



Department of Justice

**STATEMENT OF
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DIRECTOR
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**BEFORE THE
SUBCOMMITTEE ON CRIME AND FEDERAL GOVERNMENT
SURVEILLANCE
COMMITTEE ON THE JUDICIARY
UNITED STATES HOUSE OF REPRESENTATIVES**

**FOR A HEARING ENTITLED
“OVERSIGHT OF THE UNITED STATES MARSHALS SERVICE”**

**PRESENTED
FEBRUARY 14, 2024
10:00 A.M.**

Chairman Biggs, Ranking Member Jackson Lee, and Members of the Subcommittee: Good morning and thank you for the opportunity to appear before you today.

Approximately 4,038 U.S. Marshals and Deputy U.S. Marshals and 1,528 administrative employees and detention enforcement officers make up the United States Marshals Service (USMS), our nation's oldest law enforcement agency. Since 1789, when George Washington appointed the first 13 Marshals, we have served as the enforcement arm of the federal courts. We are involved in virtually every federal law enforcement initiative and play a vital role in coordinating with our state and local law enforcement partners to fulfill our mission. From the Nation's inception, through our 19th century westward expansion, our role in the iconic 20th century civil rights struggles, and into the present, USMS has proudly supported the rule of law by upholding the Constitution and securing peace and security for our Nation's citizenry.

I am grateful for the opportunity to speak with you today about the many missions of the USMS, which include protecting the federal judiciary, apprehending fugitives (including violent and dangerous repeat offenders), locating missing and exploited children, housing and transporting federal prisoners, managing and disposing of seized and forfeited assets that criminals obtained through illegal activities, operating the Witness Security Program, and ensuring that convicted sex offenders are complying with their registration obligations. Many of our missions are accomplished working side by side with other federal, state, Tribal, and local law enforcement agencies, partnerships that are quintessential examples of effective government. The agency's headquarters is located in Arlington, Virginia, and provides support to all 94 district offices across the country, including the District of Columbia, the Commonwealth of Puerto Rico, and three territories of the United States – the Virgin Islands, Guam, and the Northern Mariana Islands.

Before I was confirmed as Director in 2021, I was already familiar with the great work of the USMS based on my decades of service as a police officer in Oakland, California, and as Chief of Police in East Palo Alto, California. In my previous positions, I worked closely with the Marshals Service and saw firsthand that the contributions of the agency had a profound impact on the community in making it safer and stronger. Once onboard, I learned much more about the remarkable breadth and depth of the Marshals' work, which occurs across the Nation and in each of your congressional districts every day of the year. I remain humbled by the acts of bravery, dedication, and public service that I see from our employees. I am honored to serve and welcome this opportunity today to let you, and by extension the American people, learn more about our vital missions and the remarkable people who fulfill them.

Judicial Security

Protecting federal judicial officials, which include judges, attorneys, and jurors, is a primary mission for USMS. Each year, Deputy U.S. Marshals investigate thousands of communications to fulfill our mission of protecting the judiciary and ensuring the safety and security of judges, attorneys, jurors, and other members of the court family. These protective investigations annually identify hundreds of significant threats. The exponential growth and

ubiquity of social media has complicated the nature of our work and increased the number of potential investigations in the last decade.

Senior inspectors and deputies, as well as specially deputized court security officers, also conduct investigations, provide security, administer threat response training for employees working at federal courthouses, and screen visitors at more than 800 federal judicial facilities across the country. In order to secure those buildings and proceedings, USMS employs its expertise to assist modern courthouse construction projects from conceptualization to completion. Once courthouses are built, the USMS uses continually updated technology, security conscious layouts, and thoughtful design to ensure security within them.

In addition to facility security, the USMS is responsible for ensuring personal security in federal judicial proceedings for judges, attorneys, witnesses, jurors, defendants, and members of the public. Based on an evolving and diverse range of threats, the USMS is currently providing the highest number of protective details that we have seen in decades. These protective measures, although not always visible to the general public, are critical to ensuring the security, stability, and integrity of our federal judicial system and the continuity of the U.S. government.

