



Department of Justice

NCJRS

STATEMENT

APR 3 1978

OF

ACQUISITIONS

WILLIAM E. HALL, DIRECTOR
UNITED STATES MARSHALS SERVICE

BEFORE

THE

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURE
UNITED STATES SENATE

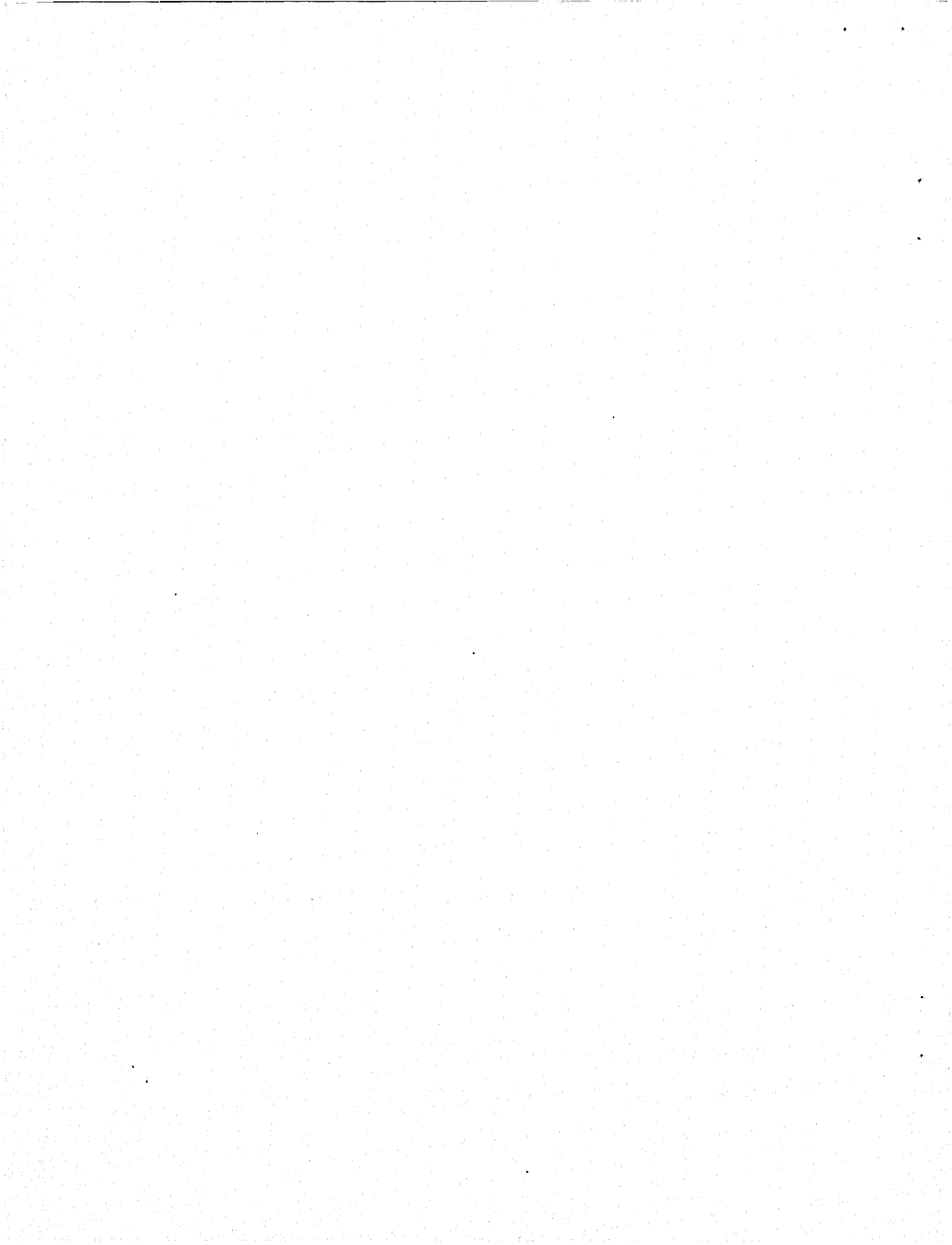
CONCERNING

DEPARTMENT OF JUSTICE WITNESS PROTECTION PROGRAM

ON

MARCH 23, 1978

46037



I would like to thank the Subcommittee for affording the Marshals Service an opportunity to present its position on the Department of Justice Witness Protection Program and the participation of the Service in this Program. Recently there has been a great deal of comment both within and without the Department of Justice on the activities of the Marshals Service with respect to the Department's Witness Protection Program. While some of the criticism leveled at the Marshals Service on account of its participation in the Program is justified, much of the criticism is unfounded or is exaggerated. We appreciate the opportunity to set forth in this forum our views of what we have accomplished since commencing our participation in this Program in March of 1971.

