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DOJ OIG Releases Report on the U.S. Marshals Service's Special Deputation Authority

Department of Justice (DOJ) Inspector General Michael E. Horowitz announced today the release of [a report](#) on the U.S. Marshals Service's (USMS) special deputation authority. Special deputation refers to the process of granting individuals federal law enforcement authority and enabling them to act as federal law enforcement officers while under the supervision of the federal government. We identified significant deficiencies in the USMS's administration and oversight of special deputations that increase the risk of misuse of law enforcement authority, as well as legal liabilities for the USMS and DOJ.

The DOJ Office of the Inspector General (OIG) found that insufficient policies and an inadequate oversight structure resulted in the USMS approving requests for special deputations that reflected questionable law enforcement authority provisions, inappropriate sponsorships, ineligible applicants, and inconsistent timeframes, as well as contributed to incomplete tracking for terminated deputations. Further, we found that the USMS's policy for special deputation provided deputized individuals with warrantless arrest authority for federal misdemeanors, even though the pertinent federal statute limits the USMS's warrantless arrest authority to federal felonies.

As a sponsor of special deputations for its own task force officers (TFO) and court security officers (CSO), the USMS must ensure appropriate oversight of special deputation authority. Yet, we found that the USMS did not have adequate processes in place to identify and respond to lapses in the deputation authority for its TFOs or monitor and evaluate misconduct allegations of its TFOs to ensure continued special deputation is appropriate. Lastly, the USMS had not established adequate policies, procedures, and controls for the special deputation of its CSOs.

The DOJ OIG made 11 recommendations to improve the USMS's administration of special deputation authority and oversight of its use of this authority for TFOs and CSOs. Ten of the recommendations were directed to the USMS, and the USMS concurred with all 10 recommendations. The remaining recommendation was directed to the Office of the Deputy Attorney General (ODAG), and ODAG concurred with that recommendation.

Report: Today's report can be found on [the OIG's website](#).

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