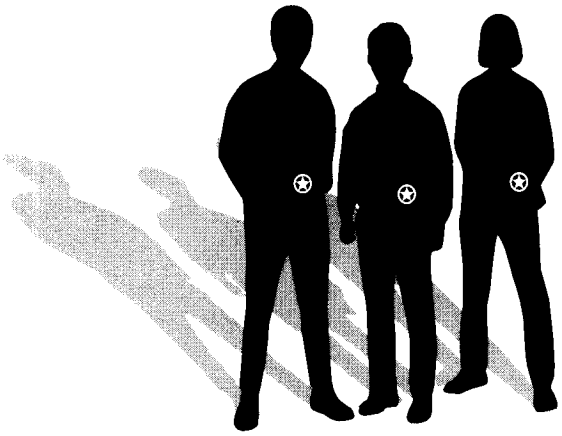
U.S. Department of Justice
United States Marshals Service

The United States Marshals Service

PAST & PRESENT



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George Washington Appoints First Marshals–1789

The offices of U.S. Marshal and Deputy Marshals were created more than 200 years ago by the first Congress in the Judiciary Act of 1789, the same legislation that established the federal judicial system. The Marshals were given extensive authority to support the federal courts within their judicial districts and to carry out all lawful orders issued by judges, Congress, or the President.

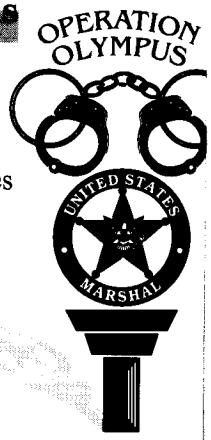
Marshals and their Deputies served the subpoenas, summonses, writs, warrants, and other process issued by the courts, made all the arrests, and handled all the prisoners. They also disbursed the money.

Marshals paid the U.S. Attorneys, jurors, witnesses, and fees. They rented the courtrooms and jail space and hired the bailiffs, criers, and janitors. They made sure the prisoners were present, the jurors were available, and the witnesses were on time.

But this was only a part of what the Marshals did. When George Washington and the first Congress began passing laws, they quickly discovered an inconvenient gap in the constitutional design of the government. It had no provision for a regional administrative structure stretching throughout the country. Both the Congress and the executive branch were housed at the national capital. No agency was established or designated to represent the federal government's interests at the local level. The need for a regional organization quickly became apparent. Congress and the President solved part of the problem by creating specialized agencies, such as customs and revenue collectors, to levy the tariffs and taxes. But there were numerous other jobs to be done. The only officers available to do them were the Marshals and their Deputies.

Thus, the Marshals took the national census every 10 years through 1870. They distributed Presidential proclamations, collected a variety of statistical information on commerce and manufacturing, and supplied the names of government employees for the national register.

Extraordinary Missions



Congress and the President also have called on Marshals to carry out unusual or extraordinary missions, such as protecting athletes at the 1996 Olympics in Atlanta, helping integrate schools and other institutions during the Civil Rights Movement of the 1960s and 1970s, and registering enemy aliens in time of war.

The Modern Marshals Service–Changing with the Times

Just as America has changed over the past two centuries, so has its federal justice system—from the original 13 judicial districts to 94 districts spanning the continent and beyond, and with tens of thousands of federal judges, prosecutors, jurors, witnesses, and defendants involved in the judicial process.

So, too, the Marshals Service has changed dramatically! The breadth of its functions, the professionalism of its personnel, and the sophistication of the technologies Deputies use have changed. A quick look at the duties of the modern Marshals Service reveals these changes.

Protecting the Judicial Process

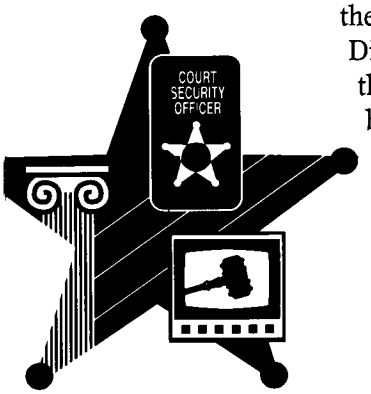
The job of protecting the judicial process includes all of the efforts required to coordinate the safe conduct of federal judicial proceedings and the maintenance of a secure, open court environment—Judicial Security, Witness Security, and Prisoner Security.

Judicial Security

Ensuring the safe conduct of judicial proceedings and the safety of the people involved in them is an historic and principal function of the Marshals Service. Several factors, not the least of which is the nature of the offense charged against the defendant, determine the level of security that the Marshals Service provides at criminal court proceedings. The large number of violent criminals and drug offenders appearing in federal court cases and the increasing frequency of multi-defendant trials require a higher level of security than was typical in years past.

Whenever a trial involves a high degree of danger, the Marshals Service mobilizes additional personnel to guarantee security during judicial proceedings.

Threats against judicial officers are assessed by the Service's Investigative Services Division and the Judicial Security Division to determine the level of danger posed by each. Serious threats lodged against members of the judicial community number in the hundreds yearly. Many require around-the-clock protective details.



