

STATEMENT OF
NATIONAL ASSOCIATION OF ASSISTANT
UNITED STATES ATTORNEYS

REGARDING

THE COURT SECURITY IMPROVEMENT ACT
H.R. 660

BEFORE THE
COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON CRIME, TERRORISM AND
HOMELAND SECURITY

UNITED STATES HOUSE OF
REPRESENTATIVES

MAY 3, 2007

Mr. Chairman and Members of the Subcommittee. On behalf of the National Association of Assistant United States Attorneys (NAAUSA), thank you for holding this hearing to consider H.R. 660, the Court Security Improvement Act of 2007. Our Association – which represents the interests of the 5,500 Assistant United States Attorneys employed by the Department of Justice -- urges the Subcommittee and the Congress to act expediently in improving the security and protection of prosecutors, judges, law enforcement officers, witnesses and courthouse personnel. It has been over two years since the tragic murders of members of the family of Judge Lefkow in Chicago, as well as other horrifying incidents in our federal and state courts. These events underscore the need for improvements in court security – inside and outside our courthouses. These incidents received national attention, but they are a modest reflection of the significant number of the constant threats and assaults against federal prosecutors and others who work in the federal judicial and law enforcement system.

As the Government's principal litigators, the 93 United States Attorneys and 5,400 Assistant United States risk their lives every day in their service on the front lines of justice. AUSAs zealously prosecute the most dangerous criminals in our society, including terrorists, gang and organized crime members, violent gun offenders, international drug traffickers and major white collar criminals. Sadly, death threats and assaults against AUSAs are far too common, not only upon AUSAs, but their families as well.

The administration of justice requires that prosecutors discharge their responsibilities without fear of violence or reprisal. Yet Tom Wales, an Assistant United

States Attorney in Seattle Washington, was murdered in October, 2001, as he sat in front of a computer in the basement office in his home. His murder yet remains unsolved. Similarly, the mysterious death in December, 2003 of Jonathan Luna, an Assistant United States Attorney in Baltimore, Maryland, remains unsolved.

Department of Justice statistics demonstrate that AUSAs are among the most frequently assaulted and threatened group of employees within the Department. Moreover, the number of threats and assaults against Assistant United States Attorneys continues to escalate. In 2002, according to the Executive Office of United States Attorneys, there were 65 reported threats against AUSAs. Within the next three years, the number of reported threats against AUSAs had risen to 105, an increase of nearly 70 percent. The dangers to AUSAs prosecuting criminal matters, as well as those defending the interests of the United States against disgruntled civil litigants, make clear that changes in the law, as well as additional resources and changes in Department of Justice policies and procedures, are necessary to guard against intimidation, retaliation and revenge against AUSAs.

If anyone harbors any doubt of the seriousness of the threats and assaults against AUSAs, they should review the Appendix attached to this statement, which presents a sampling of the personal, first-person accounts of the serious threats and assaults that AUSAs have encountered. Upon reading these accounts, one cannot but be impressed by the deep courage and dedication that AUSAs bring to their jobs, as well as the unrelenting need for decisive and expanded action by the Congress and the Department of justice -- statutorily and administratively -- to improve the safety of federal prosecutors.

Advancements in AUSA Security in the Court Security Improvement Act, H.R. 660

The Court Security Improvement Act of 2007, H.R. 660, proposes to advance the safety and security of AUSAs in several respects. Section 105 would authorize \$20 million annually for increased efforts by the U.S. Marshals Service to investigate threats and provide protective details to members of the federal judiciary and AUSAs. Sections 201 – 207 would install or expand penalties against those who seek to intimidate or endanger the lives of judges, prosecutors and witnesses. In particular, Section 201 would prohibit the filing of false liens against AUSAs and others, and Section 202 prohibits the public disclosure or dissemination (including on the internet) of personal information about judges and prosecutors. Each of these are well-warranted provisions.

Additional Protective Actions for AUSAs Are Called For

Section 401 requires the Department of Justice to report on the actions being taken to improve the security of AUSAs in a number of areas. However, that a Congressionally-mandated report from the Department of Justice on actions to improve the security of AUSA is necessary, rather than the Department's own voluntary initiation of sensible and necessary AUSA security improvements, describes the gravity of the current situation. In July 2005, representatives of our Association met with Attorney General Gonzales and advised him of the significant security-related concerns that many AUSAs across the country shared. In late 2005 and again in January 2006 we reiterated our concerns to the Attorney General and others in the Department. The negligible response from the Department to date represents a breach of trust and

support for its employees. Human lives are at stake. Just as the Administration is rightfully dedicated to preventing the occurrence of another 9/11, we believe that it is critical that the Department undertake initiatives to preclude the occurrence of personal tragedies among its most dedicated and loyal employees.

These called-for actions, described briefly below, include improvements in:

- Personal security training to AUSAs
- Availability of home security systems to AUSAs
- Availability of secure parking for AUSAs
- Improvement in the Marshals Service threat assessment protocol
- Greater authority of AUSAs to carry firearms

Each of these actions is described further below.

Personal Security Training for AUSAs

Many Assistant United States Attorneys regularly subject themselves to the same dangers that law enforcement agents, deputy marshals, and probation officers face. There is a critical difference, however. Most agents and deputy marshals toil anonymously or semi-anonymously, while AUSAs are fully identified in courtroom proceedings, pleadings filed, and media coverage. Thus the identities of AUSAs are well known to their defendants, which heightens the potential for intimidation or reprisal against them.

In view of these increased risks, the Department of Justice should regularly provide personal security training to all AUSAs, just as it provides to law enforcement agents and others. The training should cover a wide variety of proactive and defensive

practices, including basic home security measures, family safety, mail handling, counter-surveillance and self-defense tactics. NAAUSA has requested the Department to provide such training, to no avail. Congress should require the Department to provide such training to AUSAs if the Department continues to refrain from providing it.

Home Security Systems

AUSAs are away from their homes and families for long hours, especially during trials and contested sentencing hearings when the threat level presented by criminal defendants often reaches its highest point. During such times, as well as after the conclusion of a trial, the families and residences of AUSAs become potential targets for retaliation. Protection against this threat – through the use of home security systems -- should be a priority in the protection of AUSAs.

Yet, under current procedures, the Department of Justice provides for the installation and maintenance of home security systems for AUSAs under very narrow criteria, with procedures that are far too bureaucratic. Our calls upon the Department to broaden the availability of home security systems have gone unanswered. Congress should insist upon the authorization and funding for monitored home security systems for all AUSAs, just as they have been made available to federal judges.

Secure Parking for AUSAs

As criminals become increasingly sophisticated and as widening federal prosecutions focus upon terrorists, hate groups, and violent criminal organizations, the parking lot becomes a point of significant vulnerability to AUSAs. The need to secure

the safety of vehicles driven by AUSAs thereby increases. One of the most effective ways to guard against the placement of car bombs or shootings of AUSAs while entering or leaving their cars is through secure parking.

