vast terrain.

Programs such as SOAP and Federal seizures enable the USMS to perform this function in the most efficient and least costly manner.

PRISONERS MOVED INCREASED 86%
(Thousands)



WORKYEARS EXPENDED DECREASED 40%



Chapter V

Protection of the Judiciary

Protection of the Judiciary

The Marshals Service is responsible for ensuring the integrity of the Federal judicial system by establishing and maintaining security for 483 Federal judicial facilities throughout the nation. This program activity entails providing for the personal safety of virtually everyone involved in the process. These persons include:

| | |
|---|-------|
| Federal Judges | 969 |
| U.S. Magistrates | 457 |
| Bankruptcy Judges | 242 |
| D.C. Superior Court Judges | 74 |
| *U.S. Tax Court Judges | 44 |
| *D.C. Commissioners | 10 |
| *International Court of Trade Judges | 8 |
| <hr/> | |
| Total | 1,804 |

*Note: USMS protection responsibilities for these individuals is the result of legislation passed in the Fall of 1986.

In addition to these persons, the Service also 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 family members of the above who have been endangered as a result of their official position or participation in court proceedings.

Prominent Cases in FY 1986

Throughout FY 1986, the USMS provided security at criminal and civil proceedings or trials which covered a wide range of topics and required

varying degrees of security. The following are a few of the trials which required more than the usual level of security in FY 1986.

U.S. vs. Spilotro, et al. involved 16 defendants who were charged with violation of the RICO statutes and were alleged members of organized crime. Five of the defendants were serving maximum sentences for manslaughter, burglary, and murder. While on bond, the two main defendants, Anthony and Michael Spilotro, were brutally beaten to death and buried in a shallow grave in a cornfield in Indiana just prior to the conclusion of the trial. These murders resulted in high media coverage during the trial which lasted three and a half months, utilized 37 Deputies and two protected witnesses, and cost \$143,697.

U.S. vs. Concepcion, et al. was the result of an Organized Crime Drug Enforcement (OCDE) task force investigation of a major drug cartel. Sixteen of the 28 defendants prosecuted in the case were in the custody of the USMS. The trial, which was 4 weeks in duration, utilized 25 Deputies, 3 guards, and 2 protected witnesses. The cost of providing security for this trial was \$57,703.

U.S. vs. Murad Nersesian, et al. was also the result of an OCDE task force investigation of a major international drug cartel. This case involved 19 defendants who were considered extremely dangerous due to several past acts of violence. They were charged with the importation, possession, and sale of heroin. The duration of the trial was in excess of 6 months, utilized 6 Deputies, 8 guards, and 2 protected witnesses and cost the USMS \$75,305.

U.S. vs. Duey, et al. involved 23 members of the "Aryan Nation", a domestic terrorist Neo-Nazi organization. All of the defendants were in USMS custody and were charged with murder, counterfeiting, arson, bank and armored car robberies, and stockpiling illegal weapons and explosives. This trial continued for 6 months, utilized 49 Deputies, 7 guards, and 7 protected witnesses, and cost the USMS \$808,352.

U.S. vs. Castellano, et al., involved 10 defendants who were charged under the RICO statutes, with obtaining income from murders, thefts, loansharking, extortion, fraud, drug trafficking, stolen property, and prostitution. The indictment contained 69 counts, of which 26 were for murder. Three of the defendants were in custody while 7 were on bond. The defendants were allegedly associated with the Gambino crime family. While on bond, the main defendant, Paul Castellano, and his body guard, were machine gunned to death. This trial lasted 7 months, utilized 9 protected witnesses, and received high media attention.

Program Overview

Judicial security accounted for 26 percent of the average Deputy U.S. Marshal's time in FY 1986, making it the largest single category of work of any of the responsibilities of the USMS.

The most significant accomplishment can be seen in terms of what did *not* happen.

Considering that the goal of providing protection is preventive in nature, the most significant accomplishments can be seen in terms of what did *not* happen. No prisoner successfully escaped from a courtroom; no threatened judicial

officer was harmed; and no judicial proceeding was disrupted to the extent that justice was thwarted. The overall goal of ensuring the integrity of the judicial process and the safety of the Federal judiciary was achieved.

Due to new initiatives targeted at organized crime, drug related violent crime, and white collar crime, and also due to the publicity given to potentially volatile civil matters such as school desegregation, tax evasion, bankruptcy, and property seizures, the security needs of the Federal judicial system have required continual assessment. These assessments include a review of the optimal use of USMS personnel in combination with other security personnel and security equipment to provide a sufficient means of ensuring the safety of the judicial system and all of its participants. It is the philosophy of the USMS that the administration of justice may be accomplished only in a setting which is physically secure, and perceived as secure by all parties.

Court Security Officer Program

In FY 1983, the USMS received responsibility for contracting for security in areas adjacent to the courts and for the procurement, installation, and maintenance of security systems for judicial areas. This change occurred after the Federal courts and the Department of Justice reviewed the existing program and determined that inadequate security was being provided and that centralized control of the program in the USMS would be the best way to improve the level of security.

As part of their new responsibility for increased judicial security, the USMS implemented the Court Security Officer (CSO) Program in FY 1983. CSOs are hired under competitive contracts to enhance judicial security through the screening of all persons coming into the court buildings, providing a visible presence throughout the court buildings, and augmenting the extra security details assigned to sensitive trials. By the end of FY 1986, there were 889

CSOs in place, a 7.3 percent increase over the number in place at the end of FY 1985.

Examining the workload of the Federal court system is an important indicator of the USMS workload, since Federal defendants must be

processed (fingerprinted, photographed, etc.) and often produced for court and detained. In FY 1986, 55,886 criminal defendants were brought before U.S. District Courts for an array of charges. This represents a 5% increase from FY 1985.

**U.S. DISTRICT COURTS
CASES AGAINST CRIMINAL DEFENDANTS COMMENCED**

| | | | |
|----------------|-------|-------------------|-------|
| Homicide | 170 | Narcotics | 9,726 |
| Robbery | 1,545 | Controlled | |
| Assault | 657 | Substances | 1,538 |
| Burglary | 144 | Weapons and | |
| Larceny | 4,352 | Firearms | 2,170 |
| Embezzlement | 2,204 | Traffic | 7,567 |
| Fraud | 8,786 | Escape | 804 |
| Auto Theft | 532 | Other | 2,212 |
| Forgery and | | Immigration Laws | 2,855 |
| Counterfeiting | 3,095 | Agricultural Acts | 378 |
| Marihuana | 4,498 | Postal Laws | 253 |
| | | Other | 2,400 |
| Total | | 55,886 | |

** Source: Administrative Office of U.S. Courts.

Note: The AOUSC Fiscal Year is from July 1 through June 30.

There has been a growth in many of the offenses displayed in the chart above. For example, drug-related offenses which are considered high risk in terms of court security are on the rise. Narcotics offenses have increased 27% since FY 1985, and are expected to continue to rise due to the passage of the Anti-Drug Abuse Act of 1986. Other offenses that have increased are weapons and firearms (8%) and assault (7%). The seriousness of these offenses increases the potential for violence and disruption in the courtroom.

The number of criminal cases commenced in FY 1986 (40,427) increased by 5% and the number of criminal trials (6,966) increased by 8%

from FY 1985. Magistrate proceedings (37,431) rose by 19% in FY 1986, indicative of an increased workload for the U.S. Marshals Service and perhaps related to extra proceedings created by the detention hearings process.

The USMS also provides judicial protection to a select number of civil proceedings when security is necessary due to potential harm to court personnel or a potential disruption of proceedings; or if any civil case involves an incarcerated individual. In FY 1986, 254,828 civil cases were commenced; of which 33,765 were prisoner petitions involving incarcerated individuals.

The following is a sample of the types of civil cases where the USMS provided judicial security due to their high sensitivity and media attention:

Thacker vs. Great American Insurance Company is a civil case which involves Mr. and Mrs. Thacker suing the Great American Insurance Company for failure to pay a \$350,000 insurance claim. The Insurance Company failed to pay a claim on a fire that destroyed the "Eagle Club" in Hapsi, Virginia. The Insurance Company, ATF and the FBI viewed the incident as arson and contended that the plaintiffs were responsible for the fire. The Thackers are presently charged in an unrelated criminal case in the Western District of Virginia on charges of theft, drug conspiracy, and firearms violation.

U.S.F.L. vs. N.F.L. is a civil case where the United States Football League (U.S.F.L.) sued the National Football League (N.F.L.) for \$1.32 billion in damages. According to U.S.F.L. allegations, the N.F.L. violated the Sherman Act by monopolizing the business of professional football. The main issue of the case was whether the N.F.L. prevented the U.S.F.L. from acquiring network contracts for television coverage for the league's fourth season. This case experienced high media coverage.