The primary purpose of the Witness Protection Program is to keep witnesses alive. It has other functions which support this goal. However, the ultimate test of its effectiveness will not be found in necessary job placement, or the mental state of a witness. The bottom line is physical survival of the witness and his family. The Marshals Service has done a very effective job of keeping witnesses alive. No witness has been assassinated while under the actual physical protection of the Service. The Marshals Service has not always performed to its potential in the relocation, documentation and job assistance provided to witnesses. Nevertheless, it is

important that a sense of perspective be maintained about this Program. While job assistance and other services are important, they pale into insignificance when compared to our primary responsibility - protecting the witness and his family from assassination.

I. INTRODUCTION AND BACKGROUND.

Initially, let me provide the Subcommittee with an explanation of the background and development of the Witness Protection Program in the Marshals Service.

Importantly, the Marshals Service commenced its participation in this Program at a time of major expansion in the activities of the Marshals Service in a number of law enforcement programs. During late 1970 and early 1971, the Marshals Service was tasked with the responsibility of providing security in the Anti-Air Piracy Program, was given additional resources to provide a major expansion of court security facilities at over 400 locations where the judiciary of the United States holds court sessions and developed a Special Operations Group, a rapid reaction force which provides an immediate federal response in confrontation situations when requested by the Attorney General.

Thus, at the time the Marshals Service began to develop its participation in the Witness Protection Program, the resources and capacities of the Service were being strained to the maximum in order to provide expanded support and program development in other areas. During the late 1960's and early 1970's, the manpower of the Service increased two-fold, but at the same time, the demands for Marshals Service resources were expanded considerably more than that.

Yet, the Service lacked an adequate number of experienced managerial personnel at Headquarters, and it lacked adequate

equipment, training, and facilities.

Despite all these difficulties, the Marshals Service has always had a strong background in security matters. The traditional role of the Marshals Service, in large part, has been to assure the security of the judiciary and the federal judicial system. The Marshals Service has long provided physical protection to federal judges whose lives were in danger on account of their activities on the bench. This is a function which the Marshals Service has always performed extremely well, despite the fact that it had inadequate resources to accomplish this mission. Thus, even with its limitations, the Marshals Service was a natural choice to assume the role of protecting witnesses whose lives are in danger because of cooperation with federal criminal prosecutions. The role of the Marshals Service in judicial security was simply expanded when the Marshals Service assumed greater responsibility under the Witness Protection Program. This mission was not fundamentally different from the Service's oldest and most important responsibilities.

Although the Marshals Service was a natural choice for the security aspects of the Witness Protection Program, in all candor, it was not well prepared for assuming the other responsibilities of the Program that is, documentation, job assistance, psychological counseling and the like. But I would note that no other law enforcement agency in the federal government was adequately prepared to provide these

kinds of services either.

Initially, the Marshals Service structured its Program around the acquisition of safehouses, as the key element in the protection of witnesses. However, the use of safehouses for witnesses, a concept borrowed from the intelligence services of the United States, was not well suited to the realities of protecting individuals testifying in organized crime prosecutions. First, the security of the safehouses was often suspect. Despite the best efforts of the Marshals Service, the safehouse locations frequently became known, because of disclosure of witnesses located in them. The safehouse in many respects resembled a prison because of the need to confine the movements of those who were living in those quarters. This aspect of the Program was particularly unappealing for individuals who were not in custody. The constant contact in the safehouses between individuals who were awaiting testimony led to numerous security breaches as the individuals exchanged information on their backgrounds. Finally, safehouses were extremely expensive to operate.

Because of these disabilities, the safehouse program was gradually abandoned until the last safehouse was closed in June of 1975.

The Service then began to relocate witnesses in a two step process, first to a temporary location and then to the final destination. However, the strain of two moves was frequently too great and the Service evolved to its present system, in which witnesses are moved immediately to a permanent site. The site is

selected by the U.S. Marshals Service and the witness based on security, job availability and the personal preference of the witness.

II. THE PROTECTION PROCESS.

In order to assist the Subcommittee's understanding of the nature of the problems which exist in witness protection and the actions that the Service has taken to remedy these difficulties, I would like to describe what happens when a witness enters the Program.

