

U.S. Department of Justice
U.S. Marshals Service

Outline of U.S. Marshals Service Activities



104857



UNITED STATES MARSHALS SERVICE

104857

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U.S. Department of Justice
National Institute of Justice

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ACQUISITIONS

You are in a central position in the Federal justice system. Virtually every Federal law enforcement initiative involves the Marshals Service.

You've kept your honorable traditions, but today you're fulfilling your responsibilities with modern skills, technology, and innovative thinking.

President Ronald Reagan
September 1985



INTRODUCTION

The United States Marshals Service, the senior Federal law enforcement organization, occupies a unique place in the judicial and law enforcement process of the United States. In each of the 94 Federal judicial districts, members of the U.S. Marshals Service (USMS) function as both officers of the Federal courts and law enforcement agents of the Attorney General. Moreover, virtually every Federal justice system initiative has an impact on the Marshals Service, resulting in a widely diversified mission.

The Marshals Service

- Provides direct support to the Federal courts through protection of the Judiciary, execution of court orders, disbursement of funds and collection of fees relating to court activities;
- Exercises custody of Federal prisoners and provides for their appearance in court and their transportation to Federal prison facilities;
- Has primary responsibility for apprehension of Federal fugitives;
- Maintains custody and control of seized money and property;
- Protects sensitive government witnesses and their families; and
- Administers the National Asset Seizure and Forfeiture program composed of property acquired with the proceeds of certain illegal activities.

Each U.S. Marshal is prepared — and would welcome the opportunity — to provide full information regarding these USMS functions and to provide professional advice concerning any matters within his purview.



HISTORICAL BACKGROUND OF THE U.S. MARSHAL

Both the office of United States Marshal and the original court system for the United States were created by the Judiciary Act of September 24, 1789. When the Judiciary Act was enacted by Congress, 11 states had been admitted to the Union. It established a judicial district and the office of Marshal for each of the 11 states, and additionally created the office of Marshal for two other judicial districts designated as the Districts of Kentucky and Maine. President Washington nominated, and the United States Senate confirmed on September 26, 1789, the original 13 Marshals. As the United States grew, new judicial districts were established by Congress so that today there are 94 districts and United States Marshals.

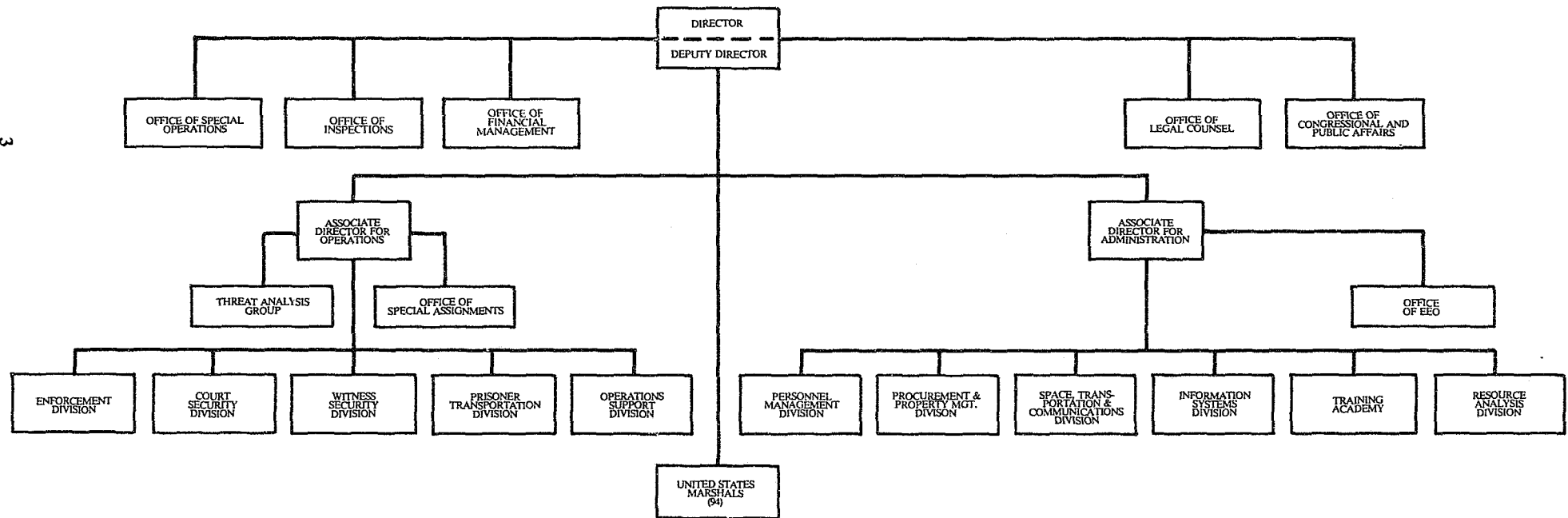
In addition to creating the office of Marshal, the Judiciary Act contained provisions relative to the operation of the office. Each Marshal was given two specific duties: first, to administer to the district and circuit courts and also the Supreme Court when sitting in his or her district; and second, to execute throughout the district all lawful precepts directed to him or under the authority of the United States.

In the years following 1789, Congress began to impose upon U.S. Marshals such a variety of duties that they became the "handy men" of Federal administration. For example, they were directed to

take the census; to hire and supervise jails for Federal prisoners; to receive and execute precepts from French Consuls and vice-consuls; and to execute courts-martial. Later, Marshals were given custody of all vessels and goods seized by revenue officers and became responsible for summoning appraisers to value goods taken in execution of judgment. Other statutes authorized Marshals to sell lands seized by the United States in satisfaction of judgments; to prosecute all violations of the Act to prevent cruelty to animals while in transit; to become fiscal agents of the courts, local agents of the comptroller in serving notice upon delinquent officers accountable; and agents of the President in executing orders issued by him under the Alien Acts of 1798.