Yet the Department of Justice makes secure parking available to AUSAs on a far, far too limited basis. Congress should require the Department, if secure parking is not sufficiently available to all employees in a United States Attorney Office, that AUSAs be given priority for available secure parking.

Improvement in the Marshals Service Threat Assessment Protocol

Whether accurate or not, there is a widely-held perception among AUSAs who have been threatened that the threat assessment process undertaken by the Marshals Service is far too slow and inadequate. Congress should require the Marshals Service to undertake a more thorough review of its protocols, and the feedback of AUSAs should be solicited during that review.

Firearms

The use of firearms by trained law enforcement personnel is widely recognized as an effective personal defense tool. For this reason, many AUSAs already obtain state permits to carry firearms. Every AUSA who carries a firearm – at their own cost -- also undergoes the requisite training attendant to the safe and proper carrying use of a firearm, again at their own expense.

Current Department of Justice policies and procedures authorizing an AUSA to carry firearms – through a special deputation process -- are entirely too slow and

ineffective. Obviously, carrying firearms requires sound judgment, but DOJ does not appear to trust the judgment of its AUSAs as much as its law enforcement officer employees in other DOJ components, who are authorized more widely to carry firearms. The Department should be required to undertake a far more permissive approach toward the carrying of firearms by duly permitted and properly trained AUSAs.

Once again, thank you for the Subcommittee's efforts to improve the security of Assistant United States Attorneys and others integrally involved in our federal courts system. The administration of justice and the rule of law require that AUSAs discharge their responsibilities without fear of violence or reprisal. The National Association of Assistant United States Attorneys pledges its continued support to work with the Subcommittee and others to reduce as much as possible the incidence of the threats against their security.

APPENDIX**PERSONAL ACCOUNTS OF THREATS AND ASSAULTS
AGAINST ASSISTANT UNITED STATES ATTORNEYS**

I was recently assigned to handle a RICO case against several members of a white supremacist prison gang known as "Soldiers of the Aryan Culture." During the proceedings, the U.S. Marshal intercepted a letter which spelled out a directive to kill the "tall, bald prosecutor who runs a lot, goes to the airport a lot, and drives a silver Honda." Clearly, these were all things that could not have been learned through public domain, but were learned through surveillance or informant information about me. They were all accurate.

As a result of the threat, I was deputized as a special deputy marshal, and a closed-circuit TV camera was placed on a light pole outside of my home. Due to an earlier threat resulting from my prosecution of members of the Sundowners Motorcycle club, an outlaw motorcycle gang, my house had already been equipped with an ADT security system. In the Sundowner's case, I was escorted to trial by the FBI, and deputy marshals often followed me in their vehicles while I ran.

These threats are only two of the most recent and relevant examples of many I have received and witnessed during my 17 years as an AUSA. I consider my job to place me in as great a risk as any agent, as I am usually the most visible and vocal representative of the prosecutorial effort. The efforts that I have to go through to continue my status as a deputy are cumbersome and time-consuming, and personal firearms training of any value comes only because of a close working relationship with the marshal's office in my district.

I think my experiences exemplify and, unfortunately, typify those of AUSAs in many districts and in many areas of prosecutorial expertise.

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I had a serious incident just last year - an inmate threatened to kill my children. The threat was deemed serious and marshals lived in my home for about 3 weeks to protect us. Marshalls then made an assessment that, although the threat had actually been made, they decided that the defendant (who was incarcerated) lacked the wherewithal or intent to carry it out. (I strongly disagreed with this assessment.) My children (13 and 10) were terrified, and they are now never left alone in our home. (The threat was to get them as they left the school bus and went into the house or get them in the house before we arrived home, making it look like a robbery gone bad.) This year since has required that we completely change our routine to accommodate this fear. The school re-routed their bus outside district lines so that they could be taken 2 days to a relative, and they returned 2 other days to an after-school program (that they have very much outgrown). Then another day they go to a friends. This threat came in the midst of a five-month death penalty trial and as I was being diagnosed with cancer. Needless to say it has been a difficult year. PLEASE do not use my name - I still remain terrified that this defendant will come to know the fear that he instilled in us, thus being encouraged to repeat the threats - or worse, carry them out.

We now have firearms in our home and licenses to carry (something that my office seems to be appalled by, for reasons that completely confound me - I think they thought I would carry it to

work and misfire it during working hours.) I also remain convinced that we inadequately prepare prosecutors for this potential threat and inadequately make provisions for advance planning so that dealing with an actual threat is less traumatic - that is, we should insist that all new AUSAs have unlisted numbers, have alarm systems, and are properly trained to be prepared for this eventuality.

I am a career prosecutor, in my 21st year. I - and my husband who is also a career prosecutor - have been threatened before - and dealt with it in stride. It was the threat to my children that made me want to quit my job for the first time ever. And I was not impressed by what little resources there are to help us when a threat does come. The funding is all for short-term fixes - relocating to you to a hotel for a short period of time or guarding you in your home for a short period of time. But once the marshals make their decision -into which you have no input and from which there is no appeal - all support is withdrawn. The people in my office were as helpful as they could be, but the institutional set-up is horrible. I have spent thousands making my home safer, only a small portion of which was assisted by DOJ - and I had to fight to get that.

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I'm currently under a death threat by a 23-time hit man for indicting his wife and the rest of his organization for distributing 2,137 kilos of cocaine into the United States. I requested that my office issue me a firearm and bullet proof vest which they denied. I ask what I should do if fired upon since I had been followed home on 2 occasions. I was told to duck and call 911! The ATF agent who was also threatened with me was moved, along with his family, out of the state at government expense.

I was given 5 jury trials in a row with my name and date and time I would be report to each of the trial locations posted on the courtroom doors. My wife, a Circuit Court Judge in [Location Redacted], was recently followed home by the same black truck that was seen following me home. She reported it to the local Sheriff's Office and officers were assigned to her and the house immediately. The Marshal's Service and the US Attorney's Office did nothing to my knowledge. They did send two agents out and they had me cut down two trees near the front door, which I did. Upon removal I noticed that I now have a completely unobstructed shot from the street to the door.

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In 1993, I prosecuted a local resident for threatening a federal witness and for mail fraud. His family had been involved in fraud schemes for years (sort of their version of a cottage industry). Approximately one year after the jury conviction, I was notified by the FBI agent I had worked with that the father of my defendant was conspiring to have me, the FBI agent, the witness who was threatened in my original case, and a former insurance company investigator killed. I was provided with 24 hour marshal service protection for approximately 2 weeks while the case was investigated (one of the conspirators had gotten nervous and contacted the FBI). After the father was arrested, marshals service protection was lifted. I was soon designated as a Special Deputy US Marshal (SDUSM) and permitted to carry concealed weapons for personal protection. The father, who had offered money for the killings, was tried and convicted. He received a 405 month sentence which amounts to a life sentence for him. Family members of this defendant have continued to complain about the injustice of this conviction, in particular, defendant's daughter, who as recently as 6 months ago was attempting to contact the US Attorney to demand that I be required to take a polygraph examination.

