



U. S. Department of Justice

Washington, D.C. 20530

FEB 12 2001

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: ACTING DEPUTY ATTORNEY GENERAL

FROM: Stephen R. Colgate  
Assistant Attorney General  
for Administration

*Sm* 2/16/01  
*StC*

SUBJECT: Department of Justice (Department)  
Reorganization

PURPOSE: Establish the Office of the Detention Trustee as a separate new component within the Department.

TIMETABLE: As soon as possible.

SYNOPSIS: I am submitting to you for approval a Department reorganization proposal which was submitted during the last months of the Clinton Administration. The reorganization proposal was approved by the Office of Legal Counsel for form and legality in a memorandum dated January 4, 2001 which is included in this package. In addition, the Associate Attorney General concurred on this reorganization proposal on January 18, 2001.

This reorganization will establish a new Office of the Detention Trustee (ODT) as a separate new component within the Department. ODT is being established consistent with the language in the FY 2001 Justice Appropriation which provides \$1 million to establish a federal detention trustee within the Department to be responsible for oversight of detention management, as well as improvement and coordination of detention issues Departmentwide. The trustee has been tasked with focusing initially on two regional "hot spots" and developing pilot detention projects for each, one along the Southwest Border and the other in the Midwest. At the outset of the projects, the trustee is to conduct a needs assessment of detention and detainee handling requirements and develop a baseline for the present efficiency and effectiveness of all aspects of detention and detainee handling, against which subsequent process improvements will be assessed. The initial baseline report is to identify the

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specific operational areas of detention that will be targeted, as well as the specific geographic boundaries for the pilots. Elements that the pilots are supposed to cover are: centralized management of the Intergovernmental Agreements under the detention trustee; prisoner transportation; healthcare management; and Cooperative Agreement Program Grants. It is intended that the trustee be given authority to direct the use of Immigration and Naturalization Service (INS) and United States Marshals Service (USMS) detention resources. The Congress originally was asking for the baseline reports on the two areas selected for pilots to be provided by January 5, 2001, with the pilot projects completed one year later. These reports have been postponed pending the establishment of the detention trustee and the related office. Therefore, it is important to establish the detention trustee as soon as possible so that this work can proceed.

As proposed, the detention trustee will be a senior executive with extensive experience in the area of detention management and operations. Among the responsibilities conceived for the trustee are:

- Development and implementation of Departmentwide detention standards, policies and procedures;
- Development and implementation of Department strategies to deal with detention "hot spots" and crises;
- Review of existing detention practices to develop alternatives that will improve mission efficiency and cost effectiveness;
- Direction and coordination of Department budget and strategic planning submissions on detention to ensure that they are internally consistent and free of unnecessary duplication;
- Development and management of a comprehensive statistical and financial database covering all Department detention activities;
- Integration of existing predictive workload models to develop comprehensive, Departmentwide detention planning capabilities;

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- Serving as Executive Secretary of and providing staff support to the Department's Detention Planning Committee;
- Serving as the Department's detention program advocate at planning sessions for new law enforcement initiatives; and
- Management of the ongoing Justice Management Division contract examining the conditions of detainee confinement scheduled for completion June 15, 2002.

DISCUSSION: It has been determined that OMB and Congressional notification will be required prior to implementing this reorganization. I will initiate these actions upon your approval of the reorganization. Initially, the permanent staff of ODT would consist of the detention trustee and a secretary. Other detention specialist positions would be filled by detailees from the Department Components responsible for detention (USMS, INS and the Bureau of Prisons). The specific office structure and its functional areas would be established at the discretion of the trustee to address major issue areas, such as detention budgets, transportation, space planning, space acquisition, and medical services. This proposal will require a new SES position to head ODT. The head of ODT will report directly to the Deputy Attorney General. All salaries, benefits, overhead, operation and other expenses of ODT for the first year will be covered by the \$1 million appropriated in FY 2001.

RECOMMENDATION: Signature on the attached new Department organization chart approving the reorganization.