Witness Security

The Marshals Service protects witnesses who testify against drug traffickers, organized crime members, terrorists, and other major criminals. In exchange for their testimony, the government—through the U.S. Marshals Service—protects witnesses who appear in court to give testimony during a trial, and offers a safe and secure transition to a new life under a new identity. Since 1971, more than 6,600 principal witnesses and over 8,300 of their family members have entered the Witness Security Program.

The Marshals Service provides each new entrant a variety of services that include psychological counseling and training for the changes that must be made in the witness's lifestyle, physical and dental examinations, orientation briefings about relocation areas, employment assistance, and personal history documentation to provide witnesses and their families with new identities in safe locations.

Prisoner Security

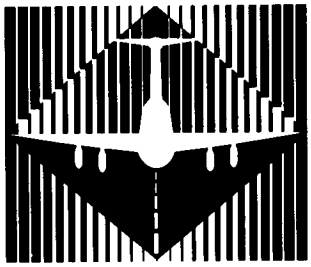
The Marshals Service is responsible for confining prisoners in custody and safely transporting them to and from detention facilities for judicial proceedings.

Today, however, the workload and security considerations related to prisoner security are staggering. Annually, the Marshals Service receives more than 98,000 individuals charged with crimes.

On the average, each prisoner is produced five times for appearances at detention hearings, trials, other court proceedings, for medical care, or for transfer between detention facilities. The average number of prisoners in Marshals Service custody each day now stands at more than 23,000.

To securely confine the prisoners in its custody, the Marshals Service contracts with county and local jails for the "rental" of bedspaces.

To handle long-distance prisoner movements, the Service has a nationwide air transportation system (dubbed "Con Air" and once described as "prisons at 35,000 feet.") It operates two Boeing 727 aircraft.



Recently, this airline and the fleet of planes used by the Immigration and Naturalization Service to transport criminal aliens and illegal aliens were merged. The new Justice Prisoner and Alien Transportation System (JPATS) handles 160,000 prisoner movements by air and via ground transportation each year. Air service now goes to 49 cities.

Fugitive Investigation and Apprehension

From the earliest days of the Republic, up to today, the Marshals Service has been the federal agency primarily responsible for apprehending most federal fugitives—those who escape from custody, jump bond or bail, or otherwise fail to comply with the orders of a federal court. The Service also has responsibility for most Drug Enforcement Administration (DEA) fugitive cases.

Annually, Deputy Marshals arrest more than 16,000 fugitive felons as a result of standard criminal investigation techniques and innovative task force operations, electronic surveillance technology, and automated information and data processing systems.

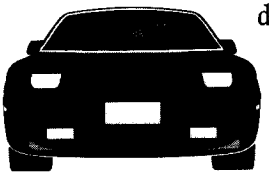
Because of the nationwide emphasis on drug criminals and international drug traffickers, the profile of the federal fugitive population is

changing rapidly. Drug fugitives frequently have access to money, pons, and underworld ntacts to assist them in vading capture. Thus, the Service works extensively with state and local police agencies across the United States and with law enforcement agencies in foreign countries to track down wanted criminals. Similarly, the Service handles the majority of international investigation requests for fugitives sought by foreign governments.

Asset Seizure, Management, and Forfeiture

Marshals seize and manage property under court order and take custody of cash and property seized by the FBI, DEA, and Immigration and Naturalization Service. They also manage property targeted for forfeiture in cases originating with other agencies, such those from IRS involving money-laundering. In addition to jewelry, cars, boats, and planes, the Service's current $1.1 billion inventory of seized property includes houses, ranches, operating businesses, and apartment complexes. While in Marshals Service custody, the property must be maintained in good order so it does not lose its value. That means the Service arranges for the continued operation of the business enterprises until the court authorizes the district to sell or otherwise dispose of the property.

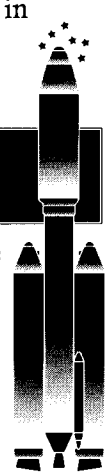
The Asset Seizure and Forfeiture Program has proved to be a powerful weapon in the war on drugs. It provides a means of depriving drug traffickers and other major criminals of the proceeds of their illegal activities.



Special Operations

The Special Operations Group (SOG) is the Service's highly trained and disciplined force of Deputy Marshals which responds to high-threat and emergency situations, including major civil disorders, terrorist incidents, or hostage situations where there is a violation of federal law or property.

Since the group's formation in 1971, SOG personnel have performed a variety of important missions including: the custody, security, and transportation of high-profile defendants for court proceedings; assistance to the Department of Defense in controlling demonstrations at military installations; support for large-scale fugitive apprehension operations; and security at trials of major drug cartel figures. SOG was the first federal tactical unit to respond to the breakdown of civil order in Los Angeles following the verdict in the Rodney King trial in 1992.



Missile Escort

Specially trained Deputy Marshals provide security and law enforcement assistance to the Department of Defense and the U.S. Air Force during the movements of Minuteman and cruise missiles between military facilities.

★★★

This is today's Marshals Service— the nation's oldest and most versatile federal law enforcement agency.

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