Anomi Urseth vs. City of Dayton, Ohio, involved the plaintiff, Anomi Urseth suing the Dayton, Ohio Police Department for wrongful search and seizure. The USMS was called upon to provide judicial security for this civil case to protect the sequestered jury during deliberation and because of the high media attention the case received.

Other Judicial Security Duties

Technical assistance, particularly for high risk or sensitive trials, is available from the USMS Court Security Inspectors assigned to the judicial circuits. This assistance ranges from basic advice on how to cope with a difficult situation to the coordination of actions needed to deploy a team of security personnel and supporting equipment to

a court facility to ensure the safety and integrity of a sensitive trial.

The Service is also responsible for the protection and security of sequestered juries. Sequestered juries are confined or isolated while deliberating a verdict. This confinement could last several weeks. These assignments, which exhaust high amounts of resources, are necessary not only for the physical protection of jurors, but also to ensure that the jury's objectivity is not tainted by outside influence. In FY 1986, the Service provided protective services for 29 sequestered juries down from 43 sequestered juries in FY 1985.

Details encompass security both in and away from the court facility when there is a confirmed threat to a judicial officer or family member

In addition, the Service monitors the numbers of threats to participants to the Federal judicial process. In FY 1986, there were 207 reported threats, a fourfold increase since 1980 when 48 judicial threats were received.

Related to the threats received, the Service provides physical protection in situations where evidence indicates the probability of the threat being carried out. In FY 1986, there were 53 protective service details. These details encompass security both in and away from the court facility when there is a confirmed threat to a judicial officer or family member.

The USMS also provides security at judicial conferences. In FY 1986, there were 42 judicial conferences, a 7 percent increase over the previous year. Each conference requires special security procedures because of the number of judicial officers gathered together at one time. Whenever possible, the district in which the conference is occurring provides the security

services needed to protect the conference. However, if the conference is held in a small district or at a remote location, or if one or more of the attending judges is already under a protective detail, it becomes necessary for the USMS to send personnel from other districts to provide adequate security.

In all, the judicial security programs of the Service are seeing steady growth, both in total workload and in areas of responsibility. The Service gives its highest priority to meeting these needs.

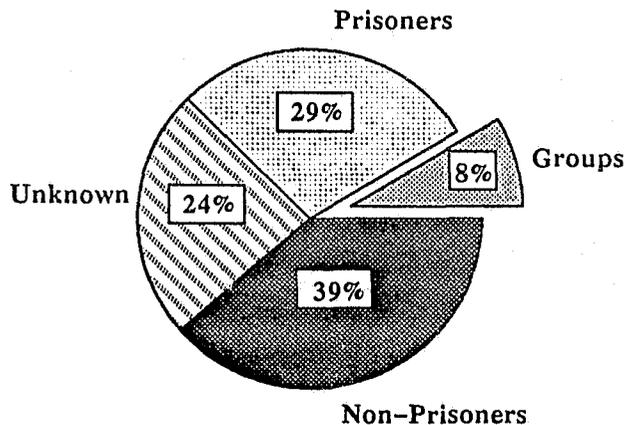
Threat Analysis

The USMS established the Threat Analysis

Group in 1983 to enhance its capability to assess the level of danger related to threats against the Judicial family. This ability to assess the danger in any situation became necessary with the increasing number of threats and the growing sophistication of criminal organizations, including terrorist groups. The USMS collects, analyzes, and disseminates information relative to threats against all USMS protectees.

In FY 1986, the USMS conducted 51 formal threat assessments in a wide variety of areas, including three assessments involving drug cartels in support of Organized Crime Drug Enforcement Task Force operations. The following chart demonstrates the different sources of threats investigated by the USMS in FY 1986.

Threats to the Federal Judiciary
In FY 1986

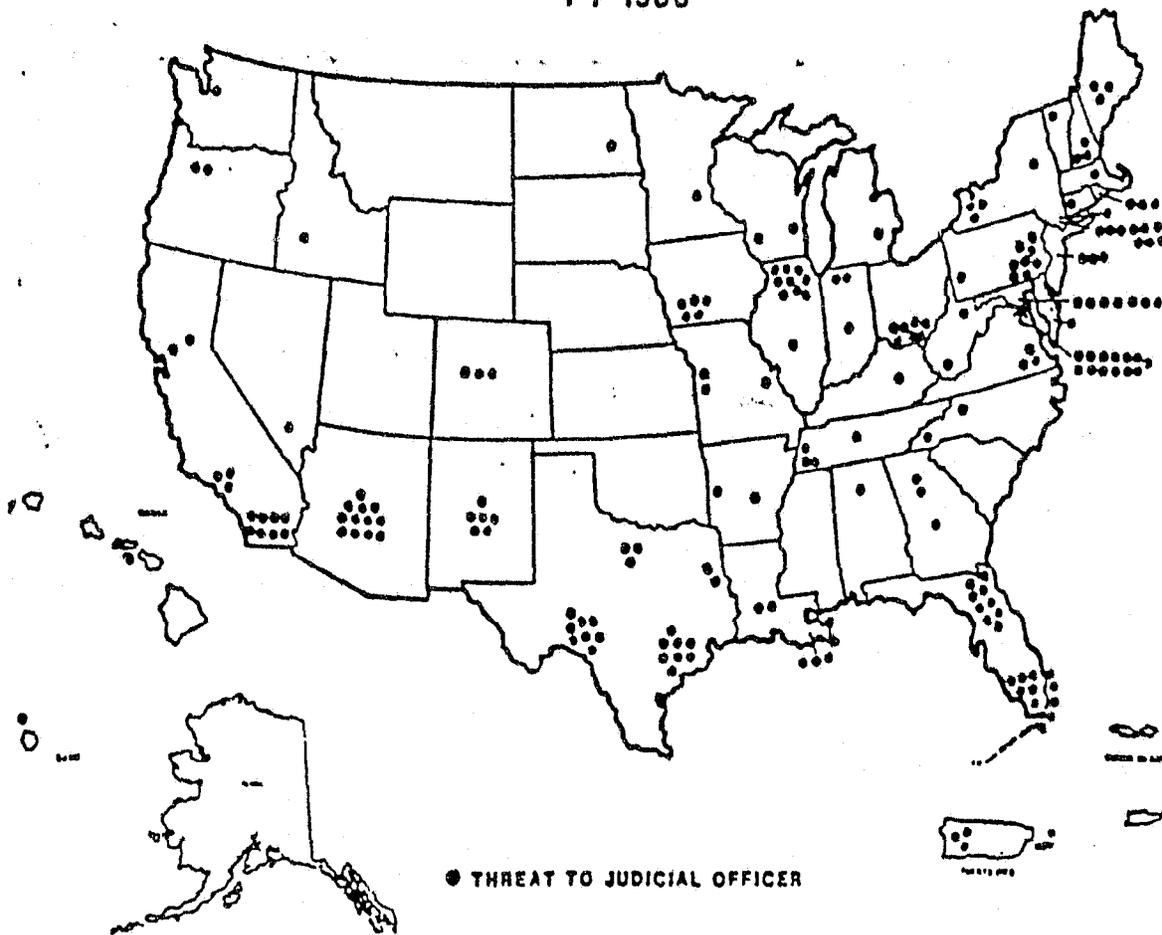


Note: Groups include motorcycle gangs, terrorists, drug cartels, organized crime, and paramilitary organizations.

The map below shows the location of the 207 reported threats to the judiciary in FY 1986.

Only nine states did not have at least one threat against a judge.

LOCATIONS OF JUDICIAL THREATS FY 1986



In January 1986, the USMS began disseminating information to field offices through Threat Intelligence Briefs (TIB). The TIB is designed to provide specific information to USMS district offices about a specific threat source or situation. In FY 1986, 21 Intelligence Briefs were published on a wide variety of subjects including groups and specific individuals who are considered dangerous. Two of the most popular TIB's "The Glock-17 'Plastic' Pistol" and the "Ballistic Knife," have been widely distributed to

state, local, and Federal agencies, and foreign police agencies.

The Headquarters staff also provides on-site assistance to field operations, such as Liberty Weekend, where intelligence support was provided to the USMS security detail that protected Chief Justice Warren Burger at the celebrations in New York. Intelligence support was also supplied to USMS personnel during Operation PEDESTAL in Puerto Rico in which

thirty persons were arrested and more than \$3 million worth of property was seized.