Fugitive Operations

The USMS is the federal government's primary agency for fugitive investigations and apprehensions. In FY 2023, Marshals-led fugitive task forces made up of federal, state, tribal, and local law enforcement partner agencies arrested 73,362 fugitives, more than 200 each day. These inter-agency partnerships are critical, as fugitives do not abide geographical boundaries. The majority of these arrestees are state and local fugitives who are the "worst of the worst"; violent and dangerous repeat offenders whose capture makes local communities and our Nation safer. The USMS leads 56 district fugitive task forces and operates eight regional fugitive task forces dedicated to locating and arresting wanted felons. We are also the primary agency tasked with arresting foreign criminal fugitives believed to be hiding in the United States, as well as working with law enforcement partners, U.S. Justice Department colleagues, and governments worldwide to track, arrest, and transport to the United States those criminal fugitives found extraditable by foreign courts to face justice here.

Sex Offender Registration and Notification Act

The USMS is the lead federal law enforcement agency responsible for investigating sex offender registration violations for federal prosecution. Since the passage of the Adam Walsh Act in 2006, the Marshals Service has partnered with law enforcement personnel from more than 3,000 state, local, and Tribal agencies to coordinate and conduct sex offender compliance/enforcement operations throughout the country. In FY 2023, USMS arrested over 10,000 non-compliant sex offenders and assisted with 53,042 compliance checks of known registered sex offenders.

Operation North Star (ONS)

In 2022, the USMS launched Operation North Star (ONS) to implement part of the Attorney General's violent crime reduction strategy. Through ONS, the USMS carried out a three-phase, high-impact fugitive apprehension initiative aimed at combating violent crime in cities with especially high numbers of homicides and shootings. In total, USMS has apprehended more than 6,700 wanted fugitives, including 900 charged with homicide, and seized more than 900 weapons associated with violent crime through this initiative.

The first 30-day phase was conducted in June 2022 in 10 cities with significant increases in homicides and shootings. It resulted in the arrest of 1,501 fugitives, including violent criminals, sex offenders, and self-identified gang members.

ONS II was conducted in January 2023 and resulted in the arrest of 833 violent fugitives in 10 new cities, and extended USMS assistance beyond law enforcement to include engagement with civic leaders, business owners, and local organizations actively working to make our communities safer.

ONS III was conducted in the summer of 2023 in all 20 ONS cities and resulted in the arrests of 4,455 offenders, as well as the clearance of 2,818 warrants for violent crimes including homicide, forcible sexual assault, robbery, aggravated assault, and firearms violations. Investigators also seized 555 firearms, more than \$1 million in U.S. currency, and 85 kilograms of illegal narcotics.

Operation We Will Find You

Operation We Will Find You is a nationwide missing child operation focused on geographical areas with high clusters of critically missing children. USMS, along with state, local, and Tribal agencies in 16 federal judicial districts in geographical locations across the United States, led a 10-week operation that resulted in the recovery or safe location of 225 endangered missing children, who included runaways and those abducted by non-custodial persons. To accomplish this goal, USMS received technical assistance from the National Center for Missing and Exploited Children (NCMEC). During the operation, the USMS referred 28 cases to law enforcement agencies for further investigation of potential crimes related to drug trafficking and weapons violations, sex trafficking, and sex offender violations. Law enforcement reported allegations of trafficking in over 40 cases the USMS assisted with. Operation We Will Find You was part of USMS's overall child recovery efforts, which accounted for the location or recovery of 495 missing children in FY 2023, an approximate 16% increase from FY 2022.