APPROVE: \_\_\_\_\_

3/6/01

Concurring Components:

See Attached

DISAPPROVE: \_\_\_\_\_

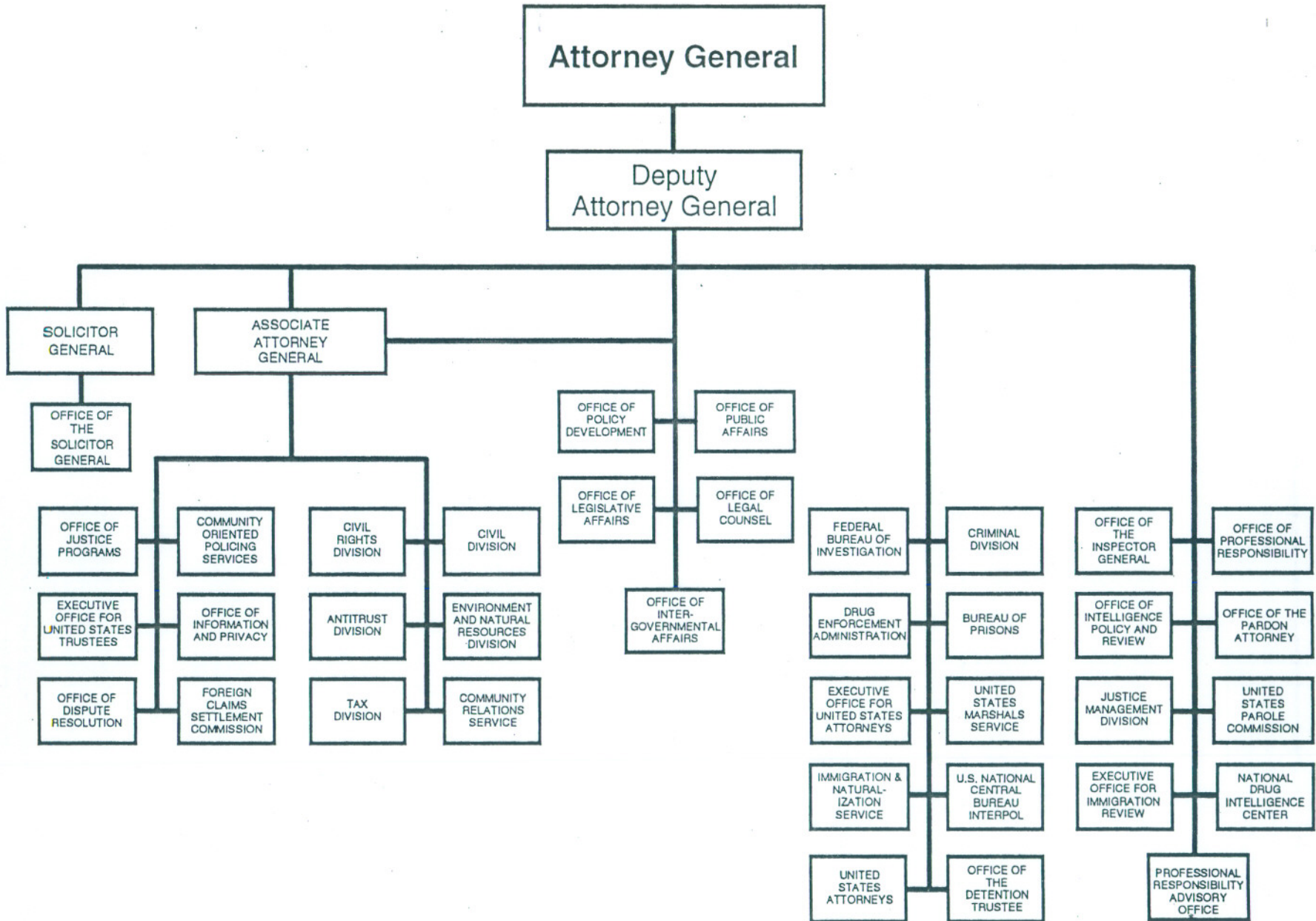
Nonconcurring Components:


None

OTHER: \_\_\_\_\_

Attachments

# U.S. DEPARTMENT OF JUSTICE



Approved by:  3/6/01  
 JOHN D. ASHCROFT  
 Attorney General