Not only was the early Marshal required to perform a vast number of duties, he was accountable for the performance of those duties to a number of superiors. Today, the U.S. Marshal is a Presidentially-appointed agent of the Department of Justice whose activities are supervised and coordinated by the Director of the U.S. Marshals Service, under the authority of the Attorney General.

U.S. Department of Justice
United States Marshals Service
Organization Chart





DUTIES OF THE U.S. MARSHALS SERVICE

The 94 U.S. Marshals and their staffs are responsible collectively for accomplishing the mission of the U.S. Marshals Service. They are supported in their activities through the policy guidance and coordination functions of a Headquarters unit which performs typical management responsibilities and administers operational aspects of certain programs which require centralized control. All Marshals Service district offices have similar functional responsibilities, although work load levels vary greatly among the districts. The major operational programs of the Service are described below:

Fugitive Investigations

The U.S. Marshal and his staff are responsible for the execution of Federal arrest warrants which emanate from the U.S. Courts under the deadlines imposed by the Speedy Trial Act of 1974; due diligence must be demonstrated in the prompt execution of warrants.

Federal arrest warrants included in the Warrant Program fall into four major categories:

- Primary Responsibility Warrants — those felony warrants issued to the U.S. Marshal for which he has primary jurisdiction;
- Other Felony Warrants — those warrants issued to the U.S. Marshal and other Federal law enforcement officials, on behalf of Federal agencies without arrest authority;
- Misdemeanor Warrants; and
- Traffic Warrants.

During FY 1985, the Marshals Service received 76,447 warrants from the Federal courts. When these warrants were added to the 37,645 warrants which were on hand in the districts as of Oct. 1, 1984, the Service had a total of 114,092 open cases during FY 1985. A total of 71,921 cases were closed during the fiscal year.

The Marshals Service has primary criminal investigative responsibility for certain Federal fugitives, including probation and parole violators, mandatory release violators, bond default fugitives and escaped Federal prisoners. These Federal fugitive investigations involve the detailed documentation and preparation of legally sufficient cases for prosecution. For example, when a bond default case is referred to the Marshals Service for investigation, operational personnel must promptly ensure that the proper process has been issued and remains in effect.

Additionally, the U.S. Attorney must be contacted immediately in an effort to have the fugitive indicted for bond default or to ensure future prosecution for bond default. Likewise, in cases involving escaped Federal prisoners, the U.S. Attorney must be contacted as soon as possible to obtain a prosecutive opinion. For cases involving escapes before initial appearances, conviction, or sentencing, the U.S. Attorney must be contacted in order to obtain a warrant.

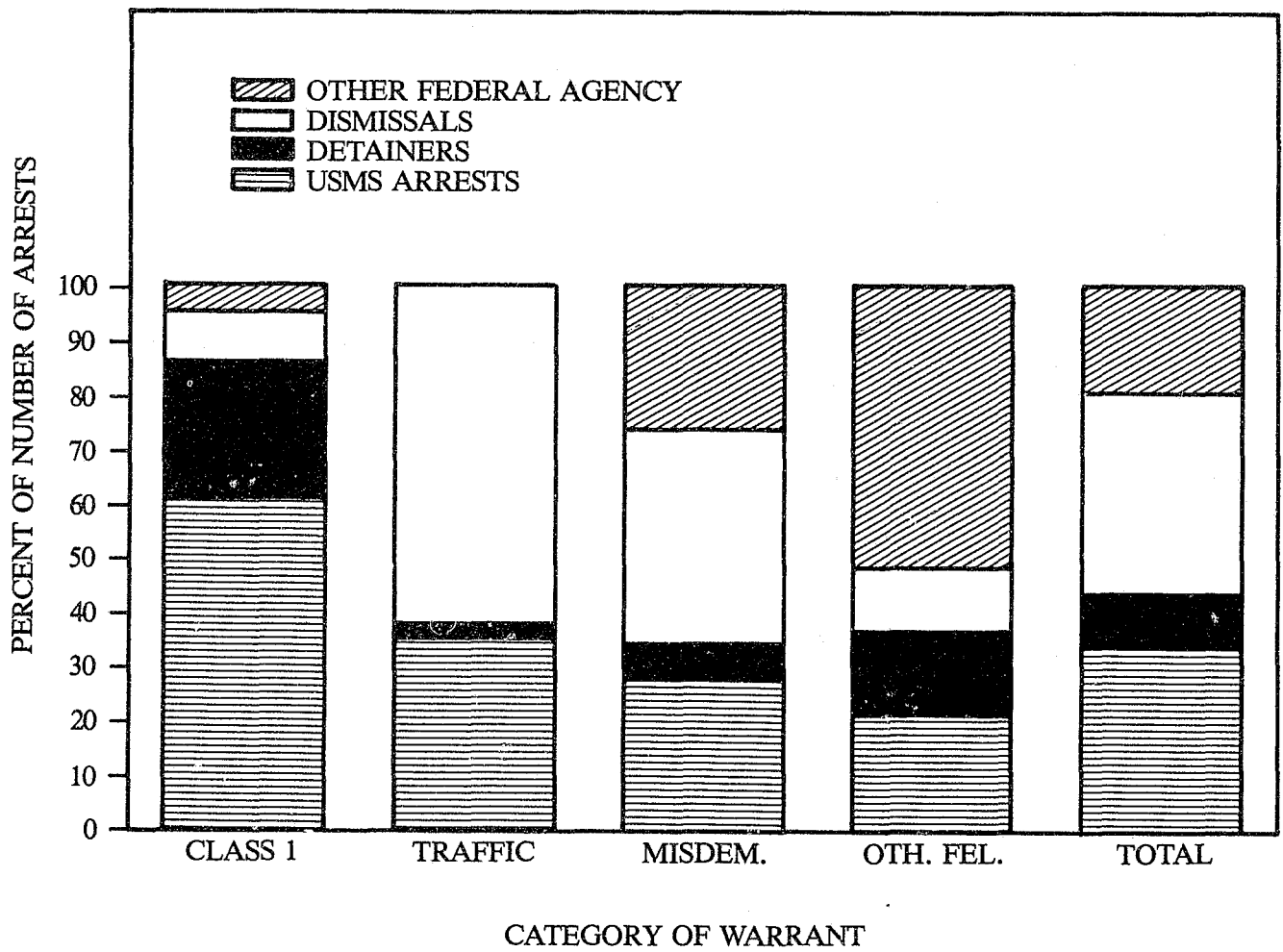
Each Marshal is assigned at least one Enforcement Specialist (Inspector) to coordinate warrant activities in the district and to serve as an advisor to the Marshal in these matters.