Local law enforcement is well aware of this family and its predilection towards criminal activity. Despite what I view to be a continuing, albeit diminished, threat to my safety and the safety of my family, I no longer carry the SDUSM designation. In part, this ending of status stems from the difficulties I encountered in attempts to secure renewal of this status each year. It has been my experience that somewhere between the reviewing officials at main justice and the corresponding officials at the US Marshals headquarters, the process gets delayed to the point that it became almost pointless to pursue. Even after approval, getting range time with a firearms instructor to qualify was difficult. In fairness, in the first couple of years following the threat, the response and approval times were satisfactory. Subsequent years were not. Based upon my experiences, I would support a program in which any interested AUSA could qualify for concealed carry protection in advance of a specific threat by undergoing safety and proficiency training. Renewals would be based on periodic requalification similar to that undertaken by members of the US Probation office.

I offer a recent experience as an illustration of why this would be beneficial. Just last week, I convicted a man for lying about material matters in connection with his top secret security clearance at the Savannah River Site, a DOE facility where nuclear materials are stored and processed. Just this week, this defendant showed up at our reception area seeking to serve me with some form of legal papers. According to the investigative agents and the defendant's ex-wife, this defendant is hot-tempered. While the matter did not escalate into a confrontation (I requested that our security guards escort the defendant from the building), I had no assurance that this defendant might not be waiting outside the building on the street. As it turned out, he was trying to serve a pro se motion for a new trial. None of us knew, however, what his intent was other than he wanted to serve me personally, and he was a bit belligerent with our receptionist.

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A defendant attempted to hire several different people to kill my kids and husband in front of me, myself, and IRS agent and his family and a district court judge. One of the individuals who had been asked & attempted to be hired to kill us, called me at the office and told me, which started an investigation. The defendant is now in a super maximum security prison serving a very long sentence as he was convicted of the underlying offense and this offense.

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I have been an AUSA for 24 years. I served as the District's Criminal Chief for eight years and as Senior Litigation Counsel for eight years. I have handled threats as a supervisor by providing the AUSA's with immediate protection including the installing of home security devices and arranging for USMS escorts and security. I have forwarded matters to the Department for prosecution. To say the least, that is not uniformly done.

I think that because most of the defendants who have threatened me have received such long sentences that these threats have been generally discounted by law enforcement and supervisors within my office. Even those people who have the ability to carry out the threats have generally been set aside by law enforcement if they get long sentences since there is a feeling that not much can be done. In general, it is my impression that threats to judges are acted upon promptly and that most threats to AUSAs, if not ignored are put on the back burner, or are viewed as serious enough to justify the expenditure of resources.

Having said that, we just recently received authorization for a guard and he is now working at

our branch office. Prior to a year ago, the Department would not pay for a guard because we were in a branch office and there were not enough AUSAs to justify the expenditure. This decision was made despite being informed of all of the high risk cases being handled by this office as a result of the narcotics prosecutions and the prosecutions arising at the nearest federal prison. At the same time, the courthouse, right across the street has had a full contingent of guards and U.S.M.s to handle the cases which AUSAs in our branch office brings.

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An FBI agent and I were threatened by a defendant, who in our opinion had the means to carry it out, during a debriefing. Prior to that I was threatened by another defendant who was convicted of murder. It was reported and an assessment was done. I installed a burglar alarm at my home, but had to pay for it myself. I was given the right to carry a pistol which I retained for several years. It was taken away for me a couple of years ago with no explanation or process of protest. This made little sense to me since, I will probably need to be able to defend myself more when this guy gets out of prison than while they are in. I am an organized crime prosecutor and deal with some not so nice individuals, including the MS-13 gang. Having the right to carry a firearm, especially at night when I am out with my family, gave me peace of mind which I no longer have. The fact that the folks in Washington don't seem to understand or care doesn't help much either.

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I am the AUSA who was the lead prosecutor in a Border Patrol shooting case. Since June I have received a steady stream of the ugliest, most vituperative garbage, from "we have a rope, and we are looking for a good cottonwood tree" (threats made to me and the US Attorney to unprintable, disgusting and bigoted accusations. I have been under a Marshalls Service threat watch since June. The local police department drives by my house once an hour. One blogger even offered \$75 for a good photo of me and listed my work address and how I could be caught walking to the courthouse. I have been an AUSA almost 20 years. What has happened in this case, mostly as a result of the blogosphere and FOX News is beyond anything I have experienced, and I have done many high profile, unpopular cases. The invention of the internet, with the ability to quickly disseminate hate and lies to so many so quickly has made our safety an even bigger concern. Not only is this an example of the need for security, it testifies to the dangers that AUSAs face equal to that faced by law enforcement officers. Co-counsel, our office chief, and I have had to work hundreds of overtime hours to respond to Department and Congressional inquiries.

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Several years ago I tried a defendant for mailing threats to federal judges, and soliciting the murder of an FBI agent. The defendant's threats to the female magistrate judge were particularly graphic and included detailed descriptions of how he would arrange for her to be raped and tortured. At the time I tried the defendant, he was serving a state sentence for murdering his grandfather. Following his conviction in the federal case, I sent a letter to the state department of corrections suggesting that they consider whether mailing threats to federal judges provided a basis for revoking the defendant's gain time. The DOC revoked his gain time, lengthening Adamson's state sentence by many years. Adamson was displeased and began mailing threats to me. At one point he used a ruse to obtain my driver's license information (dob, driver history, home address) from the Department of Motor Vehicles. Although I had a block on release of the information, the defendant was able to get around this by telling the clerk

that he was my brother and in need of a kidney transplant. (No. I'm not making this up). Adamson mailed a piece of paper with an X in the center of it to my home address. He has at various times since then sent additional threats and solicited an inmate in a local jail to arrange for my murder. The marshals conducted an investigation and essentially concluded that Adamson was sincere in his threats but had limited ability, due to his imprisonment, to carry them out. Although he lacks the financial means to pay for a third party to carry out the threats, he continues to solicit others to do so by offering to do legal work, such as filing habeas petitions, for them.

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I am an AUSA in the [district name redacted]. As an AUSA, I have been the target of three death threats in the past few years. (I was a state prosecutor in New York City and never had any problems) I know from personal experience that the threat of physical danger to AUSA's is escalating.