The Witness Protection process starts, insofar as the Marshals Service is concerned, when an Assistant Attorney General approves the entry of a witness into the Program. There are two basic methods for entering a witness into the Program. Ordinarily a witness is admitted pursuant to a written approval from the legal division involved in a prosecution, normally the Criminal Division. However, there is provision for emergency approval of entry into the Program on the basis of an oral request from an Assistant Attorney General or his designee. It is expected, however, that the oral request would be followed by a written approval.

After the Marshals Service has received notification that a witness has been approved for entry, the Marshals Service assigns the witness to a case management official at the Headquarters of the Marshals Service. A case management officer has overall responsibility for coordinating the provision of services by all elements of the United States Marshals Service to the witness and making appropriate security arrangements for the witness' return to the "danger area". The case manager will then instruct a security specialist to

make contact with the witness and explain the Program to the witness.

A security specialist will then contact the witness and provide the witness with a Memorandum of Understanding which contains a comprehensive statement of what the witness can expect from the United States Marshals Service. Additionally, the security specialist will interview the witness to obtain information on his background, including employment history, medical history, education, and other information needed by the Marshals Service to provide protection and other services to the witness and his family. The security specialist will also make an initial determination of the needs of the witness and his family for documentation, housing, medical care, movement of household goods, shipment of vehicles, and other property.

Finally, the security specialist will make an initial assessment of the witness' background with a view to determining what his employment prospects are.

The security specialist will then institute a request for designation of a relocation area from Headquarters, which area will be selected by the witness and the Marshals Service. After the relocation area is chosen, the security specialist will make whatever arrangements are necessary to transport the witness and all of his belongings to the relocation area.

In some cases, an individual will need immediate protection. In that instance the witness and his family will be temporarily relocated and his personal belongings will be placed

in temporary storage, pending transportation to the area of permanent relocation.

After all of the arrangements have been made, the witness is then relocated to the permanent site. The Marshals Service provides security while the witness or his agent supervises the packing and loading of his goods by the movers.

At the site of permanent relocation, a deputy marshal will be assigned to the witness and will be the witness' primary point of contact with the U.S. Marshals Service. This individual will be responsible for obtaining services which are necessarily provided only at the local level, such as a driver's license housing, routine medical care and other services which cannot be provided by the Headquarters.

In the relocated area, the witness will be provided with the appropriate documentation. Typically, this involves provision of legal name change, a driver's license, and a social security card. It may also involve, in appropriate cases, the provision of professional licenses, birth certificate, school records, medical records, passport, religious records, Department of Defense and Veterans Administration records and other necessary records or documents.

Aliens who have entered the country illegally, but are admitted into the Program, will be provided no documentation whatsoever. The Marshals Service will attempt to assist them in obtaining resident alien status from the Immigration and Naturalization Service in accordance with that agency's rules.

A resident alien may be given documentation appropriate to one who is in that status.

All documents provided these witnesses are not forgeries; they are genuine documents issued by legitimate sources. Further they are all "backstopped", which is to say that the original documents with supporting materials are on file at the source of issuance.

Once in the relocated area, the witness will be given assistance in finding employment. The assistance provided will be that appropriate to the capacities of the witness. Unfortunately, most witnesses enter the Program with little or no marketable job skills in legitimate enterprises. Many of these individuals are professional criminals who have never developed legitimate job skills.

In this regard it is important to understand that under current Department of Justice regulations, the witness has primary responsibility for obtaining his own employment. The Marshals Service will attempt to assist a witness in obtaining employment, and has, in fact, obtained jobs for many witnesses.

The Marshals Service provides job assistance in two ways. First, there is an employment section at the Headquarters office which coordinates placement of witnesses nationally. The employment section establishes a job bank consisting of known vacancies for employment obtained from information supplied by state and local employment agencies. Additionally the Marshals Service

establishes sources of potential employment through continuing contacts with federal, state and local agencies, and employers and unions who have agreed to assist the United States in placing witnesses in positions for which they are qualified.

With respect to credit, and other financial matters, under Department of Justice regulations the United States Marshals Service cannot give credit references to relocated witnesses.

Finally, the witness will be paid a monthly tax free subsistence allowance which is set on a sliding scale according to the number of dependants and the location in which the witness resides. Funding is set at a higher rate when the witness is in temporary quarters to provide the witness with an adjustment for the higher cost of motel or hotel residence. Allowances are based on Bureau of Labor Statistics cost of living data and are adjusted annually. The most recent adjustment occurred in August, 1977, and was based on data published by the Bureau of Labor Statistics in April, 1977.