FY 1985 USMS WARRANT WORK LOAD

Categories	On Hand Beginning of Year (10-1-84)	Received from Courts	USMS Arrests	Other Agency Arrests	Detainers Filed	Dismissals	On Hand End of Year (9-30-85)
USMS Class One	8,294	10,945	6,295	523	2,512	941	8,986
Traffic	12,854	31,332	10,980	61	704	19,127	13,315
Misdemeanor	3,708	8,705	2,087	1,980	458	2,930	4,959
Other Felony	12,789	25,465	4,554	11,178	3,362	2,492	14,929
Total	37,645	76,447	23,915	13,742	6,327	25,490	42,171

SOURCE: EOD-1 reports for the time period October 1984 through September 1985.

ARRESTS — FY 1985





Court Security

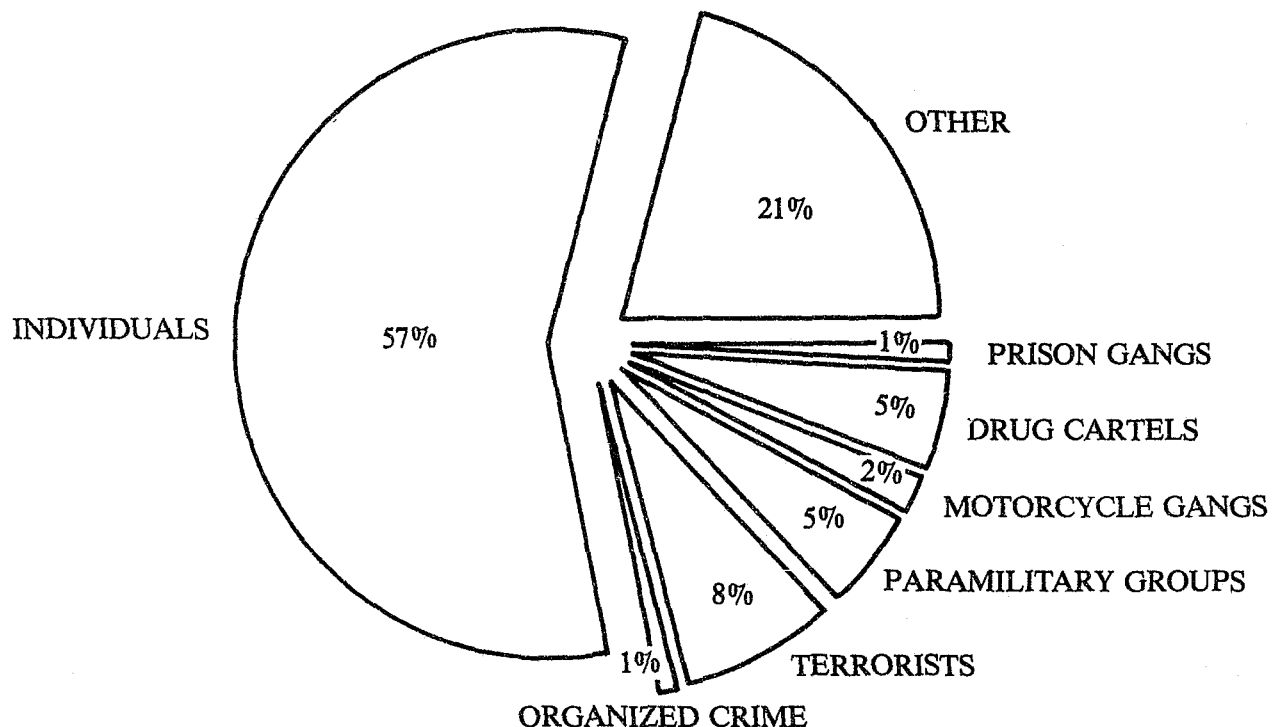
The Marshals Service is responsible for the security of judicial proceedings, members of the judiciary, court officials, and judicial facilities. At the district level, this means ensuring security and maintaining decorum within the courtroom itself, as well as personal protection for judicial officers, witnesses, and jurors away from the court facilities when warranted.

In providing security support to the courts, the U.S. Marshal is subject to general policy guidelines issued by the Headquarters of the Marshals Service. The basic guideline provides for one deputy to be present at each criminal proceeding, sufficient deputies present for defendants in custody, sufficient deputies to safeguard grand and petit juries (particularly sequestered juries), and appropriate personnel to maintain the integrity of the courts during civil proceedings. The "sufficiency" of personnel is to be determined by the Marshal.