1. The defendant was a pro se bank robber. He threatened to kidnap, torture me with acid, murder me and bury me in the desert. All this information reached me two days prior to trial. Defendant had made the threats to his cell mate who contacted the FBI. Subsequent search of defendant's cell revealed a map to a medical supply store that stocked acid and numerous documents downloaded off the Internet pertaining to me - published cases, bar information, etc. I also received a letter from a second person incarcerated with the defendant (on an unrelated crime). The letter informed me that the defendant was using the prison Internet to look up my home address and had ordered a report (I believe from Zaba) to gain information on my home, phone number, etc. A U.S. Marshal sat next to me at prosecution table and a U.S. Secret Service agent sat behind me during the subsequent trial. U.S. Marshal came to my home and conducted security review, parking arrangements changed to allow me to park inside a garage, security alarm activated in my home. I declined offer to apply for a carry gun permit. My desire to have the defendant subjected to a separate indictment based upon the threats was not granted. The defendant subsequently received a three-level enhancement for the threats at his sentencing on a related wire fraud.

2. I had prosecuted a defendant named [name redacted] on two cases (a revocation of supervisory release and an escape case) [Second name redacted] was the lover/roommate of [name redacted] while they were both in federal psychiatric facility. [Name redacted] told authorities at the facility (after [second name redacted] had just been released) that Hardy was going to locate me in Las Vegas and kill me to show his devotion to [name redacted]. [Name redacted] reported that the "hit" date on me was 7/14/04. I reported the incident to my criminal chief. The USMS confirmed that [name redacted] was out of custody and they did not know his whereabouts, but did not consider the threat to be serious

3. Received a phone call from a federal defense counsel in California who informed me that his client has made threat to him regarding me. Following his conviction for bank robbery, the defendant had been placed on supervised release but never arrived at the half-way house. I met with the USMS who confirmed that the defendant was out of custody and they did not know his whereabouts. However, they did not consider this threat to be serious. The defendant was later captured and indicted for escape. The prosecuting AUSA joined the defense in requesting that the Court order a redaction of the factual portions of the Presentence Report that addressed his threats to me. The Court granted the joint motion.

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Our US Attorney's Office is moving to a new building and AUSAs and staff are not afforded parking with close access to the building. The parking is very expensive, scarce and those buying spaces behind the building (there is a waiting list) must walk out of the lot and up a block down a steep hill to enter in the front door. In other words, the office site was selected and accessible parking for employees was never even so much as a consideration. Those persons who approved the plans were assured of parking. Many of us park in a lot, behind a building and surrounded by trees, that is unsafe after dark.

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Two prominent hit men for the Aryian Brotherhood (AB) prison gang killed 2 prison guards at the U.S.P. Marion on two consecutive days. I tried both cases and was threatened in court by both individuals. Both were convicted and are serving life sentences. Both are still members of the A.B. Silverstein was at one point one of the Commissioners of the A.B. and could direct "hits. It is well documented that the A.B.'s have influence and members who have been released from prison who work for them. The FBI agent in charge of the case suggested that I change my route on the way home periodically and that I have an unlisted phone number. Nothing was ever done by my office on any of this.

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I am presently the Deputy Chief of the Criminal Division in our USAO. Earlier this week, a defendant attempted to sneak into the courtroom a plastic shank (broken off from a plastic tray) from inside his legal papers. This was after two failed attempts to sneak in sharpened pencils inside his socks into the courtroom.

In 1996, when the verdict of two defendants in series of violent carjackings involving sexual assaults was read announcing their guilt, one of the defendants got up and started coming towards me and started yelling "he hoped I had a heart attack," and was forcibly escorted from the courtroom by the Marshals. (The defendants each received 117 years imprisonment.)

In 1999, when the guilty verdict of a Philadelphia Police officer for conspiracy to commit money laundering was announced, the defendant's wife came at me and tried to kick me, and was whisked away by the Marshals. According to a reporter for KYW radio in Philadelphia, other family members were very angry and looked as if they were also going to come after me.

During the last year, there have been death threats against two AUSAs in my office requiring Marshals to live inside one of AUSAs homes for a week and the other having a police car in the driveway. Because of the nature of the defendants and their crimes, these threats were deemed very serious and application was made to EOUSA for funds to provide security upgrades at their homes.

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An inmate I convicted in a drug case, attempted to take out a "contract" on my life while he was in prison. We were alerted by a prison informant. The inmate related to the prospective hit man detailed information about my home, automobiles and family. This happened some years ago and I do not know whether it was reported to EOUSA. I was made a Special Deputy U.S.

Marshal for the purpose of carrying a firearm and Deputy Marshals briefed me about how to check my car for a possible bomb, which I did each day for more than a year.

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I am an OCDETF attorney in [USAO district redacted]. Over the years I have received numerous threats to myself and my family. Recently during a large scale RICO gang investigation we learned of a threat to myself my family and the US Attorney. The Marshals and the FBI were notified and investigated proactively. Ultimately I received a special deputation to carry a firearm. The Marshals increased there security for the pending trial. EOUSA fairly quickly processed my gun permit application. In all the response was satisfactory. We are not located at the courthouse so there is not protected parking but there is secured access. I have an alarm system in my house that I pay for. The local police department increased patrols by my house and the Marshal sent a deputy to brief my family on security issues.

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In the spring, 2005, a witness in a case I was prosecuting reported that the terrorism/drug defendant awaiting trial was discussing my murder with his brother from jail.

Later that September, 2005, the defense attorney for the same defendant reported to me and to the court on the record that his client stated that he could have witnesses and me killed. EOUSA was contacted. My house was alarmed; USMS began escorting me from door to door on work days. My car also was alarmed. The trial was moved from the border to Houston. The defendant wore stun belt during trial. USMS had police department start making drive by checks of my home. The grade school where our child attended was notified. Inside parking was provided. I began altering work hours and work locations, which continue to this day. I sold my work vehicle and changed to a different one, at considerable personal expense. I should point out that many "hit" type killings occur in and around cars of victims. More important than carrying a gun, in my view, is changing cars. Exterior lighting around house was improved based on USMS recommendation, again at our expense. More lights burn at night, again at our expense. We discussed moving with EOUSA and the US Attorney.

In 2006, a state prison inmate reported that a group was stalking federal judge and a prosecutor "from Brownsville" (referring to the judge hearing the case and myself) to have us killed. EOUSA contacted. USMS, and again the FBI notified. Most previous measures from 05 episodes continued. I am not deputized. FBI interviewed inmate who refused to take lie detector test.

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I received a death threat that a Police Officer I convicted wanted to have me murdered. It was reported to EOUSA. The Marshal's and FBI have had it under investigation for approximately 3 months. Nothing was done to increase my security other than for me to fill out the Marshall's information and get their phone numbers in case I had a problem. The office views it as a not a valid threat.