The USMS provides intelligence training to designated Deputies in district offices and has trained other Federal, state and local law enforcement officials on a select basis. This training includes seminars on dangerous motorcycle gangs, terrorists, paramilitary and other extremist groups. In FY 1986, the USMS trained collateral-duty Threat Coordinators in each of the 94 Federal Districts. The training presented the Coordinators with skills necessary to provide in-district threat intelligence support as well as to support national-level threat assessments through investigation and collection of information.

During 1986, in an effort to establish a more formalized interagency liaison program, the USMS through the Threat Analysis Group, developed a comprehensive list of 23 law enforcement and security agencies. These contacts provide the USMS with direct access to information and critical personnel in other agencies for the purpose of emergency and security communication. Contact agencies include the Naval Investigative Service, U.S. Army Criminal Investigation Command, Bureau of Alcohol, Tobacco and Firearms, Central Intelligence Agency, U.S. Coast Guard, U.S. Secret Service, Federal Bureau of Investigation, Bureau of Prisons, and the U.S. Park Police.

Chapter VI

Witness Security

The Marshals Service provides for the protection of certain qualified government witnesses and their dependents whose lives are in danger because they have agreed to provide critical information to the Government and the courts about organized crime and other serious criminal enterprises. The USMS provides protection 24 hours a day to all such witnesses while they are in a "threat" environment and upon their return to a danger area for pretrial conferences, trials, or other court appearances. The witnesses and authorized dependents are given new identities, moved to another city, and are provided services necessary to assist them in becoming self-sustaining and acclimated to their new community as quickly as possible.

During FY 1986, 217 new principal witnesses entered the Witness Security Program. During the same period, the USMS provided protection and funding for 1,714 principal witnesses and their families.

Prominent Cases in FY 1986

The Witness Security Program continued to have a significant impact on the government's efforts to break-up and destroy organized crime and terrorist groups in the United States during 1986. Protected witnesses were produced in numerous Federal, state, and local courts to testify as to the inner workings of these illicit groups. A sample of prominent cases are described as follows:

The first of the three "Pizza Connection Cases" prosecuted in New York City resulted in the conviction of 9 high-level members of the Gambino Crime Family as a result of the testimony of 9 protected witnesses. This case

outlined a sordid history of narcotics distribution, interstate transportation of stolen property, mail and wire fraud, prostitution, pornography and an estimated 50 murders.

The witnesses and authorized dependants are given new identities, moved to another city, and are provided services...

U.S. v. Accetturo, et al., two protected witnesses' testimony of loansharking and narcotics activities led to the conviction of 26 defendants connected to the Lucchese Crime Organization. Twenty-six Colombo Crime Family members faced the testimony of two protected witnesses who detailed a litany of felonies including robbery, murder, extortion, and narcotics resulting in the conviction of all defendants.

The Patriarca Organization was left in disarray with the conviction of Gennaro Angiulo, his three brothers, and Capo Samuel Granito in Boston, Massachusetts. As underboss of the New England Patriarca Crime Family, Angiulo has tightly controlled the Boston Mob for the last 20 years. In February 1986, a Federal jury returned guilty verdicts in what was the largest and most successful organized crime prosecution in New England's history. The testimony of two protected witnesses assisted in sending Angiulo to Federal prison for 45 years.

Three protected witnesses who had entered the Program in relation to other cases appeared

again at the trial of former U.S. Strike Force Attorney, David Twomey in Boston. Mr. Twomey was convicted of bribery of a government official, obstruction of justice, and extortion. Protected witnesses detailed to a Federal jury how Twomey had sold sensitive information regarding informants and ongoing investigations to an accomplished organized crime drug smuggler.

Another protected witness testified in state court against a gang of local thugs that had been terrorizing greater Boston communities while committing hundreds of brazen criminal robberies and arsons. Two of the defendants in this case were sentenced to life without parole for their part in a first degree murder.

The testimony of a former member of the Avengers Motor Cycle Gang resulted in the convictions of 28 members of the Gang.

U.S. v. Hessler, Black, et al. saw the conviction of 14 defendants involved in a major cocaine distribution ring that smuggled drugs from Colombia to be sold throughout the United States. Defendants included a former congressional lobbyist, a former vice-president of Riggs National Bank and a major Colombian drug connection.

The conviction of eight individuals on 26 counts of tax fraud and money laundering was the result of a protected witness' testimony during the trial in Miami. This case involved a ten-year conspiracy utilizing a commodities straddle tax shelter scheme which defrauded more than 300 investors of over \$9 million and the U.S. Government with over \$56 million of fraudulent deductions. These defendants used fire bombings

and physical beatings to dissuade individuals from cooperating with law enforcement officials.

Another noteworthy case involving protected witnesses took place in Columbus, Ohio, where the testimony of a former member of the Avengers Motorcycle Gang resulted in the convictions of 28 members of the Club on RICO and narcotics charges.

A former member of the Hells Angels testified in Cleveland against a member of the Club who was charged with the aggravated homicide of his wife. The witness' testimony was the key element leading to the conviction and a life sentence for the defendant.

Eighteen convictions were obtained during a RICO prosecution in Camden, New Jersey, where two protected witnesses testified concerning an interstate burglary ring with ties to the Genovese and Colombo organized crime families. The defendants were sentenced to a total of 112 years.

Nineteen defendants were sentenced to 104 years and were fined \$118,000 in the "Yuppie Connection Case" in Philadelphia. This case involved four protected witnesses who testified about an international cocaine ring that was touted as the largest cocaine ring on the east coast. The case drew its caption "Yuppie Connection" because the defendants were all young upcoming professionals from the Philadelphia area.

Seven protected witnesses appeared to testify against 11 members of the self-styled group known as "The Order." These defendants were ultimately sentenced to over 600 years in prison for crimes committed in five states including the machine gun slaying of a radio talk show host who had ridiculed the group on his show, and three armored car robberies which netted the group in excess of \$4 million.

Program Overview

Receipt of new principals and family members and the day-to-day maintenance of funded witnesses is generally handled by inspectors in the Witness Security Program. Deputy U.S. Marshals also assist with security and protection when witnesses are returned to the danger area to testify (the location where they are best known and in the greatest jeopardy because of their cooperation).

On August 31, 1986, the Witness Security Division completed the transfer of supervision of all field personnel involved in Program activities to the Chief of the Witness Security Division under the Associate Director for Operations. For the first time since its inception in 1971, the Witness Security Program now operates under one centralized management. This uniform direction and accountability has proven to be an enhancing factor in our ability to perform this national mission.

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, the USMS, as well as psychological evaluations performed by the Bureau of Prisons. This information includes:

- the person's criminal record;
- available alternatives to providing protection;

- the possibility of securing similar information from other sources;
- the relative importance of the person's testimony;
- the results of psychological evaluations and the potential for inflicting harm on an unsuspecting community;
- an assessment as to whether providing protection will substantially infringe upon the relationship between a child who would be relocated and a parent who would not; and
- other factors the Attorney General considers appropriate.

Applications for prisoner witnesses are also directed to OEO. Prisoner witnesses afforded protection are the responsibility of the Bureau of Prisons. Designation of an institution for serving the sentence, medical treatment and all other decisions relative to a protected prisoner's housing are in the purview of the Bureau of Prisons. The USMS is involved only in their secure transportation between penal institutions and during their court-related appearances in the danger area. Upon completion of a prisoner witness' sentence, he or she 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. In FY 1986, the USMS received 89 new prisoner witnesses and a total of 32 former prisoner witnesses for full program services upon their release from prison.

Program admissions went up 14.8% from FY 1985 to FY 1986. Cumulative Principal Witness workload and Cumulative Program Participant workload increased 4.3% and 3.4% respectively. These and other program data are provided in the chart below.

Before protection is initiated, each participant over the age of 18 must enter into a Memorandum of Understanding which clearly delineates the obligations of the Program participant and the extent of Program services to be provided. Specifically, the protected person must agree:

- to testify and provide information to appropriate law enforcement officials;
- to not commit any crimes;
- to take all precautions to preserve his or her own security;

- to comply with all legal obligations and civil judgments;
- to cooperate with all reasonable requests of Government officials administering the Program;
- to designate an individual to act as an agent for the service of legal process (to avoid incurring large debts and other lawful obligations while on the Program);
- to make a sworn statement relative to all outstanding legal obligations, including child custody and visitation;
- to disclose any state or Federal probation or parole responsibilities; and
- to regularly inform Program officials of his or her activities and whereabouts.

| WITNESS SECURITY WORKLOAD | | | |
|---|---------|---------|----------------|
| Activity | FY 1985 | FY 1986 | Percent Change |
| New Principal Witnesses | 189 | 217 | +14.8 |
| Active Principal Witnesses | 847 | 781 | - 7.8 |
| Active Program Participants | 1,897 | 1,714 | - 9.6 |
| Average Number of Months Funded per Witness | 15 | 16 | + 6.6 |
| Cumulative Principal Witness Workload | 5,000 | 5,217 | + 4.3 |
| Cumulative Program Participant Workload | 11,668 | 12,069 | + 3.4 |
| Number of Principal Witnesses Reactivated During FY | 98 | 103 | + 5.1 |

Once protection has been approved, the Attorney General decides the extent of protective services to be provided to witnesses and their dependents. During FY 1986, all authorized non-prisoner witnesses were able to avail themselves to the complete range of Program services. As can be seen below, these services may include documentation, housing, transportation of personal belongings, employment assistance, a living stipend and other services as needed.