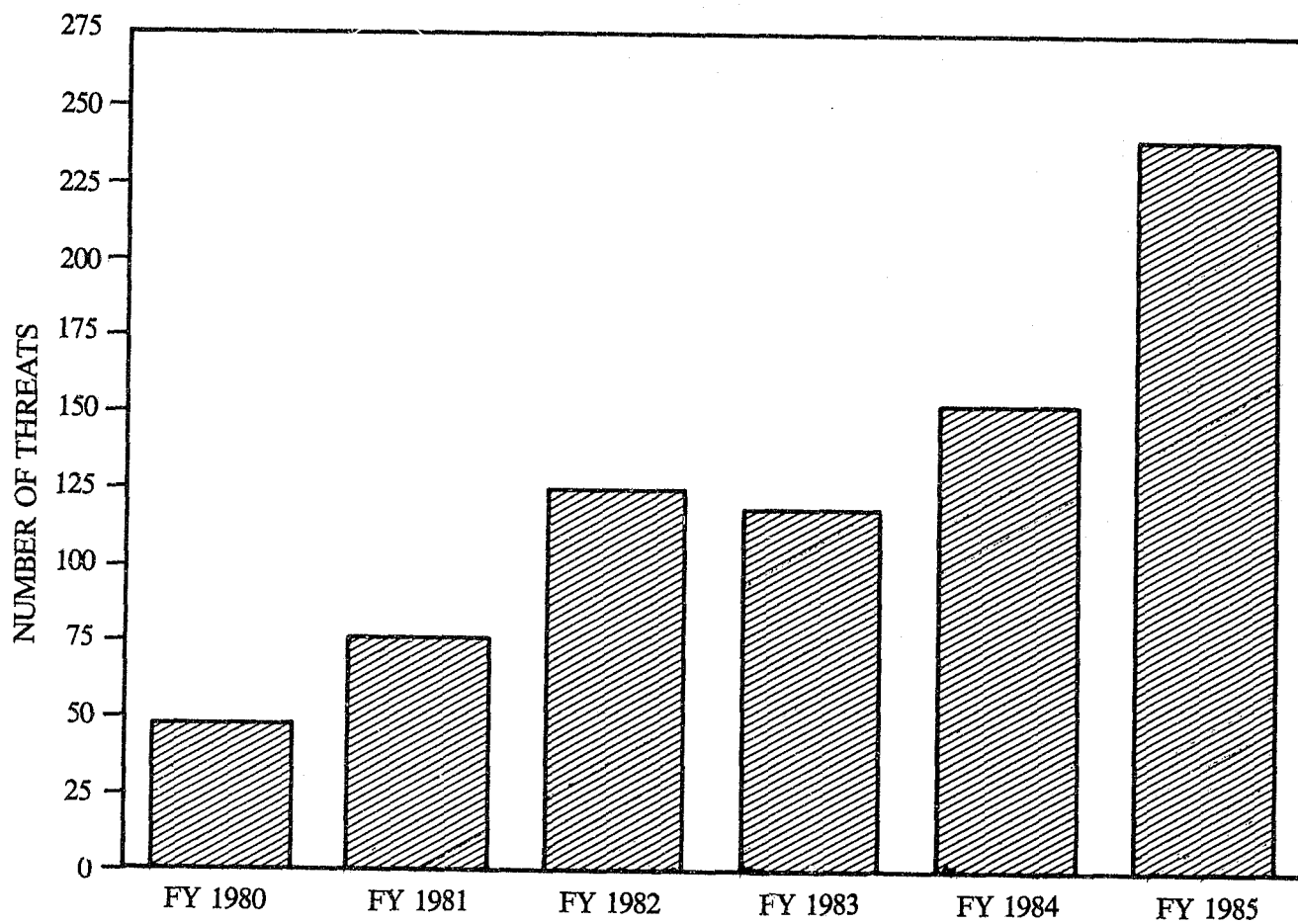
The scope of the Marshals Service Court Security Program includes protection for more than 800 Federal Judges; more than 200 full-time U.S. Magistrates; approximately 300 part-time U.S. Magistrates; and countless jurors and witnesses. Also, there are currently more than 400 places where court proceedings are held in the 94 judicial districts.

Court facilities vary in size, configuration, proximity to the Marshals office, age and the ease with which they can be secured. Most newer facilities for both the Judiciary and the Marshal have been designed with the court security protection function in mind and are thus more easily secured. Security devices and state-of-the-art technology provide an extra measure of protection and quick response time for emergency situations. Technical assistance, particularly for high-risk or sensitive trials, is available from the USMS Court Security Specialist assigned to each judicial circuit.