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Following a 15 week jury trial against principal administrators of what was the largest marijuana conspiracy in U.S.A. history (300,000 tons of marihuana imported during 6 years in ocean

barges from Columbia, resulting in forfeiture verdicts of \$180,000,000), one of the principal defendants threatened to kill me as he was being led back to his cell. The threat occurred in the presence of numerous witnesses, the USM and attorneys. After sentencing, the defendant was sent to MCC Miami where, while waiting for a related trial, he attempted an escape. He paid a helicopter pilot to land at the MCC Miami and tried to escape. The chopper crashed in the yard and the escape was foiled. To say the least, this was a matter of considerable media attention. He is in maximum security. This person later plead guilty in the Southern District of Florida to having Apache Cigarette Boat Owner Don Arronow killed in a drive by shooting in Miami. The defendant's enormous wealth and ability to order hits have been documented in numerous newspaper and magazine articles since the trial. He was convicted in Florida of a massive money laundering and Rico conspiracy relating directly to the drug case which I prosecuted. He is still a major source of concern because of his enormous wealth and connections. The case revealed others who had been "hit" by this organization for cooperating. Over 150 defendants were convicted in that group of cases. Nothing other than a directive from my office that I should not to handle his sentencing, was ever done to further protect me.

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A cooperating witness disclosed to the USM that defendant was going to have the judge and me killed. Taken from his cell were cartoon-like drawings showing a person sitting in a chair with a bomb attached to him being tortured. The picture had my name as the person tied up. There were notes indicating that when he got out, he intended to kill me by blowing me up. He was being prosecuted by me for possession of a destructive device. In that case, Police went to his home and found a home made bomb which had been discovered by his girlfriend, who called police. According to her, the defendant made the bomb and threatened to blow her up. A one block square area in Herrin, Illinois, was evacuated to remove the bomb. The underlying case had revealed that the defendant had made other bombs in the past.

Supervisors in my office indicated that the matter had been reported to the USM and that they did not believe that he had the ability to carry out this threat in light of his sentence. I told the U.S.M. that I did not agree. The defendant was sentenced and has now been released on supervised release. He now lives within 15 miles of my home and is on pretrial supervision.

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I prosecuted a case in 2006-7 in another district because that district recused itself, since the defendant sent a letter to its office with what was claimed to be Anthrax inside the envelope. In the letter, the defendant threatened to kill the AUSA who had prosecuted him previously for sending a threatening letter to the President. The AUSA was told in the letter to send \$250,000 to another person and not to tell anyone or she and members of her family would be killed by his connections on the outside. She was also told to write a letter to the sentencing judge explaining that she had lied about matters relating to his prosecution. The powder turned out to be a hoax, but not before the U.S. Attorney's office had been invaded by law enforcement emergency personnel and disrupted for hours until the substance could be examined. After the defendant was indicted, he stabbed another inmate five times because that inmate received a fifteen cent raise for kitchen work at the same prison where the defendant was housed. The defendant felt that his work in the kitchen had been overlooked and responded by stabbing his fellow worker and inmate.

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Between December of 2005 and March of 2006, the FBI conducted an investigation of threats made against me by an incarcerated defendant in one of my cases. The defendant, a cooperator, was planning to have me killed because I would not agree to depart from the plea agreement and file a motion for departure below the 10 year mandatory minimum.

The FBI thoroughly investigated the case and recruited two inmates to record conversations with the threatening inmate. The Marshal Service sent a marshal to my house to conduct a security survey and arranged for the local police to assign officers to guard my home for two days. EOUSA was informed and offered to provide any assistance that was needed. The U.S. Attorney's Office took the threats very seriously and was very supportive.

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I've had two incidents -- first in March, 1996, when I was a trial attorney in CrimDiv at MAIN. An angry citizen called the office while I was on vacation, and threatened to fly to DC from Colorado (where he was) because he was "going to kill" me (and my paralegal, too) because he was mad his claims that his mother had been murdered 30 years earlier by someone and nothing had been done were not being addressed by MAIN. (I in fact tracked down the local prosecutor, and found out a man had been prosecuted and convicted. I think my caller was just mental...) Anyway, my own office at MAIN did nothing-- didn't even warn me when I got back. the paralegal told me a day or two later, and I demanded a threat assessment. My former boss (who has since been broomed into obscurity by DOJ) only THEN contacted the security staff at MAIN, who had FBI Colorado look at it. FBI didn't do much-- they never even called me, interviewed me or contacted me in any way! My boss told me several weeks later that FBI determined the man was just a nut. HOW they made that determination was never shared with me... (and let's keep in mind, it's usually the nuts who DO act!)

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The week before Thanksgiving 2006 a letter addressed to me was received at this office. The letter reads as follows:

MIKE [Skull & Crossbones drawing]
 WE DONT LIKE YOU FROM THE EAST SIDE OR WEST SIDE
 WE ARE GOING TO SHOW YOU WHAT IT FEEL LIKE TO BE FUCK OVER IN A BLACK SIDE
 OF TOWN
 YOU ARE GETING OUT OF CONTROL WITH YOUR POWERS YOU ARE NOTHING BUT A
 BITCH THAT IS GOING TO DIE
 A LIKE US YOU MOTHER FUCKER DO YOU HERE US. THE BLACK MOB. YOU SEND
 YOUR WHITE MOTHER FUCKER IN OUR HOODS FOR US TO KILL EACH OTHER
 I HOPE YOU DIE BITCH. WE ARE GOING TO SEE TO IT WHAT HELL REALLY IS FOR YOU.
 FUCK YOU FOR EVER.
 WHEN YOU WALK DOWN TOWN MAKE SURE YOU = FOUR EYES ON = HAVE YOUR
 HEAD. BECAUSE YOU ARE GOING TO BE KILLED
 FROM BLACK MOB
 BITCH [Skull & Crossbones drawing] 666

It is believed that the letter was related to a sentencing that I had that day of a drug dealer. The office offered me secure parking in the basement of our building for several weeks. The

Marshals came to my house and did a survey and offered a detail (I declined). The local Sheriff's Office and Police Department sent patrols to my neighborhood throughout the day for about one month. The office, with permission from EOUSA offered to put my family up in an out of town hotel for a short period of time (I declined). The office, with approval of EOUSA, has since paid to update and reactive my house alarm system and pay for a year of monitoring by ADT. I have qualified by and been deputized by the Marshals to carry a gun. The local police department has loaned me a Glock nine millimeter handgun. Several agencies have permitted me to participate with them in qualifying at the firing range. The FBI has pursued an investigation of the matter. We have a suspect who has been interviewed and who denied sending the letter. DNA of the suspect has been taken to compare with DNA from the licked envelope sent to the office. We are awaiting the results.

In February 2005, we received information from two inmates that a defendant who I had tried and convicted was planning to attack me at sentencing that month. That inmate was confronted with the information by the Marshals. That inmate was sentenced in shackles. That inmate has a criminal history which includes six felony convictions, one of which was a homicide.