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 and that the decision to do so is not subject to judicial review. The USMS provides written notification

of the cessation of Program services in all instances where the witnesses whereabouts are known. In cases where a witness leaves the relocation area without advising USMS personnel of his or her departure or planned destination, an individual automatically loses protection services.

The Witness Security Program continues to be an effective mechanism for the successful prosecution of organized crime and other serious criminal cases. Program admissions for principal witnesses are steadily increasing and the USMS will continue to effectively meet its responsibilities in protecting government witnesses and eradicating serious criminal enterprises from society.

**FY 1986 WITNESS SECURITY
WORKLOAD FACTORS**

Primary Services

249
1,241

Preliminary Interviews
Production of Witnesses

Support Services

1,395
1,057
231
271
532

New Personal History Documents
Employment Interviews
Vocational Counseling
Household Relocations
FOIA, Congressional Requests

Financial Management

19,556

Voucher Transactions

Chapter VII

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. Today, the execution of court orders, a far more complex activity than in 1789, remains one of the seven primary functions of the USMS.

Every year the USMS executes hundreds of thousands of pieces of process for the Federal courts, United States Attorneys, private litigants, Federal agencies, foreign governments, and others. This process covers a wide range of types, including summonses and complaints in civil actions, subpoenas in both civil and criminal actions, writs of habeas corpus, and writs of Attachment. Additionally, in order to simplify the recordkeeping of the variety of types, the USMS categorizes the process into one of four groups

based on the type of case and plaintiff. These groups are government civil, government criminal, private civil, and private criminal process.

Time spent in the execution of court orders and other process accounted for 18 percent of the average Deputy U.S. Marshal's duty hours in FY 1986. This includes all hours expended in the investigation and execution of process and related activities. In FY 1986, the average Deputy expended eight hours per week in the execution of court orders and executed an average of 154 court orders, with 102 executed in person, and 52 by mail.

As shown in the chart below, the USMS received 265,112 court orders, executed 240,877 of these orders excluding warrants, and returned unexecuted 34,094 court orders.

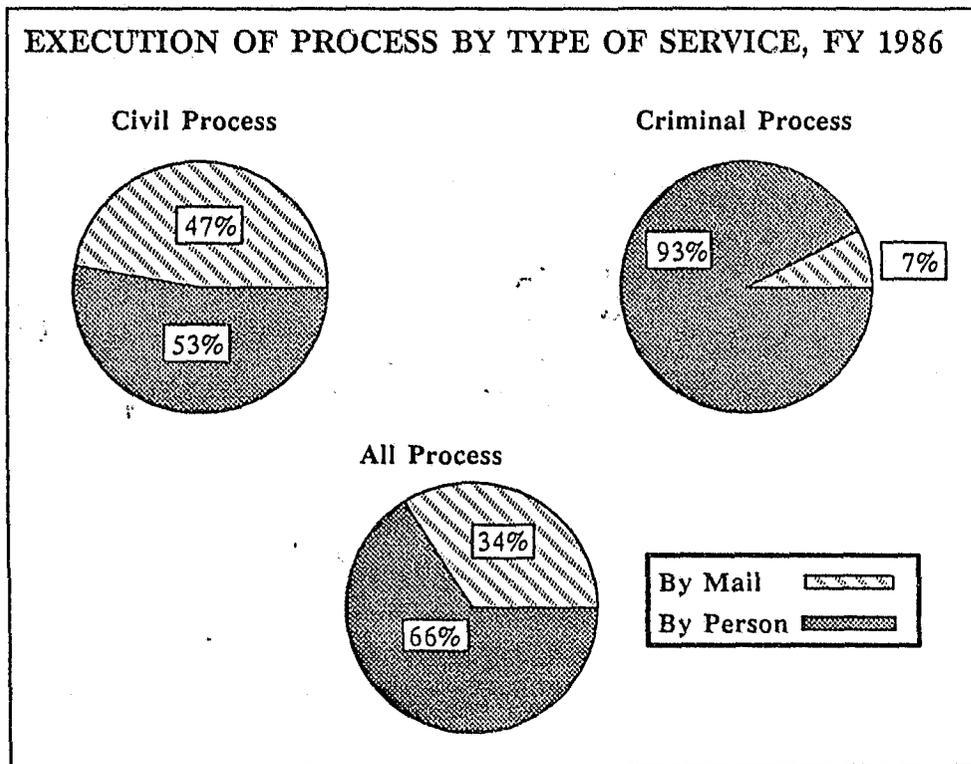
EXECUTION OF NON-WARRANT COURT ORDERS, FY 1986

| Categories | Received From Courts | Served In Person | Served By Mail | Returned Unexecuted |
|---------------------|----------------------|------------------|----------------|---------------------|
| Government Civil | 98,445 | 59,123 | 27,898 | 16,218 |
| Government Criminal | 80,776 | 69,745 | 5,556 | 9,676 |
| Private Civil | 80,821 | 26,265 | 48,203 | 7,669 |
| Private Criminal | 5,070 | 4,041 | 46 | 531 |
| TOTAL | 265,112 | 159,174 | 81,703 | 34,094 |

Traditionally, a large volume of the process received by the USMS has been in the form of summonses and complaints resulting from the thousands of debt collection cases filed by the government each year. In 1983, the Federal rule covering the procedures for serving process [Federal Rules of Civil Procedure 4 (c) 2 (C) (ii)] was changed to allow the USMS to serve certain types of process by first class mail. Despite this change, the larger portion of process is still executed personally. This is because most of the

process filed in debt collection cases require some investigation by the Deputy executing the process to locate the individual who is attempting to avoid service. Additionally, the majority of criminal process requires personal service.

As seen in the chart below, in FY 1986, 93 percent of all criminal process (excluding warrants) was executed in person while 53 percent of all civil process served was executed in person. Of the total process executed, 34 percent was mailed and 66 percent was served in person.



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 expertise to effectively perform its functions. In 1971, the Special Operations Group (SOG), was established in order to meet this

demand for higher expertise and to provide back up support to U.S. Marshals as they carry out their responsibility for enforcing major restraining orders and injunctions issued by the Court.

During FY 1986, the Special Operations Division was placed under the direction of the Associate Director for Operations. The Division

maintains the elite, well trained, self-sufficient, mobile group of Marshals capable of responding anywhere within the United States and its territories. This group arrives fully equipped and self supporting within hours after receiving the move order.

In order to provide this quick reaction response, all members of the SOG unit maintain a ready deployment bag of issued equipment and a GTR book to enable them to leave on an assignment at a moment's notice. In order to be self-sufficient, members receive special training in addition to the various special talents they bring into the unit from past experiences. Training includes scuba diving and underwater rescue techniques, as well as techniques of preserving evidence which has been found underwater; emergency medical care; rappelling down buildings; bomb recognition; crowd control; and use of special purpose gear such as night vision equipment. Members include both helicopter and fixed-wing pilots; emergency medical technicians; experts in explosive ordinance and disposal techniques; and bi-lingual Deputies.

The Special Operations Group training center and base is located at Camp Beauregard, Pineville, Louisiana. Here, a full-time cadre of instructors maintains additional SOG equipment and conducts the tactical law enforcement training for U.S. Marshals Service personnel and other Federal, state, local and foreign police agencies. The special Operations Group also assists in the development and testing of weapons, chemical munitions and all types of law enforcement operational equipment. They also advise and assist the districts in matters that require expertise in tactical problems. The base also offers a place to stage and rehearse for operations.

The design of the Group incorporates the ability of 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 design continues to enable the Director of the USMS to respond to the needs identified or requested by the Attorney General in addressing situations of national significance.

