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DOJ OIG Releases Review of Specific Concerns Related to the United States Marshals Service's Efforts to Eliminate the Use of Contract Detention Facilities

Department of Justice (DOJ) Inspector General Michael E. Horowitz announced today the release of a review of concerns related to the United States Marshals Service's (USMS) Implementation of Executive Order 14006, Reforming Our Incarceration System to Eliminate the Use of Privately Operated Criminal Detention Facilities.

The DOJ Office of the Inspector General (OIG) found that since Executive Order 14006 was issued in January 2021, five USMS contracts for privately operated criminal detention facilities have expired. We found that, for one of those contracts involving the Northeast Ohio Correctional Center (NEOCC), the USMS established a pass-through intergovernmental agreement (IGA) for continued use of the facility by the same private contractor. Under this new arrangement, the USMS entered into an IGA with a local government, which then contracted with the private contractor to enable the USMS to continue use of the same privately operated detention facility. This arrangement resulted in essentially no change in the USMS's reliance on the facility, yet increased costs by as much as \$500,000 per month, or \$6 million per year and decreased the control the USMS had for ensuring the safe and humane treatment of those in USMS custody.

Furthermore, we determined that the documentation provided to us by the Office of the Deputy Attorney General relating to the decision to convert the NEOCC from a private detention facility contract to a pass-through IGA facility did not demonstrate that all the costs and benefits of the conversion had been considered, thereby raising questions about whether the decision was fully informed. We believe that the USMS should take steps to assess the identified concerns to ensure the proper stewardship of taxpayer dollars for future contracts and to consider how its contracting actions meet the objectives of Executive Order 14006, as articulated in that document.

In March 2022, we alerted the Department to our concerns. Since that time, no other IGAs have been created by the USMS to address expiring contracts with privately operated criminal detention facilities.

The OIG made two recommendations to address our concerns with the USMS's implementation of Executive Order 14006. The Deputy Attorney General and the USMS agreed with the recommendations.

Review: Today's review is available on the OIG's website at the following link:

<https://oig.justice.gov/reports/review-concerns-raised-related-united-states-marshals-services-implementation-executive>

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