Under current Department of Justice regulations, subsistence may be terminated 120 days after entry or 60 days after the witness' last court appearance, whichever is later. However, subsistence can also be terminated for appropriate cause. If a witness violates security instructions such as by leaving a relocated area, if the witness commits a crime, if the witness fails to look for employment or fails to cooperate with the Marshals Service in an employment search, or of course, fails to cooperate with the criminal investigation

which brought him into Program, the witness may expect his funding to be terminated. Additionally, funding is reduced dollar for dollar by a witness' outside income. When a witness is relocated, he may leave behind unpaid debts or other obligations to innocent creditors. The Marshals Service is not unmindful of its obligation to these individuals. In the early stages of the Program, the Department took the position that the security of the witness was paramount. However, the Marshals Service recognized the unfairness of such a posture and has evolved a position in which maximum pressure is brought to bear on the witness to satisfy his obligations, while bearing in mind that a witness who enters the Program frequently has little or no resources to satisfy these obligations.

The Marshals Service proceeds from the assumption that the witness has an obligation to satisfy all of his just debts. At the same time, the witness has a right to expect that the Marshals Service will not improperly compromise his security. In order to achieve a balance between these two competing interests, the Marshals Service initially attempts to resolve debt problems informally. The witness is requested to reach an informal adjustment with the creditor, and, where necessary, the creditor is advised by the Marshals Service of the need for forbearance in immediate enforcement of the obligation because of the witness' special situation. Fortunately, most creditors are understanding and are willing to provide the witness with an ample and a fair opportunity to meet his obligations over a period of time. However, there are witnesses who are intractable and

will take no action to resolve a debt problem. In that case, the Marshals Service will assist creditors who wish to initiate legal proceedings, which leads to the next area of discussion, litigation involving witnesses and third parties.

When a witness is sued, the Marshals Service agrees to serve process on behalf of the litigant seeking to obtain jurisdiction over the relocated witness. The Marshals Service does this by making personal service on the witness and providing the litigant and the Clerk of the Court where the controversy is pending with what is known as a "blind return." A blind return is simply a statement indicating the time, date and manner of service, with a notation that evidence of other aspects of service will be provided should the witness contest the accuracy of the statements made in the return. To date production of such evidence has never become necessary.

In the event that a witness refuses to honor a judgment obtained pursuant to litigation initiated over him, the Marshals Service would be willing to disclose his location to a litigant in order to afford the litigant with an opportunity to satisfy his claim. However, the Marshals Service would insist that a number of precautions be taken to protect the legitimate security interest of the witness. Not the least of these precautions would be an appropriate investigation of the party attempting to enforce a legal obligation against the witness. We are well aware that

attempts may be made to use the civil litigation process purely to compromise the security of the witness. If information discloses that the creditor has contacts with individuals who pose a threat to the witness, no action will be taken to assist the creditor.

Finally, the Marshals Service is aware and concerned about the actions of those witnesses who return to a life of crime after entering the Program. The Witness Protection Program is not a haven for criminals who wish to manipulate the Government into protecting them from the consequences of their criminal acts. The United States has no right to and does not attempt to foreclose the right of states and localities to enforce their laws against witnesses. However, we do insist that these same states and localities take whatever actions are necessary to protect the legitimate security needs of the witness. If a state and locality cannot assure a witness' security while he is incarcerated, the United States will assume custody over the witness on behalf of the state and locality so that the witness can serve the term of imprisonment or remain in custody pending completion of proceedings without fear for his safety. The Marshals Service does inquire into attempts to prosecute witnesses to determine whether they are bonifide criminal charges or merely a ruse to obtain the witness' new identity and location.

III. STRUCTURE OF THE WITNESS PROTECTION PROGRAM.

Having outlined the functions involved in protecting a witness under the Program, I would like to describe briefly the structure of the Witness Protection Program in the Marshals Service. The Witness Protection Program in the Marshals Service is headed by the Chief of the Witness Security Division who reports directly to the Deputy Director of the Marshals Service who in turn reports to me. The Chief of the Witness Security Division is assisted by two Assistant Chiefs, one for operations and one for administration. The Operations Chief supervises the activities of the Marshals Service in providing security to witnesses. The Assistant Chief for Administration, provides supervision and direction to the Documentation Section, the Medical and Household Goods Movement Section and the Employment Section. There are six "case managers" assigned at the Headquarters level. Additionally, there are 71 security specialists in judicial districts around the country. Twenty-six of these security specialists report directly to the Headquarters, the remaining 45 report to the United States Marshal of the respective districts. There may be other Deputy United States Marshals assigned to assist the security specialists in districts which do not have an assigned specialist or where the workload is too great for one security specialist.