Prisoner Operations

The USMS is responsible for the custody of approximately 150,000 federal detainees each year, beginning at the time of arrest by a federal agency (or remand by a judge) until acquittal, commitment to a designated Federal Bureau of Prisons institution, or otherwise ordered

release from our custody. The USMS ensures the safe, secure, and humane care of prisoners in its custody. We provide housing, medical care, and transportation for an average daily population of about 59,000 people in federal custody throughout the United States and its territories, and escort prisoners to and from their court appearances. Each day, we escort approximately 1,400 people in federal custody to court appearances or for other matters in all 94 federal judicial districts. The USMS does not own or operate detention facilities, but partners with state, local, and Tribal governments and the Bureau of Prisons to house our pretrial detainees. This presents diverse and complex logistical challenges, including: (1) locating detention space near federal courthouses in order to provide meaningful access to counsel, the courts in which these people in federal custody will appear, and their families; (2) coordinating with federal, state, Tribal, and local authorities regarding the execution of writs, court orders, and the transfer of prisoners; (3) separating multiple co-defendant prisoners from each other to ensure their safety and security and the effective operation of the judicial system; and (4) managing people in custody with contagious diseases, chronic illnesses, and special health needs. The USMS annually reviews state, local, and private detention facilities that house federal prisoners to ensure the safe, secure, and humane care and custody of those prisoners. Upon conviction, we generally deliver prisoners to their designated Federal Bureau of Prison institutions to serve their sentences. Prisoners who receive short-term sentences commonly serve their sentences in USMS custody.

Prisoner Transportation

The USMS Justice Prisoner and Alien Transportation System (JPATS) transports prisoners between judicial districts and correctional institutions in the United States, including Puerto Rico and the Virgin Islands. JPATS handles nearly 1,000 movements per workday on average, more than 200,000 movements a year. Prisoner movements take place for a variety of reasons, such as to allow a prisoner to testify at a trial, serve a sentence at a specific facility, or transfer between institutions. Our fleet of aircraft moves prisoners over long distances more efficiently, economically, and with higher security than commercial airlines.

Asset Forfeiture

The Department of Justice's Asset Forfeiture Program is a key component of the federal government's law enforcement efforts to combat major criminal activity by disrupting and dismantling illegal enterprises, depriving criminals of the proceeds of illegal activity, deterring crime, and restoring property to victims. The USMS plays a critical role in identifying and evaluating assets that represent the proceeds of crime or were used to commit violations of federal law, as well as efficiently managing, selling, and disposing of assets seized and forfeited by the Department. Proceeds generated from asset sales are used to operate the Program, compensate victims, and support various law enforcement and community initiatives. We manage a wide array of assets, including real estate, cash, financial instruments, cryptocurrency, vehicles, jewelry, art, antiques, collectibles, vessels, and aircrafts.

Witness Security

The USMS operates the federal Witness Security Program (WITSEC), sometimes referred to colloquially as the “Witness Protection Program.” WITSEC provides for the security, safety, and health of government witnesses and their authorized family members, whose lives are in danger as a result of their cooperation with the U.S. government. The program has successfully protected an estimated 19,100 participants – including innocent victim-witnesses and cooperating defendants and their dependent family members – from intimidation and retribution since the program was established in 1971. No participant who has complied with program guidelines has ever been harmed while under the active protection of the USMS. The program is a vital and effective tool in the U.S. government’s battles against organized crime, drug trafficking, terrorism, and other major criminal enterprises. WITSEC personnel are the leading authorities and foremost experts on witness security matters, providing guidance and training to many government officials throughout the world.