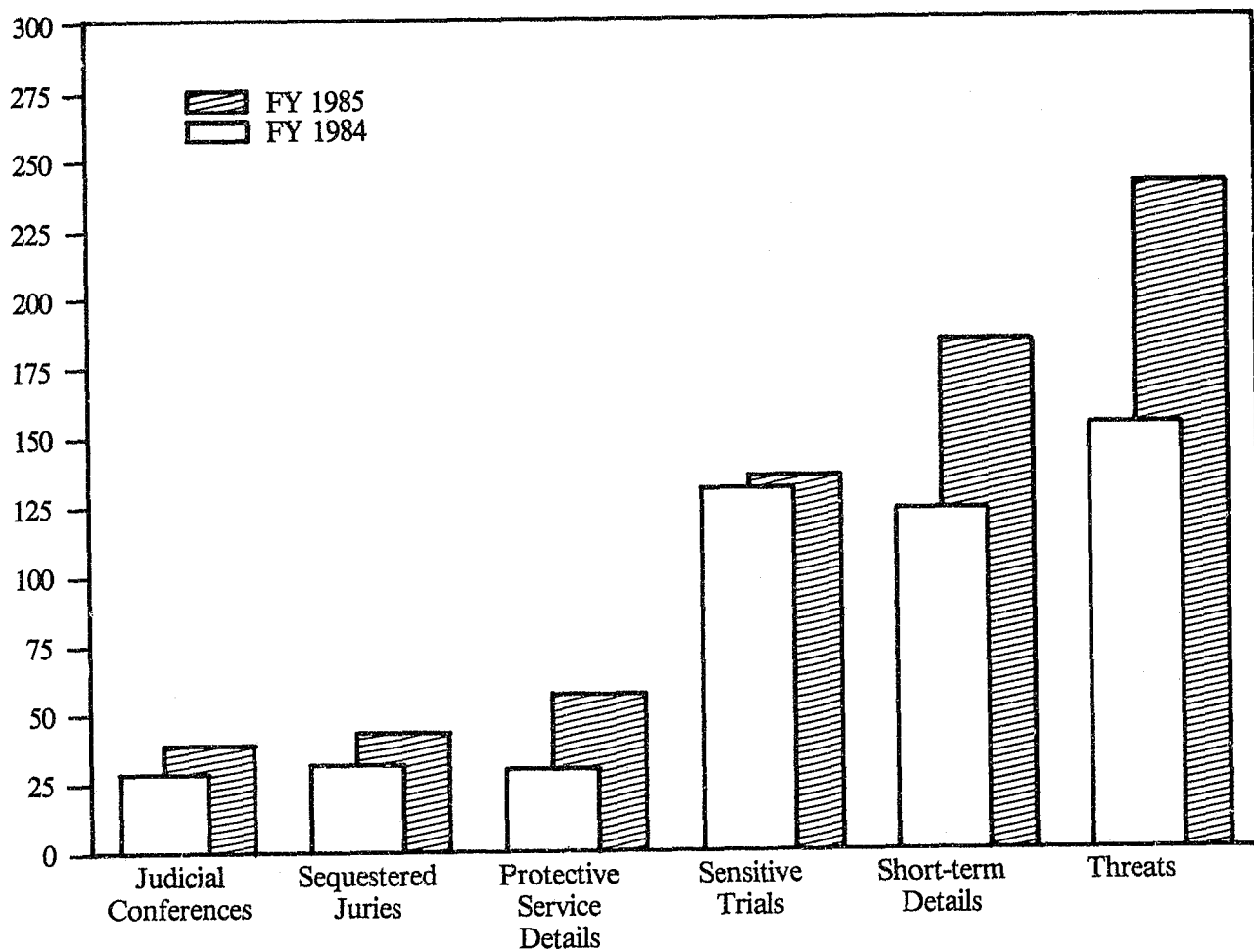
JUDICIAL THREATS BY SOURCE — FY 1985



THREATS TO THE JUDICIARY — FY 1980 TO 1985



COURT SECURITY WORK LOAD DATA, FY 1984 & FY 1985





Receipt and Processing of Prisoners

Individuals arrested or detained for violation of Federal statutes by any law enforcement officer are brought before the court for arraignment. Upon arraignment, the prisoner may be remanded to the custody of the U.S. Marshal until such time as the charges are dismissed, the prisoner is released on bond or personal recognizance, or is tried, acquitted, or convicted and delivered to an institution for service of the sentence. Upon receipt from the court, each prisoner is processed by the Marshal's office in accordance with U.S. Marshals Service guidelines. In FY 1985, the Marshals Service received and processed 82,000 prisoners.

Processing includes the assignment of a prisoner control number, fingerprinting and photographs, establishment of criminal and personal data records, property records, medical records and other data. Checks are made through the National Criminal Information Center (NCIC) to determine if there are other outstanding charges. Requests for name and fingerprint checks are forwarded to the FBI.

Custody of Unsentenced Prisoners

The U.S. Marshal is responsible for the care of unsentenced Federal prisoners who are remanded to his custody by the court while they await trial. In most locations, the Marshals Service must contract with local governments for the housing and care of these prisoners. The procurement of jail space is centralized through the Headquarters. Direct contact with local jail administrators is carried out by personnel in each district. District personnel perform pre-award and post-award inspections, on-site negotiations with jail administrators, and keep Headquarters advised on any proposed action to be taken on an existing contract.

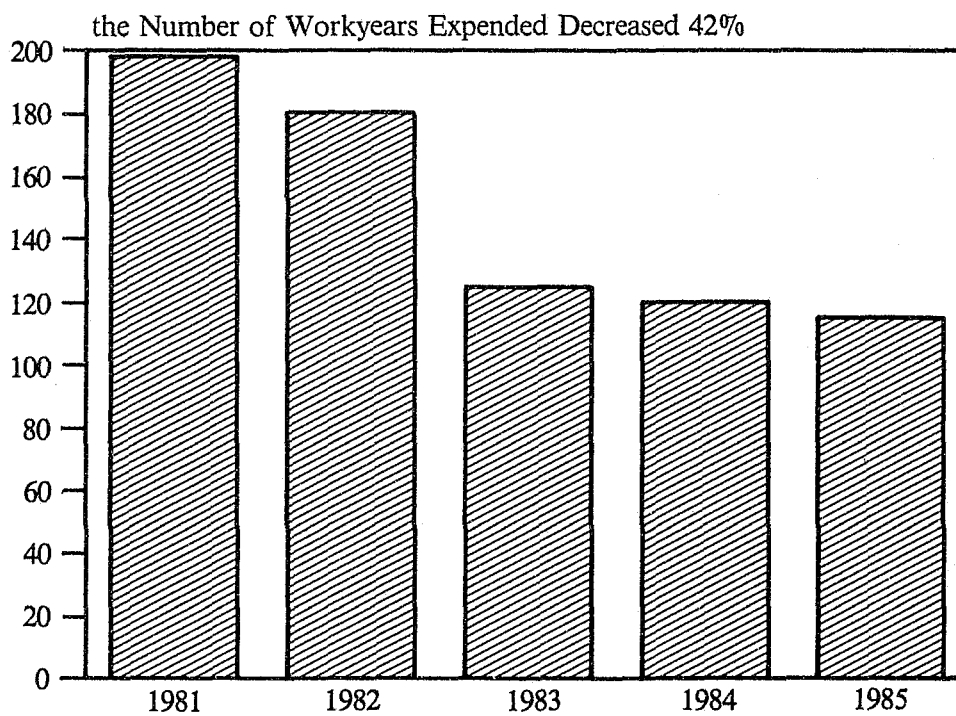
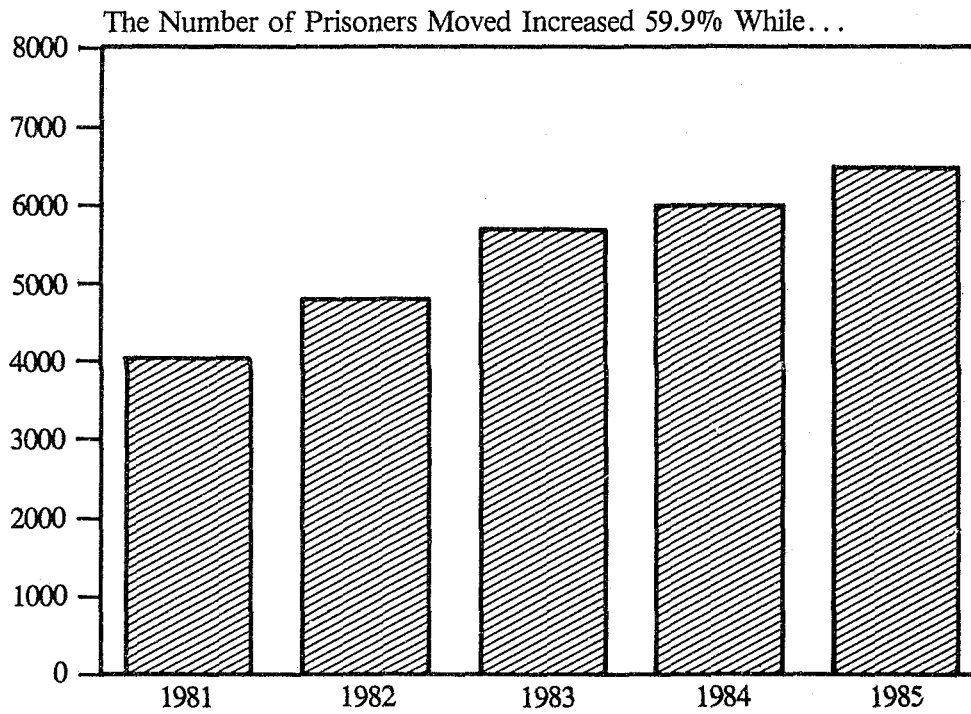
Coordination of contract detention activities is a collateral duty of the Enforcement Specialist, who also serves as an adviser to the Marshal in these matters.