Under the current structure of the Marshals Service, sections in the Witness Security Division are responsible for developing primary expertise in the matters related to their responsibilities. They are expected to resolve unusual problems which cannot be handled

on a day-to-day basis by field personnel. Furthermore, they develop contacts with national organizations and state organizations which are necessary in order to provide the services which witnesses require.

Case managers are responsible for coordinating the provision of services to witnesses nationally and providing follow-up in particular cases to assure that all required actions are completed as quickly as possible. The security specialist is responsible for provision of entry services, including explanation of the Program to the witness, and handling day-to-day problems which may arise.

IV. EVALUATION.

Having discussed the overall function and structure of the Program, I would like to share my evaluation of the Program with the Committee. As the Committee performs its evaluation and screens the episodic difficulties experienced by a few witnesses in the Program, it should never lose sight of the fact that the Program has provided services to thousands of individuals. The true success of the Program cannot be measured solely by the anecdotes of a limited number of individuals. A comprehensive survey of the Program's accomplishments is the only fair method of assessing what it has achieved.

First of all, it must always be borne in mind that the primary purpose of the Witness Protection Program is to keep people alive. Every person in the United States has an obligation to cooperate with prosecutorial agencies. What the Witness Protection Program seeks to provide is safety for those individuals who are in danger of death or serious bodily injury because of cooperation with the United States. When measured against this objective, the Witness Protection Program in general, and the performance of the Marshals Service in particular, has been a resounding success. There is no direct evidence establishing that any of the deaths of individuals who were program participants have been caused by a failure of the Marshals Service to adequately protect the participants. In fact, if one assumes that deaths which occurred under the most suspicious circumstances are attributable to system failures, it would appear that only four deaths were caused by the failure of system to pro-

tect a witness. When viewed against the fact that over 6,000 witnesses and dependants have entered the Program since the Marshals Service first began its participation, it is apparent that of the security portion of the program has been extraordinarily successful.

The record demonstrates that a protected witness has little to fear, if he follows the instructions given to him by the Marshals Service. The greatest threat to a witness in the Program is his own self-destructive tendencies. Any contention that witnesses survive because of dumb luck and their own abilities is sheer nonsense. Anyone who has observed witnesses first-hand in security situations recognizes that the Marshals Service often keeps them alive in spite of their best efforts to undo everything that the Marshals Service has put into place. Frequently, they will disclose their identities as protected witnesses in relocated areas. They will revisit the "danger zone" without the approval or protection of the Marshals Service. They will contact friends and relatives and disclose their new relocated area, addresses and identities. In some cases, they will even attempt to recommence criminal careers with individuals who are connected to the persons they have testified against.

The success of the security aspect of the Program is due to the dedication and hardwork of the hundreds of United States Marshals and their deputies who have risked their lives to protect endangered witnesses.

Notably, the Committee need not rely on my conclusions in

this regard. The Interdepartmental Committee to Review the Witness Protection Program conducted a random survey of present program participants. Only 13% of those replying responded negatively to the question "Have adequate measures been taken to protect you and your family?" While the Marshals Service would like to see a response in which no one indicated their dissatisfaction with the security measures of the Service, it is highly unlikely that they will ever occur. Clearly, if there were widespread security breakdowns, the response to that question would have been considerably different. Thus, it would appear the vast majority of witnesses concur in our own assessment of our security measures. The shipment of household goods has in recent years been an extremely successful aspect of the Program. There have been some complaints of damaged shipments of household goods, but such complaints are inevitable. The Marshals Service does monitor complaints from witnesses with regard to movers. When necessary we will terminate the use of the mover who fails to provide adequate service to the witness. Recently, we have discontinued the use of a mover in part because of his poor record of satisfactory claim adjustment.

Many of the complaints voiced by witnesses with regard to shipment of household goods stem from the fact that in the early days of the program, the U.S. Marshals Service frequently did not have total responsibility for moving the witness. Other law enforcement agencies undertook this responsibility for particular witnesses. Delays in effecting the move ensued during which

the opportunity for damage and theft of the witness' belongings increased. In recent years, the Marshals Service has insisted that it have total responsibility for the witness or none at all, and as a result, allegations of damage or loss of property have been substantially reduced. Additionally, the Marshals Service now insists that a witness or his agent be present to sign a bill of lading or an inventory when the goods are picked up. This too has reduced complaints that not all the witness' belongings were shipped.

