

**DETENTION TRUSTEE**

(Dollars in thousands)

	Perm. <u>Pos.</u>	<u>FTE</u>	<u>Amount</u>
2001 Actuals.....	6	...	\$167
2002 Appropriation.....	6	6	1,000
Adjustments to base			
Transfer from Immigration and Naturalization Service to Detention Trustee.....	...	...	614,960
Transfer from Federal Prisoner Detention (FPD) to Detention Trustee.....	...	...	706,182
Increases, FPD (see p. 31).....	...	...	20,803
Increases, Detention Trustee (see p. 31).....	...	...	151
2003 Current Services .....	6	6	1,343,096
Program improvements .....	<u>12</u>	<u>12</u>	<u>45,470</u>
2003 Request .....	18	18	1,388,566
FRHB Costs 1/.....	...	...	17
2003 Total request.....	18	18	1,388,583

Comparison by activity and program	2002 Appropriation			2003 Current Services			2003 Request			Program Improvements/Offsets		
	Perm <u>Pos.</u>	<u>FTE</u>	<u>Amount</u>	Perm <u>Pos.</u>	<u>FTE</u>	<u>Amount</u>	Perm <u>Pos.</u>	<u>FTE</u>	<u>Amount</u>	Perm <u>Pos.</u>	<u>FTE</u>	<u>Amount</u>
Detention Trustee.....	6	6	\$1,000	6	6	\$1,151	18	18	\$10,621	12	12	\$9,470
Detention of USMS prisoners....	...	...	...	...	...	726,985	...	...	762,985	...	...	36,000
Immigration Detention.....	...	...	...	...	...	614,960	...	...	614,960	...	...	...
Total .....	6	6	1,000	6	6	1,343,096	18	18	1,388,566	12	12	45,470
FRHB Costs .....	<u>0</u>	<u>0</u>	<u>16</u>	<u>0</u>	<u>0</u>	<u>17</u>	<u>0</u>	<u>0</u>	<u>17</u>	<u>0</u>	<u>0</u>	<u>...</u>
Grand Total .....	6	6	1,016	6	6	1,343,113	18	18	1,388,583	12	12	45,470

1/ Should the proposal to transfer Civil Service Retirement System accrual costs and the Federal Employees Health Benefits Program costs from the Office of Personnel Management agencies be enacted and begin in FY 2003, the level of funding for the Detention Trustee should be reviewed and adjusted accordingly.

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Program description

Detention Space and Infrastructure - the U.S. Marshals Service (USMS) and the Immigration and Naturalization Service (INS). The Department's need for detention space continues to grow rapidly and will likely increase in the wake of the September 11 terrorist attacks, as the Department uses all means available to combat and prevent terrorism. This growth has placed an increased demand on the infrastructure of INS and USMS as it pertains to detention (including transportation, communications, buildings, equipment and staff). To obtain sufficient detention space, the Department relies upon outside contractors (including state and local governments and private entities) to supplement existing federal detention space.

In FY 2001, the Department established a Federal Detention Trustee with broad responsibilities related to managing detention needs throughout the Department. In FY 2002, the Trustee will conduct a needs assessment of detention and detainee handling requirements and will develop a baseline report for the present efficiency and effectiveness of the aspects of detention and detainee handling. Additionally, the Trustee will establish two regional detention pilot projects, one along the Southwest border and one located in the Midwest. Elements of the pilot projects will include centralized management of Inter-Governmental Agreements, prisoner transportation, healthcare management, and Cooperative Agreement Program grants under the Trustee, as directed by Congress.

In the FY 2003 budget, both INS and USMS resources related to the detention function are consolidated within the Office of the Detention Trustee. This will centralize the majority of the Department's detention activities, allowing for a coordinated Department effort when obtaining detention space and ensuring that the Trustee has the authority necessary to direct detention policy and to manage detention resources. The Trustee will contact for a business process re-engineering study to examine the advisability, feasibility, and cost-effectiveness of contracting out the Justice Prisoner and Alien Transportation System (JPATS). INS and USMS will remain operationally responsible for day-to-day operations, and will enter into agreements with the Trustee for their detention funding. Also, the Trustee will work with the Federal judiciary and the INS to expand the use of home detention and electronic monitoring where appropriate. As part of this effort, the Trustee will work with the Federal Judicial Center and the Administrative Office of the U.S. Courts to develop a risk prediction instrument to assist in the determination of which offenders would be best suited for home detention/electronic monitoring.

Program Improvements

Perm.  
Pos.    FTE    Amount

Housing of Federal Detainees.....\$36,000.....

This requests includes \$36,000,000 to house USMS detainees for a total of 11,071,517 non-federal jail days in 2003. These jail days equate to an average non-federal daily prisoner population of 30,333, or approximately 70 percent of the total jail day requirement for USMS. The remaining 30 percent will be housed in federal detention facilities funded in the BOP budget. Federal jail days are expected to be 4,673,500, for an average federal daily population rate of 12,804. This assumption is based on the anticipated number of federal beds that will be available in 2003.

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<u>Program Improvements</u>	<u>Perm. Pos.</u>	<u>FTE</u>	<u>Amount</u>
Program Management.....	12	12	\$4,470
<p>This request is for 12 positions, 12 workyears, and \$9,470,000 for the Detention Trustee office. The additional positions are needed to support the Trustee, who shall exercise all power and functions authorized by law relating to the detention of federal prisoners in non-federal institutions or otherwise in the custody of the USMS, and the detention of aliens in the custody of the INS. The Trustee is responsible for overseeing the construction of detention facilities; the direction of the USMS and INS with respect to detention policy setting and operations; and the oversight of the Justice Prisoner and Alien Transportation System. The request includes funding for various detention studies and pilot projects, to include electronic database networking, which will assist he Trustee with overseeing the detention programs.</p>			
National Repository.....	....	....	5,000
<p>The Trustee will contract for the creation of a national repository for state and local governments and private detention space providers to electronically post vacancies, rates, services, administrative costs, and availability, mode of transport and medical facilities and services. Detention space and service providers will supply their daily rates, costs, and any applicable service fees, as well as the basis for the calculation of the rates. Those posting vacancies will also list and provide a means for verification of their credentials and accreditations. The goal in creating this nationwide electronic detention space clearinghouse is to enable federal users to find more cost-efficient space where they need it and to provide a means for controlling transportation costs.</p>			
Total Program Improvements, Detention Trustee.....	12	12	45,470