Transportation and Movement of Prisoners

The U.S. Marshal is responsible for: (1) the timely production of Federal prisoners for legal hearings or meetings with counsel; (2) the production of prisoners at trials (in FY 1985, the Service produced prisoners for 310,000 court appearances); (3) the movement of sentenced prisoners to institutions for service of sentence and transfer of sentenced prisoners between institutions; and (4) ensuring the rights, safety, and security of pre-trial detainees and sentenced prisoners in his custody. Short-distance prisoner movements are routinely completed by district personnel in ground vehicles. Long distance movements are centrally coordinated by the USMS Prisoner Transportation Division to ensure that the maximum number of prisoners are moved in the most efficient and cost effective manner. A major portion of long-distance prisoner movements are accomplished through the National Prisoner Transportation System (NPTS), which is composed of Marshals Service aircraft with supporting bus and van feeder systems. When NPTS cannot meet court-imposed deadlines due to the limited frequency of its runs, commercial air service is used.

Additionally, NPTS coordinates and schedules the majority of sentenced prisoner transfers between Bureau of Prison institutions. The Bureau of Prisons provides staff and buses which operate as part of the NPTS ground feeder system.

NATIONAL PRISONER TRANSPORTATION SYSTEM





Witness Protection Program

The Marshals Service provides for the health, safety and welfare of government witnesses and their dependents whose lives are in danger due to testimony provided in organized crime trials and major criminal activity cases. Witnesses are entered into the program on the recommendation of a U.S. Attorney and the Criminal Division of the Department of Justice. Once admitted to the program, the Marshals Service provides around-the-clock protection to such witnesses while they are in a "threat environment and upon their return to a danger area for pre-trial conference, trials or other court appearances. The witnesses and authorized dependents are moved to another city under a new identity and provided all the necessary services to assist them in becoming self-sustaining and acclimated to the new community as soon as possible.

Organizationally, there are three levels of operations in the Witness Security Program: Headquarters, Metro Units and the 94 district offices. The Witness Security Program is managed centrally from Headquarters to a much greater degree than other Service programs. Headquarters personnel coordinate with the Criminal Division of the Department of Justice to determine program participants, maintain the official records, and provide overall program direction and control.

Metro Units are separate field offices for Witness Security Inspectors in some major U.S. cities. Generally, they are located in cities with a high incidence of organized crime corresponding to the Strike Force cities designated by the Criminal Division. Metro Units are under the direct control of Headquarters. Most districts have a trained Witness Security Specialist (Inspector) to serve as a focal point for district activities, such as providing employment assistance and relocation adjustments, and to serve as an adviser to the Marshal for Witness Security matters.

Management of Seized and Forfeited Assets

The responsibility for management of seized assets has been centralized in the U.S. Marshals Service. The Service maintains custody of property seized by and forfeited to the Department of Justice and has primary responsibility for the disposal of forfeited property by sale. Forfeited funds and the proceeds from the sale of forfeited property are deposited in the Assets Forfeiture Fund which also is administered by the Marshals Service.

The broadening of the criminal forfeiture statutes accomplished by the Comprehensive Crime Control Act of 1984 has significantly increased the number and complexity of forfeiture issues addressed by the Marshals Service under its custodial management responsibilities. Further, the U.S. Marshals Service is gradually assuming responsibility for managing and disposing of property subject to administrative forfeiture. During FY 1985, the Service was involved in the seizure or management of an estimated \$304 million worth of property subject to government-generated civil and criminal forfeitures.

Seizure and forfeited property is difficult to categorize. There is no "typical" seizure. The Marshals Service handles properties ranging from an Appaloosa stud farm outside of Dallas to exotic birds in Des Moines; from a night club in Atlanta to 7,000 lizard skins in Boston; from an historic mansion in Leesburg to condemned cans of swine in Los Angeles.