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 jurisdictions. This is particularly true of the relationship which exists between SOG and the armed forces. 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. While the USMS provides assistance to the military on an on-going basis through the Missile Escort program, SOG also provides other kinds of specialized assistance. Under the terms of the memoranda of understanding, SOG provides training in security involving civilians, assists in security programs when requested, and is committed to respond to the aid of the military if circumstances develop which the military security cannot handle.

In FY 1986, the Special Operations Group participated in a number of support activities such as providing entry teams for dangerous arrest situations involved in FIST 9 and supplying security for seizure teams during Operation Pedestal in Puerto Rico. SOG continued its support in the District of Puerto Rico by taking custody of and transporting "Los Macheteros", a dangerous terrorist group. SOG also assisted the Department of Defense by providing security advisors to evaluate a situation in the Marshall Islands. SOG conducted training for the Mexican Federal Judicial Police, the Costa Rica Rural Guard, the Virgin Islands Police and assisted other Federal and local police agencies that utilize the SOG facility of the USMS to train. These examples demonstrate the variety of activities with which SOG becomes involved and the expertise needed to be effective.

Chapter VIII

Government Seizures

National Asset Seizure and Forfeiture Program

During FY 1986, the Department's asset seizure and forfeiture initiative continued to prove its importance as a powerful tool for dealing with major criminal enterprises. The strategy to combat this type of crime is simple, yet effective. The clear objective of the asset seizure and forfeiture initiative is to dismantle drug trafficking rings and other continuing criminal enterprises by not only 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 USMS not only has responsibility for seizing property forfeited to the Government, but also for administering the Department of Justice's program for the management and disposal of property subject to judicial and administrative forfeiture. The USMS has always had the responsibility for seizing and disposing of judicially forfeited property. In March 1984, a memorandum of understanding was signed by the USMS, the Federal Bureau of Investigations (FBI), the Drug Enforcement Administration (DEA), and the Immigration and Naturalization Service (INS) which clarified and expanded this responsibility under the National Asset Seizure and Forfeiture (NASAF) program. This program was designed to provide support services and technical assistance to the Marshals Service district offices in managing assets seized under judicial forfeiture; overall management, control, and disposition of assets seized by other

Department of Justice agencies; and management of the Justice Assets Forfeiture Fund (AFF).

NASAF Field offices are located in Atlanta, Baltimore, Boston, Chicago, Denver, Detroit, Houston, Miami, New York, St. Louis, San Francisco, Seattle, and San Diego. OCDE Task Forces are located in each of these cities with the exception of Seattle. NASAF offices were positioned near OCDE offices because OCDE Task Forces attack drug-related organizations through the forfeiture of property obtained through illegal activities. The NASAF offices are therefore able to provide support services and technical assistance to the OCDE personnel as well as to the Marshals Service District offices.

Removing both the leadership and the illegal assets from a criminal organization destroys its power and ability to continue its illegal activities.

In FY 1986, the National Asset Seizure and Forfeiture (NASAF) Program dealt with increasingly complex financial investigations, asset seizures, and asset management problems. By the end of the fiscal year, \$385.8 million in property was in the custody of the USMS.

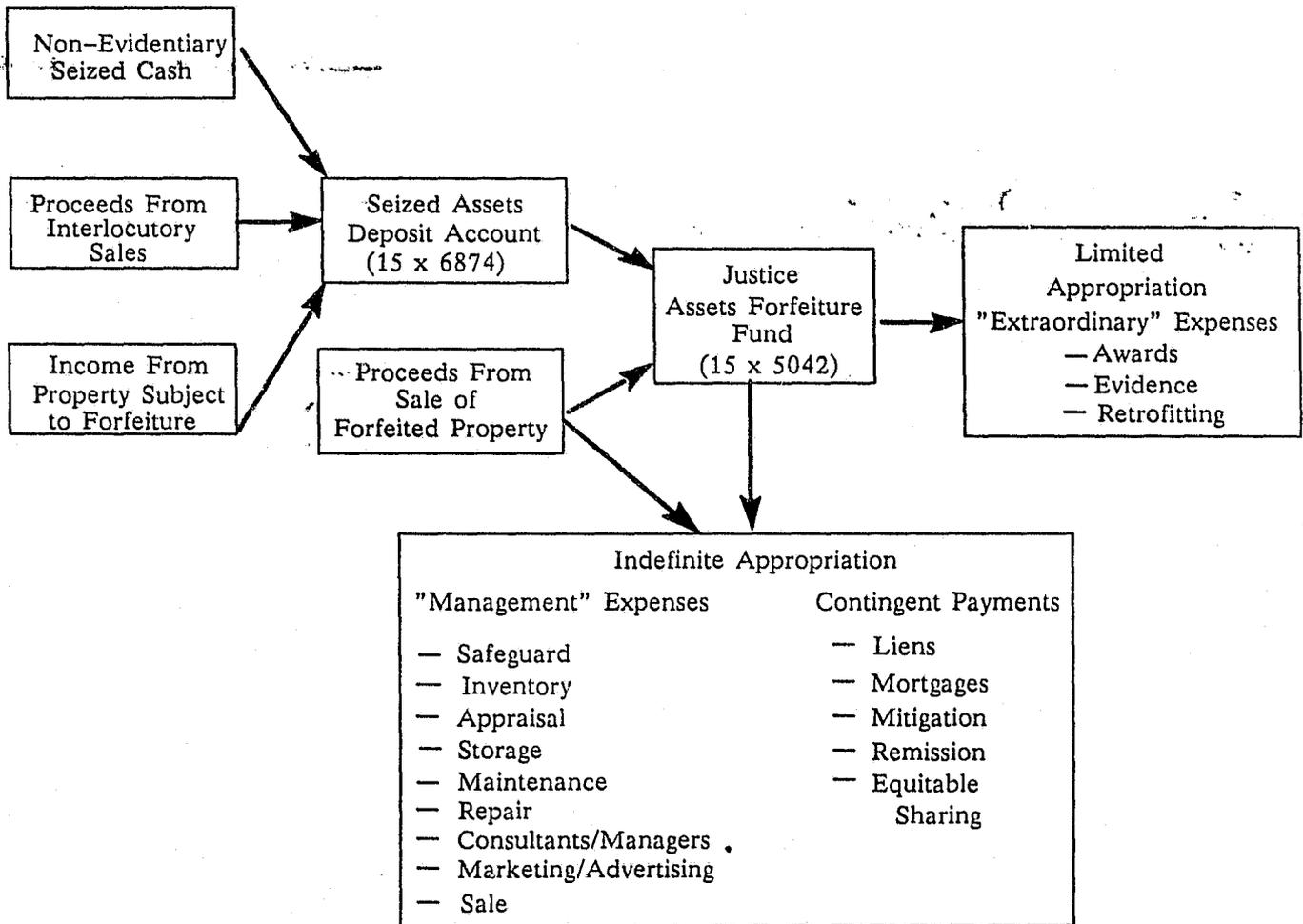
As mentioned above, the USMS is also responsible for the management of the Justice Assets Forfeiture Fund (AFF). The primary purpose of the AFF is to provide a source of funding for seizure and forfeiture-related

expenses that would otherwise be paid out of seizing agencies budgets (see chart below).

FY 1986 was the first full year of operation for the AFF and gross income to the fund was nearly \$94 million, including earned income of

\$89 million and the \$5 million carry-over from FY 1985 as authorized by 28 U.S.C. 524 (c) (8). Total management expenses, contingent payments (liens, mortgages, remission, mitigation) and equitable sharing disbursements exceeded \$42.8 million as of September 30, 1986.

OPERATION OF THE DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND (AFF)



Full operation of the AFF enabled the Department, through the Equitable Sharing Program, to share a portion of cash and sale proceeds with state and local agencies which participated in case investigations resulting in a successful forfeiture. By the end of FY 1986, a total of 2,282 equitable sharing applications were received for assets worth \$34,850,659. Of that number, 1,362 decisions were made for total disbursements of \$24,445,976.

Several important policy initiatives were implemented in FY 1986 including: standardized procedures for dealing with seized cash; an instructional memorandum from the Deputy Attorney General to all U.S. Attorneys emphasizing the importance of pre-seizure planning as a tool in asset seizure and forfeiture; and publication of a USMS seized Asset Management Handbook outlining procedures for dealing with day-to-day asset seizure, management and disposal situations.

Many valuable operating businesses were successfully managed and/or disposed of in FY 1986 such as the Plant Recording Studio in California; the Accurate Brass and Aluminum Foundry in Wisconsin; and Pardon My Garden, (a florist/nursery) in Massachusetts. In addition, several forfeiture sales were conducted:

- The Brass Key Apartments in Atlanta, Georgia, which sold for \$2.4 million, netting over \$1 million;
- Forfeiture of over \$7 million in Certificates of Deposits in Houston, Texas;
- A consolidated auction of jewelry and other valuables in Chicago, Illinois, which earned \$600,000; and,
- The Shelburne Glebe, an historic estate in Loudoun County, Virginia, which was sold for \$4.1 million, representing approximately \$2 million more than the appraised value.