Tactical Operations

The USMS performs tactical operations for sensitive missions involving homeland security, national emergencies, and domestic crises. The Special Operations Group (SOG) is a rapidly deployable, highly trained force of tactically skilled deputies. These SOG Deputy U.S. Marshals are employed in high-risk and sensitive situations. SOG personnel support major rapidly advancing manhunts, prisoner escapes, nation-wide emergencies, and high-risk/high-threat state and local operations. In addition, SOG personnel are equipped to support high-threat trials, natural disasters, and civil unrest. SOG is composed of approximately 75 Deputy U.S. Marshals who complete rigorous training in specialties such as high-risk entry, explosive breaching, weapons employment, rural operations, evasive driving, less-than-lethal weapons, waterborne operations, and tactical medical support. SOG deploys specialized personnel and equipment in support of domestic operations and international operations. Thanks to the additional resources provided by Congress in FY 2023, we were able to staff two new SOG detachments consisting of 16 full time personnel in Texas and Virginia that have allowed us to nearly double SOG’s operational tempo.

Officer Safety

The USMS’s fugitive apprehension mission is among the most dangerous in federal law enforcement. For the USMS, safety is our top priority—safety of our deputies, task force officers, and communities. In FY 2023, the USMS arrested 5,447 homicide suspects and seized 4,731 weapons. These efforts support violence reduction and the safety of the American people on a daily basis. Our successes, however, come at high risk and great cost. The safety of our Deputies and Task Force officers is at risk in every engagement and every arrest. As noted in a recent USMS study of officer-involved shootings, over a three-year period from fiscal years 2019-2021, 47 deputies or task force officers were shot at, 13 suffered gunshot wounds, and one of our heroes, Deputy Chase White, was killed while attempting to apprehend a fugitive.

The USMS has taken important steps to keep our deputies safe in their difficult and dangerous work. Born of hard lessons learned, we developed Officer Safety Training that includes a 40-hour High Risk Fugitive Apprehension Course, which focuses on the real dangers of the fugitive mission. This course focuses on topics including Use of Force, Building Entries, Firearms Training, Vehicle Stops, Deputy Trauma Medicine, and Leadership. One of my proudest achievements so far is to create the Center of Excellence for Officer Safety and Wellness, which supports the agency by managing all officer safety related training, research, and innovation. We also ensure that all operational personnel receive officer safety training on a continuous basis. This includes a program to ensure every district has a highly trained Tactical Training Officer able to provide continual officer safety training.

Challenges

The escalating volatility and severity of threats against public officials and the judicial process pose a substantial emerging challenge to the USMS, and a significant threat to government operations, the American people, and the integrity of our Nation. A principle role of the USMS is to mitigate risks to officials who are entrusted to uphold the rule of law, ensure justice, and safeguard the rights and liberties of U.S. citizens. This includes the protection of federal judges, attorneys, witnesses, juries, and officials across different branches of government. The increase in severity of threats against government officials has required an increasing number of protection details that are reaching unsustainable levels given current resources. While emotional responses to judicial rulings are familiar to USMS, as each side in a case has a winner and a loser, we are seeing a “new normal” of highly volatile behavior that shows no signs of easing. Extremism on any side of the ideological spectrum can incite acts and threats of violence. The number of verified threats against federal judges has doubled in the last three years. We are currently facilitating more protective details to fulfill our obligations than we have in recent history, and the increase is impacting other important work across the agency. The likely outlook of potential threats and violence in the United States suggests a worsening trend.

USMS efforts to enhance transparency and public trust in our operations is heightened by our continuing effort to deploy body worn cameras on every deputy U.S. Marshal who serves an arrest warrant as mandated by Executive Order 14074. This initiative gives the American public an additional measure of accountability for the dangerous work our deputies do every day and offers an invaluable record that can provide greater clarity in instances where force is used. I am proud of the fact that our agency has deployed body worn cameras to 38% of our deputies (1,327) in FY 2023.

Conclusion

Chairman Biggs, Ranking Member Jackson Lee, and members of the Subcommittee, on behalf of the men and women of the United States Marshals Service, thank you for your ongoing support of the Agency’s programs. I am committed to ensuring that we are efficient stewards of the resources you have entrusted to us. I look forward to working with you to ensure we meet our obligations to the Department of Justice, the federal judiciary, and the American people.