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A few years ago, I was informed by a law enforcement agent that a confidential informant had received information that a defendant whom I had prosecuted for importing and possessing with intent to distribute several hundred pounds of marijuana had stated to the informant that when the defendant was released from prison he intended to harm me and the assigned case agent (this information was documented in a law enforcement report).

I provided this information to the U.S. Marshals Service and to our office security manager--I believe that this information was forwarded to EOUSA. No extraordinary steps were taken to provide protection for me, although I was advised by our office security manager and the USMS to keep an eye out for any suspicious activity around my residence and office.

Some of the precautions that I take include having an alarm system at home and maintaining an unpublished home telephone number. Of concern to many of us in this branch office is that we are housed in a bank building of which the first floor is vacant. Our security guard is able to observe any activity in our front parking lot and is able to monitor any persons entering the second floor elevator; however, he has no way of observing any suspicious traffic in the rear parking lot of the building or even on the first floor of the building.

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We prosecuted a man in prison for trying to hire a hit man to kill an AUSA. This was several years ago. I don't believe any special precautions were taken.

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During a 14 year career as an AUSA in Phoenix, I have handled primarily violent crime and firearms prosecutions. During my career, I requested special deputy status in order to carry a firearm due to the ongoing danger presented to me and my family by the nature of cases and defendants I have handled. The request was denied. Here are some of the issues and defendants I have dealt with in the past. Of particular interest to me is the fact that many violent criminals have a history of escape. Therefore, incarceration does not completely eliminate the threat.

1. Defendant #1 – Armed Career Criminal sentenced for felon in possession of a firearm and two counts of Hobbes Act robbery. Defendant #1 had at least six prior felony convictions including convictions for robbery (with a knife), robbery (with a straight razor), aggravated assault (with a knife), burglary (Defendant #1 attempted to shoot a victim but the gun did not fire), escape (Defendant #1 attempted to flee law enforcement officers by jumping into and floating down the Colorado River while handcuffed). Defendant #1 attempted to flee prior to his arrest in my case by kicking out a rear wall in a motel room, escaping from the motel and then attempting a car jacking. Defendant #1 was sentenced to 235 months of incarceration.
2. Defendant #2 – Armed Career Criminal convicted of felon in possession of a firearm. Defendant #2 had eight prior felony convictions including assault of a police officer (with a roofer's hatchet), endangerment (Defendant #2 shot a police officer with a rifle) and escape. Defendant #2 verbally threatened me immediately prior to sentencing and challenged me to a fight in the courtroom. Defendant #2 was restrained by the Marshals. No report was made. Defendant #2 received a sentence of 228 months.
3. Defendant #3 – Armed Career Criminal convicted of felon in possession of a firearm. Defendant #3 had three prior residential burglary convictions. Defendant #3 verbally threatened me at sentencing. Defendant #3 received a sentence of 180 months. Defendant #3 was in custody at the time of the threats. No report was made.
4. Defendant #4 – Armed Career Criminal convicted of felon in possession of a firearm. Defendant #4 had over twenty prior felony convictions including assault of a police officer (Defendant #4 attempted to run over a police officer with a car) and escape. State charges for escape, assault of a prison guard during a successful escape and rape were pending sentencing in 1996. Defendant #4 attempted to move towards and confront me during sentencing. Defendant #4 received a sentence of 264 months.
5. Defendant #5 – Convicted of dealing in over 400 firearms without a license and possession of an unregistered machinegun. A prisoner incarcerated with Defendant #5 advised me that Defendant #5, two years later, remained upset over his convictions. Defendant #5 received a sentence of 41 months which included an upward departure due to the number of guns.
6. Defendant #6 – Career Offender convicted of two counts of bank robbery. Defendant #6's escape plans from a federal pretrial detention facility were foiled by the FBI prior to sentencing. I assisted the FBI in foiling Defendant #6's elaborate escape plans. Defendant #6 received a sentence of 262 months.
7. Defendant #7 – Pro se defendant on pretrial release was convicted of felon in possession of firearms and unlawful possession of six machineguns. After the verdict, Defendant #7 was taken into custody by the Marshals Service. As he was lead away, he looked directly at me and the case agent, and stated "What goes around comes around." Defendant #7 was later convicted of plotting to kill the federal judge in the case. This conduct was reported to the prosecutors in the subsequent case. The Marshals were aware of the threat at the time it was made.
8. Defendant #8 – A member of a "police watch" group was convicted of unlawful possession of a machinegun and a pipe bomb. After Defendant #8's sentencing, the case agent and I walked through a large gauntlet of supporters who whispered threats in such a manner that we could not identify who was making them. At least two of the supporters appeared to have rolled in horse manure before the sentencing. No report was made.
9. An 11 Defendant Militia Case – Eleven individuals were convicted of a total of thirty-three felonies. All eleven militia members received sentences of imprisonment and lost their firearms rights. One militia member had made a detailed video tape describing how to attack and blow up federal law enforcement and military facilities. I was taunted verbally and in writing by the father of one defendant. Another defendant received an upward departure due to the use of armed sentries during explosives and machinegun training. A security system was installed in my residence as a result of his participation in this prosecution. Similar actions were either taken or

offered to two co-counsel.

10. Citizen #1 – I originally met this mentally ill woman when she came to our office with a citizen's request for assistance. The contact resulted in an unending stream of phone calls, faxes and verbal threats. Her conduct was referred to the FBI and Marshals Service on two occasions. In both instances, the agents determined that she had outstanding misdemeanor warrants and she was taken into custody. The threats and calls stopped for a significant period of time after each arrest.

Particular Policy Considerations –

1. Lack of a Specific Threat. I acknowledge that there was no specific ongoing threat pending against me. However, the general and ongoing nature of the threat was obvious. In conversations with federal special agents, local police officers and citizens, many of them expressed surprise that I was not automatically armed by my employer. I believe that the nature of the threat is ongoing and unpredictable. I cannot keep track of the whereabouts of all of the individuals I have prosecuted, nor do I have the means to maintain current information regarding their present appearance. If some of these defendants were to walk up to me on the street today, I would not be able to recognize them.

2. Availability of the State CCW Permit. I acknowledge that a CCW permit is helpful but the permit does not authorize possession of a firearm in establishments where alcohol is served (I do not drink), stores or public establishments forbidding firearms, airports, out of state locations, on Indian reservations (where I travel for business), and in school zones (where I travel to pick up one of my children). Moreover, DOJ policy forbids the carrying of personal firearms, even with a CCW, while at work. Therefore, I am not permitted to carry my own firearm with a CCW when I walk back and forth to court on regular basis.