Documentation was a severe problem in the Program's initial stages, because the Service lacked an adequate number of legitimate resources to provide documentation.

As noted above, documentation currently furnished by the Marshals Service must be genuine. It must be able to withstand close scrutiny. In the early stages of the Program, adequate documentation was not provided to witnesses.

However, this problem has largely been remedied. We now have resources capable of providing us with all essential documentation needed to establish a completely secure new identity. We do recognize, as we have explained to the Committee staff, that we still have a problem with respect to one particular kind of document for individuals who come from a particular location in the country. We expect this problem will be resolved in the near future. Additionally, the U.S. Marshals Service has incurred considerable difficulty in obtaining professional licenses, marriage certificates and post high school educational records. Some sources have recently become

unavailable. These sources have cited the Program's adverse publicity as the major reason for discontinuing their services. Delays in procuring documentation will, however, continue for the immediate future. The Marshals Service does not produce documentation itself; it must rely on other agencies to produce it. Because of our need for absolute security, there are a limited number of people with whom we deal in an agency. This places restrictions on the capacity of these agencies to respond quickly to our requests. The Service has increased the staffing of the documentation section, and, if it is deemed necessary to add more staff to the documentation section in the future, we will do so. I would point out that at present there is a substantial backlog of processing of documentation requests, because a large number of past witnesses have requested issuance of documents or correction of defective documents issued to them in the earlier stages of the Program. Consequently, there is a current overload in the documentation section. However, when this interim backlog is resolved, we anticipate that we will be able to meet the needs of witnesses on a timely basis.

A second major and at this point, unresolved, problem is employment for witnesses.

Initially, it should be noted that the Marshals Service has never had a primary responsibility for providing employment to witnesses in the Program. The current regulation establishing the Department's guidelines for the Program makes it clear that the witness has primary responsibility for ob-

taining employment within 120 days of entry into the Program. The Marshals Service attempts to provide assistance where necessary, but it is not required to produce a job opportunity before terminating a witness' participation in the Program.

It must be recognized by the Committee that the employment problem is an extraordinary difficult one to resolve. There are literally thousands of individuals in the United States who are well qualified with highest moral character and integrity who have been unemployed for lengthy periods of time. These individuals have a considerable amount of skill, talent and ability, yet the best resources of the Federal, state and local governments have not been able to find them employment. Programs have been directed for years at trying to place ex-convicts and disadvantaged individuals in employment. These programs have expended millions of dollars and engaged the resources of hundreds of thousands individuals. Such programs have largely failed to provide employment opportunities for their clients.

Program participants are almost exclusively from unfavorable and/or criminal backgrounds. In almost every case, they have no marketable skills. Their skills are the kind one acquires in a lifetime of crime. Where the Marshals Service is able to find employment opportunities for an individual who lacks employment skills, the job is frequently one which provides only moderate income. When an individual is accustomed to earning a substantial tax free income in organized crime, the adjustment to the life of a clerk making less than \$12

thousand dollars a year, for example, is one which the individual is frequently unprepared to make. Nevertheless, the Marshals Service has redoubled its efforts in this area.

Although a Department of Justice Office of Internal Audit Report in 1976 recommended that the employment section of the Witness Security Division be given primary responsibility for job development, the Marshals Service feels this approach is an impractical solution to the problem.

It is simply impossible to develop a national set of job openings in which we can place most witnesses. The number of witnesses currently entering the Program is substantial and we do not believe that a headquarters based employment agency can create jobs in the numerous locations where witnesses are relocated. Job development must be locally centered. We anticipate that the four-fold increase in the number of security specialists in the field will give us a capacity for job development that we have not had in the past.

The major problem facing the Witness Protection Program at this point in time is the lack of resources. This is a two-fold problem since the Marshals Service could better serve witnesses, if there were fewer witnesses in the program. No one can view the explosive growth in the Witness Protection Program since the inception of our participation in March of 1971, without raising questions as to whether the program has simply expanded too far. The Marshals Service feels strongly that some action must be taken to reduce the number of witnesses entering the program.

Another major problem in the U.S. Marshals Service has been inadequate data. Because of the inability of the Marshals Service in the past to obtain accurate and timely workload data from the field, the Service has not been able to portray adequately the need for additional resources. This point was highlighted in the Department of Justice Internal Audit Report on the Witness Program conducted in 1976.