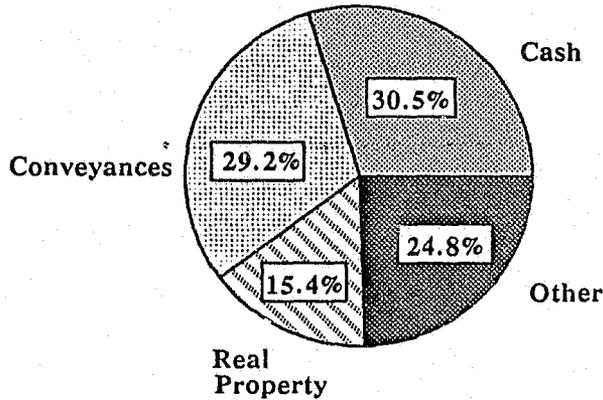
A pilot project to consolidate and sell vehicles administratively seized by the Immigration and Naturalization Service in the Southwestern United States was successfully implemented in FY 1986. A USMS contract for comprehensive care and storage for seized vehicles which ensured better condition and presentation resulted in a significant increase in the average sale price per vehicle. To date, four consolidated auctions have sold 448 vehicles for a net profit of \$186,411.

Many valuable operating businesses were successfully managed and/or disposed of.

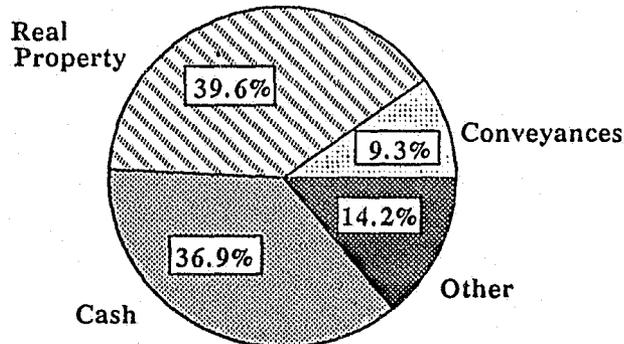
By the end of FY 1986, the USMS had executed 5,192 seizures involving property worth \$385 million. Properties under seizure are divided into four categories, real property, cash, conveyances and "other". "Other" includes all property excluded from the first three categories, such as jewelry, electronic equipment, livestock, antiques, laboratory equipment and chemicals, etc. (See charts on next page). Figures exclude most administrative seizures of the Drug Enforcement Administration and the Immigration and Naturalization Service.)

In FY 1986, cash was most frequently seized (1,585 instances or 30.5% of all seizures). Conveyances seized followed closely behind with 1,516 or 29.2% of all seizures. Real property worth \$152.9 million was the most valuable category despite its having the least number of seizures.

Number of Properties Under Seizure
(Total Seizures for FY 1986 was 5,192)



Value of Properties Under Seizure
(Total Value for FY 1986 was \$385 Million)

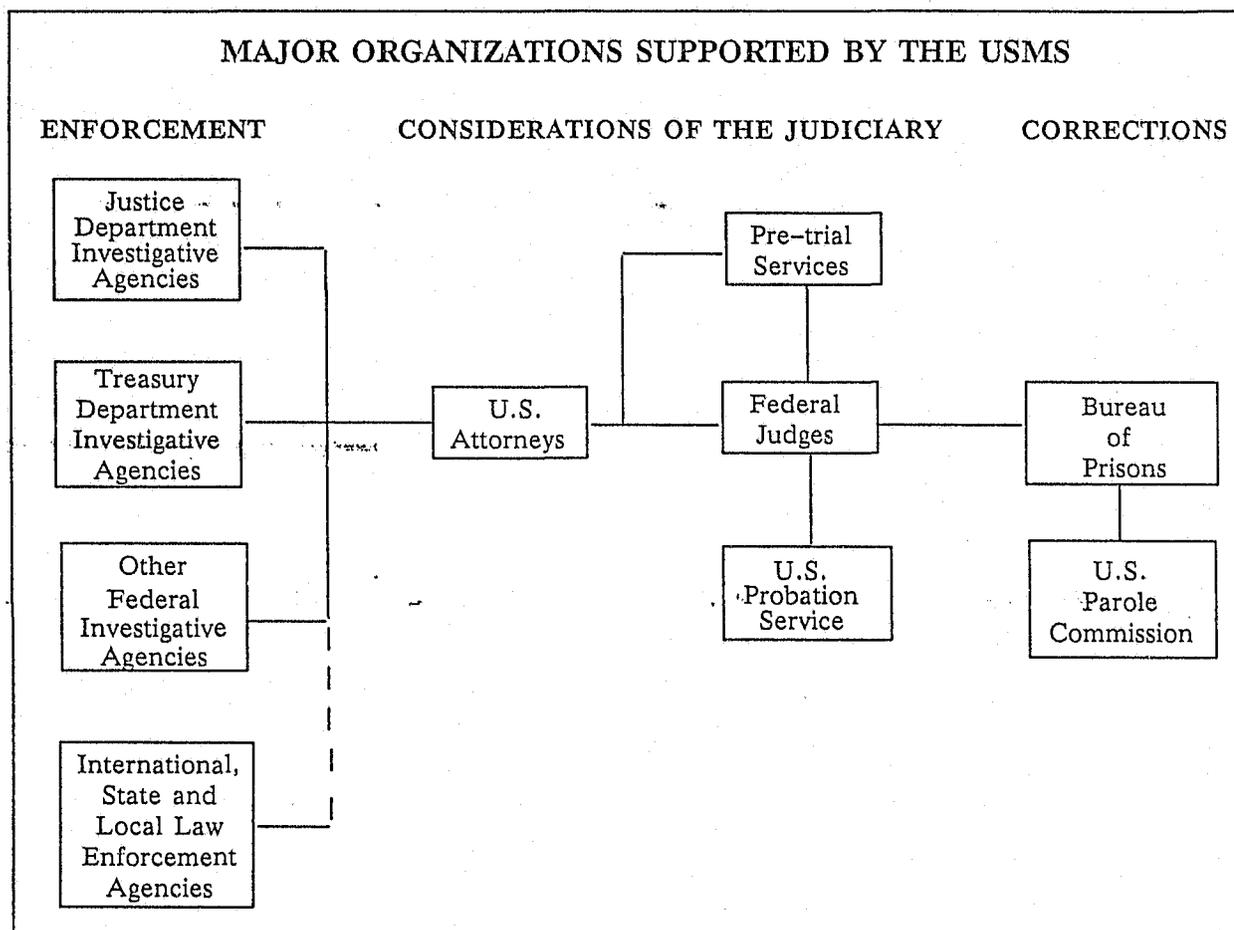


The NASAF program provides a vital public service in the seizure and successful management of assets used for illegal purposes. Seizure of criminal assets and the resulting lack of necessary resources to continue drug operations, effectively dismantles drug enterprises. In addition, by apportioning some of the seized assets to state and local law enforcement agencies, these agencies, can in turn utilize the seized assets to strengthen existing law enforcement activities and reduce the

burden on the taxpayer who supports these activities. By successfully managing seized businesses, protection is provided to the economic viability of innocent employees and clients who were not aware of the owner's illegal dealings, yet, were dependent upon the enterprise for employment or services. Through these activities, NASAF constitutes an effective strategy against drugs and an important public service.

Appendix A

USMS Support Of Other Federal Justice System Components



The USMS provides the following range of support services to other Federal Justice System Components:

To Federal Investigative Agencies

- Investigation of felony warrants on behalf of Federal agencies without arrest authority;
- Photographic, fingerprinting, and vital statistic services for all arrested Federal prisoners;
- Custody and care of remanded Federal prisoners; and
- Seizure, management and disposal of assets captured by the Justice Department.

To U.S. Attorneys

- Personal protection of U.S. Attorneys;
- Witness protection, relocation and child visitation services in return for testimony in critical criminal cases;
- Service of process;
- Payment of witness fees and expenses;
- Production of prisoners and witnesses for hearings and trials;
- Providing testimony in cases where the USMS prepared prosecution reports; and
- Planning assistance and technical advice on seizures and forfeitures.

To Pre-trial Services

- Care, custody and transportation of violators until completion of hearings; and
- Production of defendants for pre-trial interviews.