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Over the past two years, I have received threats from individuals I have prosecuted. I am a sworn Special Deputy US Marshal, and have received firearms training from the US Marshal and the FBI. In addition, the US Marshal has conducted a threat assessment of my home. As a result, the alarm system has been upgraded and DOJ now pays for the monthly fees to ADT. In addition, the USA has sent in 3-4 Urgent Memorandums to EOUSA. EOUSA has been very responsive, although it was a lengthy process to get my first Special DUSM authorization. However, the second one was easier.

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I have personally been the target of an attempted drive by shooting by one of my defendants who was later successfully prosecuted for that offense as well as his original offense of felon in possession of a firearm. Because there is reason to believe that some defendants in another of my cases are responsible for setting my horses and dogs loose onto the public roadway, the FBI has installed surveillance cameras at my residence. Yet another of my defendants has threatened to blow me up when he finishes serving his sentence, which would be consistent with the nature of his offenses of conviction, though I hope to be living in anonymity by the time he has served all of his very lengthy but well-deserved federal sentence. The point of these examples is that it is often unavoidably dangerous to be an AUSA and the more time one spends in the position the more danger the position entails. In recognition of the dangers associated with their jobs, law enforcement agents and probation officers are under an enhanced retirement system. This same recognition should be extended to Assistant United States Attorneys.

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I am the DOSM for the SD of Ohio. The following incidents have occurred in the last three years and all were reported to EOUSA Security Programs Staff.

-- AUSA in Cincinnati (who has since retired) threatened by a defendant she prosecuted for obstruction. Defendant was incarcerated and actively planning to hire someone to kill her and the presiding district court judge in his case and kidnap the children of the FBI agent who investigated his case. FBI had a cooperating inmate, housed in the same institution as the defendant, wire a wire into the area of the prison where the defendant was jailed. Conversation on the wire confirmed the allegations and that the defendant claimed he had substantial assets to fund the crimes. The U.S. Marshals were notified, along with EOUSA, and the FBI and the USAO in Lexington, KY. where the defendant was incarcerated intended to pursue the case. All victims were notified and were satisfied the way things were handled. (11/04).

-- AUSA in Columbus received information from an FBI agent that a defendant he had prosecuted a few years ago had obtained her home address from the daughter-in-law of another defendant the AUSA had prosecuted (totally different case). The information was given to the FBI by a CI incarcerated with the defendant. The CI also sent a handwritten letter to the AUSA with the information outlined above. EOUSA and the US Marshal were notified. The Marshal completed a threat assessment. The FBI was asked to follow up to see if, in fact, anything was going on. (10/03) The AUSA was satisfied with the action taken.

-- The FBI received information that a defendant prosecuted by the Columbus AUSA in #3 was preparing to kill her. The defendant, along with other family members, was prosecuted by this office for operating a large money laundering operation. The defendant is currently under indictment by this office for the homicide of two federal witnesses and has been convicted of murder in the past. He is a dangerous individual. The Marshals were informed as well as EOUSA. The defendant is expected to go trial on the federal murder charges in June, 2007.

-- A man made threatening remarks to a Cincinnati AUSA OCDETF attorney outside on the street in front of a rental property the AUSA was remodeling and refurbishing in Cincinnati. The man stated he knew the AUSA was a "fed" and that he was going to kill him "this summer". (The statement was made in May, 2005) The man walked toward the AUSA and was reaching his hand into a plastic bag as he continued to make threatening remarks. Believing his life to be in danger the AUSA called 911 on his cell phone and the police arrived within a few minutes and arrested the man. He was transported to the University of Cincinnati Hospital for a psychological evaluation. The US Marshals were notified as well as EOUSA. The Marshals Service and FBI arrested the man after his release from the hospital and he is being prosecuted (federally) in Cincinnati for making threats. (5/05)

-- AUSA in Columbus, as well as the judge, were the targets of an outburst of a defendant being sentenced on federal gun charges. The defendant did not like his sentence and when he was being led out of the courtroom he made a statement that when he got out he was going to get another gun. Both the AUSA and judge viewed the comment as a threat. The Marshals were notified as well as EOUSA. No further action was taken.

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During a Court hearing on September 20, 2006, I was threatened by Defendant [Name

Redacted]. I was representing the government in a supervised release revocation hearing against the defendant in Peoria, Illinois. [Name Redacted] was revoked for receipt of stolen property and taken into custody to serve a 12 month sentence. During the hearing, [Name Redacted] told the Court he wanted to address me personally. Then went on a 20 minute tirade concerning [Name Redacted] holding me responsible for his problems, how he knew where I lived because he said he had laid carpet at my residence, and how he was at "his breaking point."

I prosecuted [Name Redacted] previously for a drug offense and following his release from prison he had been connected to a string of home burglaries. All the burglaries occurred while homeowners were home and residents were assaulted (at least two involved aggravated sexual assaults). [Name Redacted] is considered to be a local mob leader. Law enforcement officers made arrangements to interview [Name Redacted]'s live-in paramour in 2006 concerning the burglaries and she never appeared for her interview or was seen alive again—and was found murdered two months later. Two cooperators involved with the home burglaries stated that [Name Redacted] gave the green light for the murder of his paramour, so that she would not talk about the home burglaries.

I did have new carpet installed in 2005 by the same company that installed carpet in at least one of the homes of a burglary victim. We could not verify that [Name Redacted] had any connection with that company, however. The lead investigator of the home burglaries stated that I should consider [Name Redacted]'s threat seriously as he is a very violent criminal and at least one of the home burglaries was considered a "revenge burglary."

The US Marshal were notified of this threat and conducted a threat assessment. The EOUSA Security Programs funded a security system for my home.

White will be released in about 6 months. I am very familiar with [Name Redacted]. I concur with other law enforcement agents who also know [Name Redacted] very well. [Name Redacted] is an intelligent, articulate and violent person with a pension for revenge and who has the charisma to persuade and manipulate other criminals. When [Name Redacted] is released, I fear from myself and my family. The home security system provides comfort for me and my family ONLY while at home.

=====

I have a couple of instances of my own to report. From 1986 through 2006, I served as our district's lead OCDETF AUSA. I have been warned numerous times by defense attorneys, informants, and cooperating defendants that, due to my reputation, I would be in danger if I encountered friends or family members of many whom I have prosecuted. I take those warnings seriously.

=====

Several years ago, I was with my young children in a Mall when I saw a defendant who I prosecuted who I thought had mental problems. I left the mall immediately avoiding contact with him. I did not file a report.

On the street, a defendant started yelling from a car that I had sent him to prison. I didn't file a report.

I have had to be escorted from the Court house many times because of concerns about unhappy family members.

I have an alarm system at my house because of my work. I specifically had an outside light put on the house and taught my kids not to enter the house if the light was on. I also had an alarm system added to my car for security.

I had tried to keep my professional name unavailable to the public but the internet has foiled my attempts.