Since that date of the Report, the Marshals Service has established a new automated management information system. This system was implemented in January of 1977 and we expect to receive our first set of workloads statistics within the next few days. This set of statistics will better enable the Marshals Service and the Department to make judgments about the additional resources necessary to satisfy our requirements.

The final aspect of the program which I would like to discuss is the problem of witness satisfaction. Initially, I would note that the problem of witness satisfaction is not an overwhelming one. Contrary to some attempts to portray witnesses as being almost universally disgruntled with the activities of the Marshals Service, the survey conducted by the Intra-departmental committee on the Witness Protection Program has demonstrated that most witnesses are satisfied with their treatment. Ninety percent of those current participants responding to the survey conducted by the Intra-Departmental committee responded that the program was worthwhile. Importantly, 70 percent of those individuals who were surveyed

and responded, indicated that if they could make a decision on whether or not to enter the program again, knowing what they know now, they would still enter the Witness Protection Program. We recognize that this figure is perhaps lower than it should be and there are a number of actions which can be taken to remedy this problem.

First of all, some effort must be undertaken by the Department to adequately orient case agents and sponsoring attorneys on what the program can and cannot do. Time and again, witnesses have complained that extravagant promises were made to them by sponsoring attorneys and case agents, which were never fulfilled by the Marshals Service because the Service could not do so under Departmental regulations. In almost every case, the Marshals Service has found that the case agents and attorneys denied making such representations. Regardless of whether the witness is misadvised or not, many witnesses clearly enter the program with exaggerated hopes. If a witness enters the program with higher expectations than he can be possibly accorded, even if the Marshals Service satisfactorily performs all of its obligations, the witness will still be unsatisfied. Better communication with the witness at entry is the answer. Thus, we believe that the Marshals Service must brief the witness on what to expect from the program prior to his admission into the program. In several instances where we have had the opportunity to do this, the witness has decided not to enter the program. Such a result is far better than having a frustrated witness.

The Marshals Service believes that its recently implemented comprehensive memorandum of understanding will go a long way to reducing complaints about expectations not being fulfilled. With better pre-entry briefing, we are confident witness satisfaction will be dramatically increased.

In conclusion, I would acknowledge that administration of this program has involved a trial and error learning process. Since becoming Director, I have taken a number of steps to correct deficiencies where they exist.

First of all, the Marshals Service has quadrupled the number of security specialists in the field. This action alone will go a long way to assuring that witnesses receive necessary services on a timely basis. A complete changeover of personnel within the Headquarters of our Witness Security Division was completed less than one year ago. Individuals within the Witness Security Division who were not producing were reassigned to other positions and new personnel were brought into the program. Administrative aspects of the Program were completely restructured under the leadership of Arthur Daniels who is currently the Chief of the Division. We have added additional staff to the Headquarters, and we will add more if the recent augmentation proves to be inadequate. Additional equipment has been provided to the Witness Security Division in the areas of transportation, weaponry, and communications; more is on order, and will be provided as soon as it is available.

The Marshals Service recognizes that more comprehensive policy statements should be issued within the Service; however, we believe it is necessary to await the final approval of the Intra-Departmental committee report on the Witness Protection Program before proceeding with additional regulatory changes.

