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Fugitive Safe Surrender Program: What it is and How it Works

By **Michelle Robinson**

You don't have to be a lawyer or a court official to be aware of the overcrowding of our legal system; this topic is frequently discussed on news programs and is often mentioned in newspaper and magazine articles. Court dockets everywhere are jam-packed, as are nearly all of the prisons in our country. But apart from building more jails and establishing additional courtrooms, what can be done? And, does the public really want to pay more taxes to pay for these new buildings and the salaries of the employees to staff them? Well, there is another solution—one that has been proven to help reduce the congestion in the court systems in some cities in Arizona, Indiana, Ohio, and Tennessee. It is called Fugitive Safe Surrender.

So, what is Fugitive Safe Surrender? It is a program in which people who have outstanding warrants for nonviolent misdemeanor or felony crimes can voluntarily turn themselves in. These fugitives surrender in a neutral setting, usually a church—not a courthouse or police station. This is important, because without the neutral setting, many fugitives likely would not voluntarily comply.

This program was developed by Peter J. Elliot, a United States Marshal for the northern district of Ohio. He decided that something like this needed to be done after a Cleveland police officer was killed by a fugitive who had been avoiding his warrant for about seven months. Elliot came to realize that over half of the law enforcement officials who had been killed while on duty in northern Ohio had been killed by people who were fugitives. This is what led him to develop the concept of Fugitive Safe Surrender.

What makes fugitives want to surrender to this program? Well, the program is a safe and way for fugitives to get their warrants taken care of—and, it is much easier than trying to find the way through the court system. Instead of going to the courthouse and trying to figure out where to go and what to do, at the Fugitive Safe Surrender site, all of the necessary officials are there. Representatives from the U.S. Marshals Service, the County Sheriff's Office, and the Bureau of Motor Vehicles are present. Fugitives will also be able to see, if required, various judges from different area court systems, public defenders, prosecutors, and probation officers. There may also be someone from an area chemical dependency center or a local hospital, as well as someone from Alcoholics Anonymous.

So, what exactly happens to a fugitive when he goes to the site to surrender? The process begins with a walk through a metal detector; obviously, police officials do not want fugitives to bring anything dangerous into the building. Next, the person signs in so that the County Sheriff can pull up his records on the computer. Then he heads over to the waiting area. Believe it or not, so many people show up to turn themselves in at the Fugitive Safe Surrender events that most people have to wait for at least 15-30 minutes to be seen. So far, about 6,000 people have voluntarily surrendered to this program.

Now, you may be wondering just how I know so much about how this program operates and how the surrender process works. Well, I am not proud to say it, but my husband was a fugitive and surrendered recently at one of these events. His warrant was for nonviolent crimes, of course—motor vehicle offenses for which he had not paid the fines. So, he decided to turn himself in at the Fugitive Safe Surrender program. As a result, I can give you a pretty good idea of what goes on when a fugitive surrenders.

While he waited for his turn, my husband could see what was happening with other people as they went through the process. He saw that many people were being given probation and community service instead of serving time and paying fines for their crimes. Some other people were put under house arrest (though not immediately). My husband also noticed that the Fugitive Safe Surrender program was strict about accepting only nonviolent offenders; however, the officers were not unkind to the fugitives with warrants for violent crimes. Instead, these people were given a prompt court date so that they could try to take care of their warrant quickly. They were told that the judge would be sympathetic to the fact that they attempted to surrender at the event.

When it was finally his turn, my husband met with the judge. Even though the judge had to be tired by this point (this was the third day of the Fugitive Safe Surrender event, and it was late morning by this time), he was still rather kind and friendly. He looked at my husband's records and asked a few questions. He then told my husband that he could not wipe away the Bureau of Motor Vehicle fines because that was not his jurisdiction, but he could dismiss the court fines. After that, he told my husband to serve three days of community service and the warrants would be removed from his record.

Next, he headed over to the county clerk, who assigned a location and date for his community service. Then he headed over to meet with the Bureau of Motor Vehicles; a representative from there was able to help make payment arrangements for the fines.

From reading about my husband's experience at the Fugitive Safe Surrender, you can see how easy it is for a fugitive to get a warrant dismissed. And since the event is held in a safe, neutral location, people feel more comfortable with turning

themselves in than they would in a courthouse or police station. Most Fugitive Safe Surrender programs are held for a few days and they are advertised in local newspapers and on the news. Plus, word-of-mouth about the event attracts a large number of people to come in.

Imagine if these programs were held in every county across the nation-our court system would be much less crowded, wouldn't it? Perhaps law enforcement officials from other states should take a good look at the Fugitive Safe Surrender program and give it a try themselves; they would surely be pleased with the results.

SOURCES:

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More resources

<http://www.usdoj.gov/marshals/safesurrender/>