=====

In one of my pending OCDEF cases, the lead defendant was attempting to hire a hitman to kill the DEA case agent and a cooperating witness. He told an informant that he did not want to have me killed because it would be too easily traced to him, but that he wanted my wife (he had developed information on her identity somehow) and me harassed. This threat was reported to EOUSA and the USMS. I have since been deputized through the USMS, I have received a secure parking space, and my home alarm is paid for by my office.

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I am a criminal AUSA in NDWV, where I prosecute many drug and gun cases. I have had two incidents:

First, in approximately 2001, I prosecuted 36 drug defendants from Webster County, West Virginia. One night during a heated time in the case (we had recently offered the ringleader's girlfriend witness protection if she cooperated), somebody ran onto my porch, and off, and waited in a car until I opened the door and looked out. After seeing me, the car sped away. It appears they were attempting to clarify they were at the right house. I reported this incident to the FBI and to my office. As a result, FBI and USMS agents moved into my house and lived with me and my family for 3 weeks, taking my kids to school, etc.

Second, in approximately, 2005, a jail informant, through his lawyer, warned me that a methamphetamine laboratory defendant I was prosecuting, and who was seeking bond, wanted to "shoot me in the head." The FBI investigated (and it was reported to EOUSA) but found insufficient evidence. Bond was denied and he is serving 60 months - but he'll be out and back in my community in about 3 years. I *hope* it was not true, or that he's changed his mind.

Finally, I work in a rural branch office central West Virginia. I travel 22 miles on a lightly traveled 4-Lane road to and from work. I don't think, under present policy and law, I can leave my house in the morning headed for work with a firearm, even though I travel alone in rural Appalachia, because I can't even leave it in my car in the federal building/courthouse parking lot. If you look at the firearms statute, there is an exception for hunting and sporting (i.e., you can leave your gun in the car after hunting if you stop by the post office/federal building to check your mail), but not for personal defense. And USAO policy is no guns related to work, absent a specific exception for deputizing. The USMS and FBI can come to my door *after* the bad guys make the first move, but they can't be there to help me at home until something happens.

I would appreciate an office sponsored, appropriate firearms safety program.

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I am a supervisor of a branch office in the Eastern District of Michigan. There have been two instances of concern that have arisen in my office within the last several years.

1. One of the AUSAs in our office was prosecuting several members of the same family for crop insurance fraud. Several acts of vandalism were committed against her house at various times that coincided with hearings in court on that case. These individuals were at the top of the suspect list. The incidents were reported to the main office in Detroit and to the FBI who installed surveillance cameras at her residence but no evidence was obtained from that effort and nothing has happened recently. I have no idea if it was reported to EOUSA.

2. A second more recent incident involved a trial I conducted within the last few weeks relating to drug and gun charges against a defendant who is a member of an outlaw biker gang. During the trial one of our witnesses was followed home by a gang member who sat through the trial wearing a shirt with gang letters on it. Some time before the trial one of the investigators had his trash taken from his house. Also during the trial, the same individual who followed the witness home commented to the case agent, in the courthouse bathroom, that he had followed the agent as the agent came to court that day. While I have not noticed that anyone has followed me I have become concerned (this same defendant is charged in a drug related homicide case which is scheduled for trial within the next few months) and looked into the procedure for obtaining authority to carry a handgun. I have reviewed the procedure that DOJ provides for AUSAs to carry firearms as well as the Michigan procedure for carrying a concealed weapon (I had a state permit for a long time but let it lapse). I have taken steps to obtain the state permit (it will take about two months) but have not decided on the DOJ route due to its cumbersome procedure.

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obtain the state permit (it will take about two months) but have not decided on the DOJ route due to its cumbersome procedure.

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In November-December 2003, another AUSA and I received a threat from members and associates of the Outlaw Motorcycle Club, the upper echelon of which were tried and convicted in two trials in 2004. The OMC threatened to kill the Magistrate Judge, both AUSA's, and two main cooperating witnesses. The AUSA's were placed on a 24-hour Marshals security detail for a period of time; the incident was reported to EOUSA.

=====

About a year ago, apparently a man followed me as I left my building and was taking pictures of me as I walked down the street. The Security guards at the Courthouse saw this and confronted him after he had followed me for a block. I was unaware of the situation until then. I did not know the man. They took info from him and detained him while I left but there was nothing more they could do. I did not report the incident to my office and never saw the man again. I became more aware of my surroundings.

About 5 years ago I was grabbed, hands on each of my forearms, by a deranged man, as I walked from my parking lot. I pulled away and ran. I called to report the matter to the Detroit PD. They said they would send a car but they never did. I did not report it to my office.

=====

I am an AUSA in Springfield, MA, which is 90 miles west of Boston. Springfield is reported to be the 19th most violent city in the country. As a result, EOUSA has authorized parking for all 11 USAO Springfield employees inside the current courthouse. In addition, a new Springfield courthouse is being built in which the USAO will be located. Due to the violence in the city and the location of the new courthouse, EOUSA has authorized the installation of ballistic glass throughout the new offices. However, there have been no specific threats.

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1. April 2, 2004, An AUSA received an unsigned letter threatening his life and those of his family because the attorney in question "seriously altered the life" of a defendant. The defendant in question was a LCN associate who was convicted in a murder for hire scheme. The defendant is serving a life sentence. The incident was reported to EOUSA. The letter was sent to the FBI for forensic analysis. Nothing else come of the incident nor the investigation.
2. On March 3, 2005, the USA received a letter threatening to kill him. The defendant in question was awaiting sentencing for making threat against a federal judge. The incident was reported to EOUSA and additional charges were ultimately filed against the defendant for threats to other judges etc.
3. On March 15, 2005, an inmate conveyed information to his attorney that another inmate was making threat regarding the AUSA who was handling his case and the judges involved in the case as well. The threats involved killing the AUSA and selling drugs to his children. The defendant stated that he would wait the "10, 20 or 30 years" he would serve before making good on the threat. The incident was reported to EOUSA. Investigators interviewed the cooperating inmate and confronted the other defendant. No other action was taken.

=====

I prosecuted a case in which the defendant directly threatened my co-counsel and an AUSA who was formerly on the trial team. The FBI learned that the defendant was planning the killing of witnesses as well as the prosecutors. The agent obtained jailhouse telephone calls of the defendant in which he mentioned the plot to kill witnesses. Documents given to another inmate, who gave them to the FBI, confirming the defendant's intentions. The defendant further identified to the other inmate the names, physical descriptions, and where the AUSAs lived as well as "notice" that one AUSA had a son. Most chilling, he set up code words for the AUSAs so that the "hit man" would know which one to kill. I do not know whether EOUSA was notified, but the Marshal Service had previously installed an alarm system in the home of my co-counsel because her spouse is also an AUSA who was targeted by MS-13. The defendant was convicted of interstate kidnapping resulting in the death of his ex-wife. He was sentenced to life in prison. He was not prosecuted for the plot to kill AUSAs or witnesses.