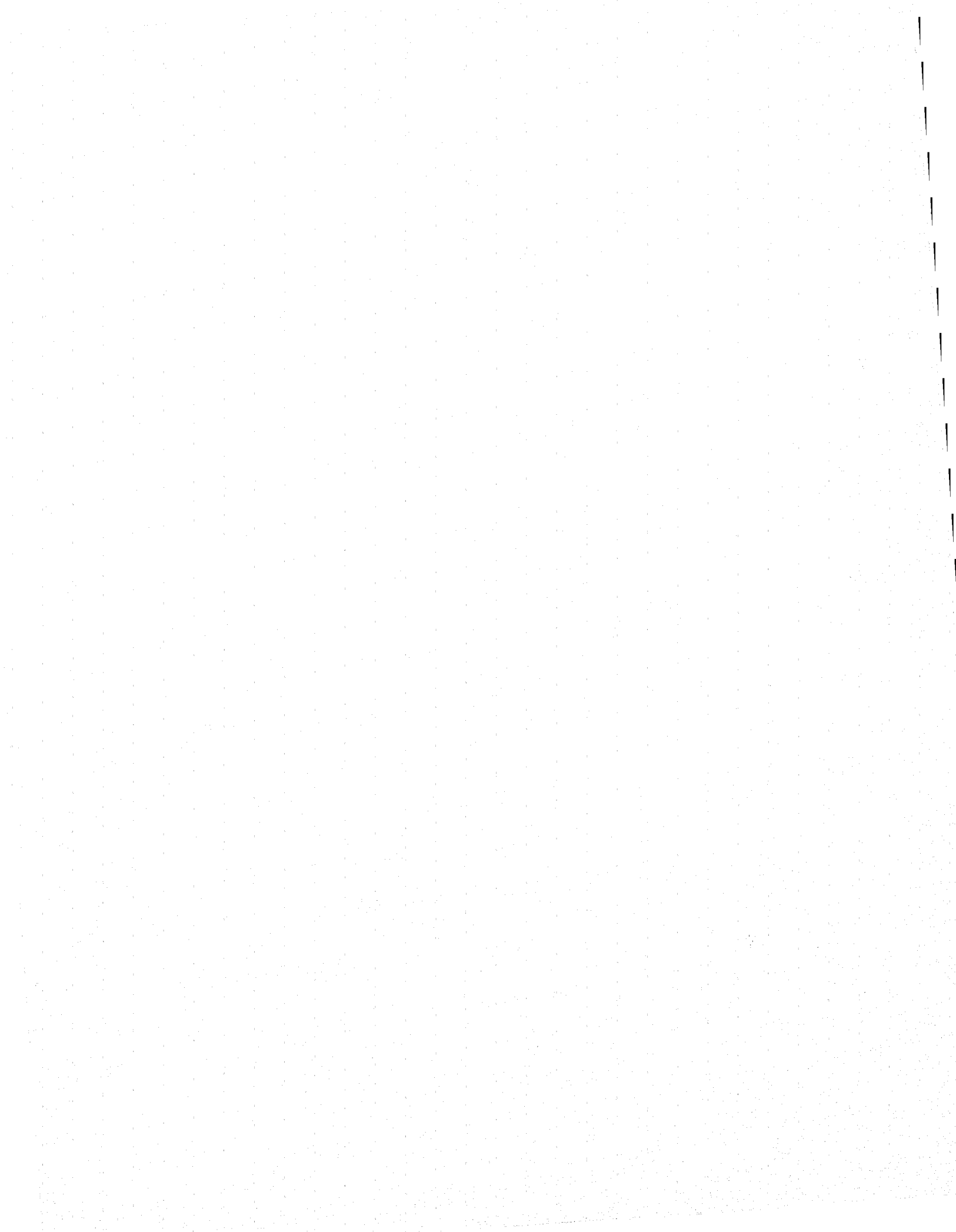
Additionally, as I previously noted, the Marshals Service has undertaken to establish a new automated management information system and has levied a reporting requirement on all elements of the Witness Security Division to provide the Service management with the most up-to-date information possible on the activities of Witness Security within the Marshals Service. This information will give the Service a better capacity to forecast workload requirements in the future, and a sounder basis for the Department and the Congress to make determinations on the resource requirements of the Service in connection with its budget presentations.

The Marshals Service has placed considerably greater emphasis on job placement. We have seen improvement in this area already; the Marshals Service is better able to provide employment opportunities than it has at any point, and we expect to see continued improvement in the future.

Finally, I believe there has been inappropriate criticism of the role played by the United States Marshals in connection with the Witness Protection Program. I have, in the past, indicated the high respect that I have for all the United States Marshals currently in the Service. A review of their individual employment histories reveals, by and large, a wealth

of qualifying managerial experience in high level law enforcement positions. Inevitably, there will be disputes between United States Marshals and staff members over the appropriate priorities to be accorded to our different programs. In a given district at a given time, there will be competing priorities for available manpower. It is my belief that the manager in the field is best able to make a reasoned judgment about the resources which should be committed to a particular program at a particular point in time. The Witness Protection Program is not the only program in the Marshals Service which has literal life or death implications for the individuals involved. Additionally, there are requirements levied on the Marshal by United States District Courts which must be satisfied without regard, at times, to other competing priorities. Some complaints about lack of support from Marshals stem from the fact that the Marshal has more work than men available to perform the assigned tasks and must balance competing priorities within the limit of his resources.

In closing, I would note that the last year has seen a major improvement in the quality of Witness Protection Services. The Witness Protection Program in the Marshals Service is providing more and better services to witnesses than at any other point in the history of the program. We recognize the need to achieve still more in this area and I can assure the committee that the Marshals Service will undertake whatever efforts are necessary and within our means to insure the welfare of each witness who enters the program.



END