To Federal Judges

- Analysis of threats against, and personal protection for the Federal Judiciary and their family members;
- Protection of jurors and all other persons serving the court;
- Staffing for, and advice on courtroom and courthouse security, as well as other protective services as may be assigned;
- Investigation of bond default cases; and
- Execution of court orders.

To U.S. Probation Service

- Apprehension of probation violators.

To Bureau of Prisons

- Investigations of Federal fugitives escaped from Federal prisons;
- Transportation services for Federal detainees remanded to USMS custody throughout justice system processing and transfers between Federal institutions; and
- Arrest of Community Treatment Center failures and sentenced prisoners committed to non-Federal detention facilities.

To U.S. Parole Commission

- Apprehension of parole violators;
- Production of violators at hearings; and
- Housing, transportation and support services for violators until committed to Federal institutions.

To International, 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 the Fugitive Investigation Strike Team - F.I.S.T.);
- Coordination of arrest and secure transportation of international extradition cases;
- Funds and supplies for jail improvement and renovation (through the Cooperative Agreement and Federal Excess Property Programs);
- Inspections of local contract jail facilities;
- State and local training in court security, jail operations, fugitive investigations, and the establishment of on-going intergovernmental F.I.S.T. operations;
- Cooperative transportation of state fugitives; and
- Execution of joint use detention contracts with state and local units of government.

Appendix B

JUDICIAL DISTRICTS WITH CRITICAL DETENTION SPACE SHORTAGES OR ANTICIPATED MAJOR PROBLEMS

Twenty-eight (or 30%) of all the 94 Federal judicial districts are currently experiencing critical detention space shortages. These problems are having a severe adverse impact on the United States Marshals Service's prisoner production operations in the thirty-two (32) Federal court cities as shown below:

| Judicial District | Court City | USMS Bedspace Requirements Short/Long Term |
|-------------------|----------------------------------|--|
| 1. Puerto Rico | San Juan | 150/250 |
| 2. S/Alabama | Mobile | 25/40 |
| 3. E/Arkansas | Little Rock | 10/20 |
| 4. N/California | San Francisco | 160/250 |
| 5. S/California | San Diego | 600/750 |
| 6. Connecticut | Hartford Bridgeport | 40/80 |
| 7. S/Florida | Miami | 850/1000 |
| 8. M/Florida | Jacksonville Tampa Orlando | 180/2 |
| 9. C/Illinois | Springfield | 20/40 |
| 10. W/Kentucky | Louisville | 30/60 |
| 11. E/Louisiana | New Orleans | 100/180 |
| 12. Maine | Portland | 15/30 |
| 13. Maryland | Baltimore | 130/220 |
| 14. Massachusetts | Boston | 80/15 |
| 15. E/Michigan | Detroit | 120/200 |
| 16. N/Mississippi | Oxford | 10/20 |
| 17. W/Missouri | Kansas City | 40/70 |

| Judicial District | Court City | USMS Bedspace Requirements Short/Long Term |
|-------------------|--------------------------------------|--|
| 18. S/New York | New York | 850/1100 |
| 19. E/New York | New York | 850/1100 |
| 20. New Jersey | New York | 850/1100 |
| 21. E/NC | Raleigh | 50/90 |
| 22. W/Oklahoma | Oklahoma City | 50/90 |
| 23. Oregon | Portland | 65/100 |
| 24. Rhode Island | Providence | 15/30 |
| 25. SC | Columbia Charleston Greenville | 45/80 |
| 26. N/Texas | Dallas Ft. Worth | 130/200 |
| 27. S/Texas | Houston | 180/250 |
| 28. W/TX | San Antonio | 150/250 |

Appendix C

Executive Direction, Support and Staff Development

Management

Management units include the Offices of the Director and Deputy Director, the Associate Directors for Operations and Administration, Office of the Assistant Director for Financial Management, Office of the Assistant Director for Inspections, Office of Legal Counsel, Office of Congressional and Public Affairs, and Office of Special Assignments. These offices provide the executive direction and control necessary to effectively manage and coordinate the various operations of the 94 district offices. Specialized management support functions are provided from the Headquarters divisions and offices to minimize the time spent by managers and supervisors in the field on administrative matters, to ensure consistency in the application of USMS policies and procedures, and to provide stringent control for those management activities contained within these programs.

The Director of the U.S. Marshals Service exercises overall managerial direction and supervision, establishes policy, determines the goals and objectives of the Service, and represents the Service before all higher levels within the Executive, Judicial, and Congressional Branches.

The Office of the Deputy Director assists the Director in the establishment of policy and the specification of goals and objectives; exercises overall executive direction and supervision for policy implementation and the accomplishment of goals and objectives; and assumes the functions of the Director in the event of his absence.

The Office of Inspections has traditionally performed audits of USMS operational, administrative and financial activities in order to effectively achieve program requirements, economy and efficiency of operations, and compliance with applicable laws and regulations. The USMS completed 30 audits in FY 1986. The

Office of Inspections also conducts USMS internal investigations which are initiated when allegations of misconduct are made against an employee of the Service. In FY 1986, these investigations resulted in 40 letters of clearances and 81 corrective personnel actions that ranged from letters of instructions to dismissals.

The responsibilities of the Office of Inspections were expanded this year to include the Internal Security program which is responsible for reviewing the background investigations of all new USMS employees and to adjudicate their suitability for employment in sensitive positions. This program is also responsible for assessing personnel needs to have access to classified information as well as all areas involving document and ADP/telecommunications security and contingency security planning.

The Office of Legal Counsel is charged with the responsibility for providing legal representation and legal advice to the Director and other USMS officials and adjudicating all legal claims filed with the agency. The function of legal representation involves representing the USMS and its officials at the Merit Systems Protection Board, Equal Employment Opportunity hearings, Union grievances, arbitrations, adverse actions, and unfair labor practices. It also involves representing the USMS 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, labor relations, ethics and others.

The Office of Congressional and Public Affairs is responsible for managing the internal and external communications of the Service, including communications with Congressional and

Departmental sources, the press, the general public and USMS personnel. It is through this office that liaison relationships between the USMS and Congressional offices are maintained; and proposed and pending legislation which will have Service-wide impact is monitored and reviewed. In addition, this office publishes *The Pentacle*, the Service's professional newsletter.

The Office of Special Assignments is responsible for the development of policies and procedures and the implementation of programs relating to the staffing of personnel resources, funding, technical assistance, and coordination

for extraordinary operational missions throughout the 94 judicial districts.

Budget

The Office of Financial Management provides guidance and staff support in all areas of finance including USMS financial planning. It formulates, presents, and justifies the OMB and Congressional budget submissions; develops related plans, program, policies, and procedures; and performs all staff accounting functions. The FY 1986 budget appropriation enacted was as follows:

| <u>Final 1986 Appropriation Enacted</u> | | | |
|---|---------------------|-----------|---------------|
| Program Area | Permanent Positions | Workyears | Dollar Amount |
| Enforcement & Operations and Execution of Court Orders | 684 | 671 | \$ 39,747,000 |
| Organized Crime and Drug Enforcement | 13 | 13 | 670,000 |
| Protection of the Judiciary | 378 | 369 | 23,438,000 |
| Witness Protection | 307 | 271 | 21,369,000 |
| Prisoner Processing, Detention, Production and Transportation | 945 | 922 | 43,165,000 |
| Management and Administration | 116 | 115 | 7,155,000 |
| Field Support and Training | 173 | 167 | 4,754,000 |
| ADP and Telecommunications | 8 | 8 | 5,852,000 |
| Total | 2,624 | 2,536 | \$146,150,000 |

USMS financial support responsibilities include payment of fact witnesses, protected witnesses, local jail administrators for housing USMS prisoners, court reporters, and various expenses incurred by the USMS and the U.S. Attorneys in conducting official business. Financial support services also include the collection of funds for services rendered by the USMS through the sale of seized property and the recording and reporting of these transactions.

Administrative Services

The administrative service function in FY 1986 included the Equal Employment Opportunity Office, the Personnel Management Division, the Procurement and Property Management Division, the Space, Transportation and Communications, Division, the Information Systems Division, the Resource Analysis Division, and the Employee Development Division. In conjunction with the executive direction and control function mentioned above, the administrative service function supports the district offices on a wide range of administrative matters necessary for effective operations. In addition, for all areas of administrative responsibility, it provides information and policy recommendations to the executive direction and control units.

The Office of Equal Employment Opportunity (EEO) provides assistance in the operational and administrative activities of the Service pertaining to equal employment opportunity. Their functions include advising and assisting in the formulation of EEO policy and procedures, administering the EEO complaints processing systems, counseling employees who make allegations of discrimination, investigating allegations and adjudicating complaints of discrimination.