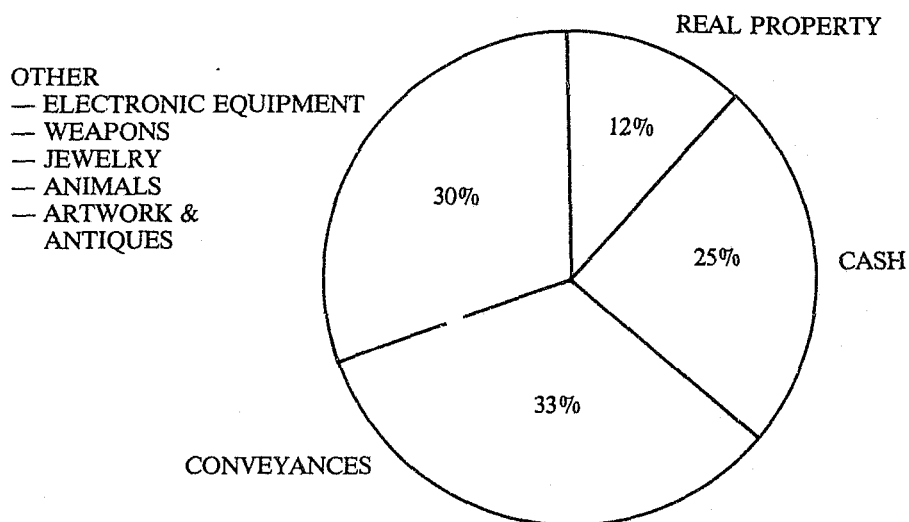
One of the recent acquisitions is a recording studio in Sausalito, California. Deputy Marshals seized the luxury studio after its owner was accused of buying the business with money from drug manufacturing. The Marshals Service reopened the studio under contract to maintain the value of the property as an ongoing business and to offset the cost of maintaining it.



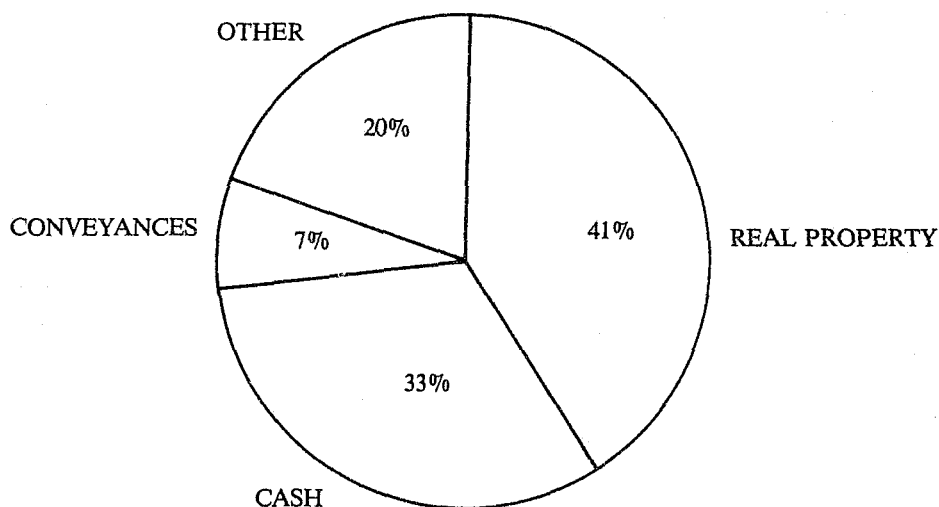
To provide for the central and efficient management and prompt disposal of assets seized by all Department of Justice agencies, the Service established the National Asset Seizure and Forfeiture

Program. A Headquarters staff and 13 field offices work to maximize the net return from seized property and reinvest the property and proceeds for law enforcement use.

NUMBER OF DOJ-SEIZED PROPERTIES ON HAND



VALUE OF DOJ-SEIZED PROPERTIES ON HAND





Execution of Court Orders

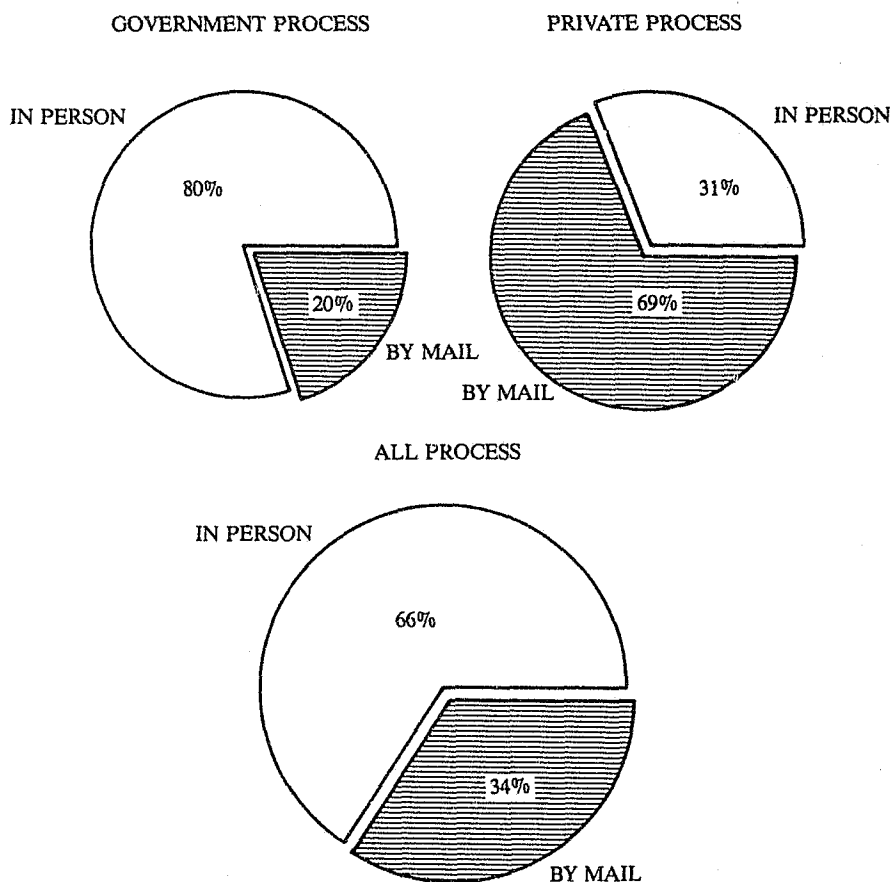
The Marshals Service is responsible for the expeditious service of process emanating from the U.S. Courts. The U.S. Marshal, through his deputies, is responsible for serving the process, either personally, via U.S. mail or other approved means. Administrative personnel act on behalf of the Marshal by recording receipt of the process, notifying the Clerk of the Court's office upon successful service (or returning unserved process), and billing/collecting from private litigants for service.