Matters pertaining to the employment, direction and general administration of USMS employees primarily fall under the purview of the Personnel Management Division (PMD).

Throughout FY 1986, the PMD was involved in a variety of activities designed to improve the recruitment, retention, and management of USMS employees. The Division's more significant accomplishments in this regard include the following:

1. In accordance with an executive order issued earlier in the year, the majority of the Service's Criminal Investigator positions were excluded from the bargaining unit on the basis of their involvement in activities related to national security.
2. In order to achieve greater consistency among the criteria used to assess the performance of the U.S. Marshals and Chief Deputy U.S. Marshals and to better ensure a nexus between individual performance criteria and Service-wide objectives, generic performance standards were implemented for Marshals and Chiefs.
3. Due to the difficulties experienced in the recruitment and retention of clerical support personnel in the D.C. metropolitan area, the USMS submitted justification in support of a special salary rate study of clerical positions in grades GS-2 through GS-7. The Department of Defense will be conducting the proposed study which could potentially result in a reasonably large increase in government clerical pay scales in the D.C. metropolitan area. This would enable the USMS to be more competitive when attempting to attract qualified clerical personnel (increase was approved effective April 1987).

The Procurement and Property Management Division is responsible for providing procurement, printing and property management support to the USMS; and developing and formulating related plans, progress, prices and procedures. Accomplishments for FY 1986 include the processing of 2,766 procurement actions for

\$10.14 million, ordering video cameras for all districts and Headquarters Field Offices, and awarding a number of contracts such as a contract valued at \$205,000 for two aircraft to be used to transport prisoners.

The Space, Transportation and Communications Division develops policy and procedures relative to the management of the USMS Government-owned and Government-leased motor vehicle fleet; telecommunication systems, and the management of USMS space. In addition, the division maintains the Communications Center on a 24 hour, 7-day per week basis and operates the USMS access to the FBI's National Crime Information Center and the National Law Enforcement Teletype System.

The Information Systems Division administers all USMS programs pertaining to ADP management, word processing and data

communications. Its functions include coordinating and monitoring all automated management information systems, and program activities relating to word processing and data telecommunications.

The Resource Analysis Division provides staff support and assistance in the area of management planning; conducts special studies; gathers management and statistical data; and conducts workload trend analyses and other analytical studies.

The Employment Development Division administers the Deputy U.S. Marshal recruiting program and Affirmative Action programs; the planning, development and evaluation of all external training and career development programs, the Merit Promotion program and the Fitness-in-Total program, several of which will be highlighted in subsequent sections.

U.S. Marshals Training

The U.S. Marshals Training program provides initial, refresher, specialized, and management training for the law enforcement and administrative support personnel of the Service. Courses are developed, implemented, and updated by Marshals Service personnel to continually provide comprehensive instruction and skills important to the Service.

Training of law enforcement and support personnel remained one of the highest priorities of the USMS in FY 1986. As the chart below

indicates, a total of 1,741 individuals received USMS sponsored training in FY 1986.

In addition to the training provided by the Academy, the USMS provides specialized training through the Special Operations Group (SOG) to personnel inside the USMS as well as from other Federal agencies and from state and local law enforcement agencies. In FY 1986, training was provided to 65 Deputy U.S. Marshals and 883 individuals from other Federal, state and local agencies. Of the 883 individuals, 309 were trained at the SOG Training Center at Camp Beauregard, Louisiana.

Training in FY 1986

| Class | Number of Classes | Number of Students |
|---|----------------------|-----------------------|
| Criminal Investigator Training | 9 | 405 |
| Basic Deputy U.S. Marshal Training | 7 | 322 |
| Administrative and Financial Management Seminar | 1 | 24 |
| Advanced Deputy U.S. Marshal Training | 5 | 104 |
| Basic Instructor Training Program | 2 | 10 |
| Court Security Officers Orientation | 5 | 205 |
| Court Security Seminar | 1 | 5 |
| Detention Officer Training | 4 | 16 |
| Drivers Instructor Training Program | 1 | 5 |
| Firearms Instructor Training Program | 1 | 24 |
| Fugitive Investigators Course | 1 | 25 |
| Law Enforcement Spanish Training Program | 3 | 22 |
| Prisoner Detention School | 1 | 43 |
| Protective Services School | 1 | 24 |
| State and Local Court Security | 5 | 353 |
| State and Local Fugitive Investigators Course | 2 | 47 |
| State and Local Protective Services School | 1 | 70 |
| U.S. Marshals Orientation | 1 | 7 |
| Witness Security Basic | 2 | 30 |
| | <u>53</u> | <u>1,741</u> |

| Classes | No. of Classes | No. of Participants |
|--|----------------|---------------------|
| Personnel/Financial Management Seminar | 2 | 61 |
| Supervisory Management Seminar | 1 | 30 |
| FIT Coordinator Seminar | 2 | 64 |
| Total | 5 | 155 |

Management Training

In addition to operational training, the Marshals Service also provides management training to its managers and supervisors. The programs focus on providing new and incumbent managers and supervisors with the skills they need to effectively manage district operations. The topics covered in the classes include supervisory principles, financial management, personnel management and operational topics from a management standpoint. The courses are frequently conducted by OPM and other contractors.

Fitness-in-Total Program

During FY 1986, the Marshals Service continued to stress the importance of physical fitness and well-being. The Fitness-in-Total (FIT) Program provides individuals with several assessments to evaluate their current fitness and nutrition levels and then offers steps to improve current levels through goal setting and exercise and nutrition planning. A few employees from each district office are trained to be FIT Coordinators and are available to conduct assessments and provide counseling to employees. By the end of the second year, over two-thirds of the USMS workforce were participants in the FIT Program.

Over the past year, the USMS participated in several fitness activities including the International Law Enforcement Olympics and the Special Olympics Torch Run. Additionally, the USMS sponsored its own fitness events in a number of districts as well as the Director's Third Annual Challenge which included a 10k run, 5k run and 5k walk. The USMS publishes the *FIT Beat* on a semi-monthly basis to keep employees informed on fitness topics and to report on the fitness activities and accomplishments of USMS offices and employees.

Merit Promotion

In FY 1986, 900 USMS employees took the 1986 Chief and Supervisory Deputy U.S. Marshal Examination. The examination was administered nationwide to candidates for Chief and Supervisory Deputy U.S. Marshals positions.

The USMS began developing an assessment center for selecting operational managers and supervisors. Once implemented, the assessment center will enhance the current merit promotion process. A modified version of the assessment center was used to select individuals for several Witness Security Specialist positions. Fifty-one applicants went through the modified assessment center which consisted of an oral interview, written exercises, self-assessment and a fitness assessment.

Looking Toward the U.S. Marshals Service's 200th Anniversary

The USMS will be celebrating its Bicentennial in 1989. In May 1986, the Director appointed an eighteen-member Bicentennial Planning Committee composed of USMS employees who volunteered to help plan for the Bicentennial. The primary objective of the commemoration is to promote public awareness and understanding of the important and often fascinating role that Federal law enforcement has played in America's 200 year history.

Working with the Director, and with extensive input from field employees, the Committee has identified 27 projects to help celebrate the Bicentennial. These activities range from obtaining a Congressionally authorized U.S. Mint commemorative medallion to mounting and transporting a travelling Smithsonian Institution exhibit entitled, "America's Star: The United States Marshals, 1789 - 1989", that will visit as many as 100 cities and communities during 1988-1990.

Other tentative plans call for authorization by the USMS of several special edition commemorative Colt and Smith and Wesson handguns; establishment of an honorary mounted Marshal's Posse in Southern California that would participate in the 1989 Rose Bowl Parade in

Pasadena and in the Presidential Inaugural Parade in Washington, DC; and sponsorship of essay contests in primary and secondary schools nationwide.

The USMS will be celebrating its Bicentennial in 1989.

In 1986, the U.S. Marshals Foundation, a private, nonprofit corporation, was established to promote public awareness of the U.S. Marshals Service and Federal law enforcement. The Foundation's main activities include working towards the Bicentennial, establishing the United States Marshals Museum and Research Center, and building a national memorial to Marshals and Deputy Marshals who have lost their lives in the line of duty.

In 1986, the USMS produced *America's Star*, a video presentation narrated by James Arness, star of the television program, "Gunsmoke." The presentation provides an overview of the USMS in terms of its history and present day functions using film clips from movies and television programs and on site filming of modern day deputies in action. This video presentation is intended to promote the recruitment of Deputy U.S. Marshals and public awareness of the USMS and its functions.