The Marshals Service executed 354,313 court orders, not including warrants during FY 1985.

Eighty percent of all government process was executed in person while 31 percent of all private process was executed in person. Overall, 66 percent of all process was executed in person.

The execution of court orders also may involve the seizure of goods and property, storage of seized articles, subsequent sale of property, publication of legal notices, and sometimes even the actual operation of businesses under court order. In admiralty matters, the Marshal usually appoints a keeper to ensure that the seized vessel is safely kept in custody.

EXECUTION OF PROCESS BY TYPE OF SERVICE, FY 1985





EXECUTION OF NON-WARRANT COURT ORDERS IN FY 1985

CATEGORIES	ON HAND BEGINNING OF YEAR (10-1-84)	RECEIVED FROM COURTS	SERVED IN PERSON	SERVED BY MAIL	RETURNED UNEXECUTED	FORWARDED TO OTHER DISTRICTS	ON HAND END OF YEAR (9-30-85)
GOVERNMENT CIVIL	6,503	118,574	62,945	36,352	19,809	5,632	7,339
GOVERNMENT CRIMINAL	5,314	161,665	133,530	14,294	12,942	17,069	9,924
PRIVATE CIVIL	3,197	79,010	26,400	62,604	7,138	2,219	3,894
PRIVATE CRIMINAL	85	2,716	1,971	67	479	514	83
TOTAL	15,099	361,965	224,846	113,317	40,368	25,434	21,240

GOVERNMENT CIVIL PROCESS includes all court orders issued by Federal courts in civil cases where the Federal government is a party in the case, either as the plaintiff or the defendant.

GOVERNMENT CRIMINAL PROCESS includes all court orders issued by Federal courts in criminal cases where the Federal government is a party in the case, either as the plaintiff or the defendant, but excludes any warrants issued as part of the case.

PRIVATE CIVIL PROCESS includes all court orders issued by Federal courts in civil cases where the Federal government is not involved as a party in the case.

PRIVATE CRIMINAL PROCESS includes all court orders issued by Federal courts in criminal cases where the Federal government is not involved as a party in the case, excluding any warrants issued as part of the case.

SOURCE: USM-6 reports for the time period October 1984 through September 1985.



Collection and Disbursement of Funds

The U.S. Marshal is charged with the responsibility for the disbursement of funds for debts legally incurred by the U.S. Marshals and U.S. Attorneys, and to collect funds due the United States for services rendered as set by statute. The U.S. Marshal for each district is required by law to examine and certify vouchers which represent legal obligations incurred by the district.

In addition, the Marshal collects fees for his services and from sales of seized property, and deposits them to the account of the U.S. Government.

Special Assignments

On occasion, the Service must temporarily redirect its personnel resources to meet special work load situations. Such special or extraordinary assignments may be staffed with deputies from other districts. "Out of district" deputies are assigned by Headquarters to meet the extraordinary needs of a district for two-week increments until outside support is no longer required. Special assignments most frequently occur in support of protected witnesses and personal security of the judiciary, but may occur in other programs as well. Although the on-site supervision of special assignment details is done by the Marshal and his staff, the coordination and authorization of related costs are accomplished by Headquarters staff.

Special Operations

The Marshals Service has jurisdictional responsibility to respond to emergency situations, such as civil disturbances, terrorist incidents, or hostage situations, where there is a violation of Federal law or Federal property is endangered. The Service maintains a highly trained force of Deputy U.S. Marshals, the Special Operations Group (SOG), for deployment at the direction of the Attorney General. SOG deputies are located throughout the district offices and are part of the regular deputy staffing complement. These individuals, however, are subject to call when SOG forces are deployed, and must report to the target area within six hours after receiving the move order. All Special Operations Group activities are coordinated at Headquarters by the SOG Commander.

Extraditions

When a foreign government advises the United States that a fugitive is ready to be surrendered pursuant to an official request for extradition, agents must be appointed to accept custody and escort the fugitive to the United States. With increasing frequency, the Marshals Service is called upon to provide escort officers. These individuals are responsible for arresting the fugitive, transporting him to the appropriate district, and producing him before a U.S. Magistrate. The Marshals Service pays transportation costs for a fugitive and designated escort agents. Service participation in international extraditions is coordinated by Headquarters staff.



Management and Administration

The missions of the Marshals Service are closely coordinated on a national basis from the office of the Director. Reporting to the Attorney General, the Director oversees the work of 2,600 employees in the 94 districts across the nation.

Deputy U.S. Marshals make up the permanent corps of the Service's sworn law enforcement officers. Deputy Marshals recruited under a national program are employed within a system of competitive merit procedures.

Today's recruits reflect the makeup of the nation. They are white, black, and Hispanic; male and female. Many have college degrees; others come to the Service after spending a few years in local law enforcement agencies; some have tried careers in areas as different as teaching, sales and technology before deciding to join the Service.

Recruits receive 13 weeks of intensive training at the U.S. Marshals Service Training Academy at the Federal Law Enforcement Training Center at Glynco, Georgia. The first eight weeks are devoted to areas such as general law enforcement, criminal investigations and forensics; the final five weeks are spent in basic training for the special work of Deputy Marshals. Once they graduate, recruits can expect to return to Glynco frequently in their careers. The Service emphasizes frequent in-service training sessions. For example, between their third and fourth year in the Services, Deputy Marshals attend advanced training in protective services at the Academy.

Additional people are hired for specific missions to augment the roll of full-time Deputy Marshals.