

United States Marshals Service
Short-Term Joint Operation – Memorandum of Understanding

PARTIES AND AUTHORITY:

This Memorandum of Understanding (MOU) is entered into by the participating agency and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B) and 42 U.S.C. § 16941(a). Under those statutes, the USMS is authorized to assist state and local jurisdictions in executing arrest warrants for certain violent state felons and in locating and apprehending sex offenders who are non-compliant with the requirement that they register as a sex offender. This MOU is for use in temporary, short-term, joint operations with state/local agencies not a part of standing USMS regional and/or district task forces and in geographic areas not routinely served by standing USMS regional and/or district task forces.

MISSION:

The primary mission of the operation is to investigate and/or arrest, as part of temporary, short-term joint law enforcement operations, persons who have active state arrest warrants adopted by the USMS and/or federal warrants for their arrest and/or who are in potential violation of the Adam Walsh Act. The intent of this joint effort is to investigate and/or arrest local, state, and federal fugitives, to improve public safety, reduce violent crime, and reduce the number of fugitive non-compliant sex offenders.

PERIOD OF PERFORMANCE/EFFECTIVE DATE/TERMINATION:

Once signed, this MOU will become effective upon the commencement of the operation and terminate upon the operation's conclusion.

PERSONNEL:

Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the supervision/conduct of its personnel in this joint endeavor.

REIMBURSEMENT:

If the Marshals Service receives Asset Forfeiture funding for either 1) overtime incurred by state and local investigators who provide support to USMS joint law enforcement operations; or 2) travel, training, purchase or lease of police vehicles, fuel, supplies or equipment for state and local investigators in direct support of state and local investigators, the USMS shall, pending availability of funds, reimburse your organization for expenses incurred, depending on which category of funding is provided. Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the RUS. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the joint operation during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost. The request for reimbursement must be submitted to the District Chief Deputy, who will review the request for reimbursement, stamp and sign indicating that services were received and that the request for reimbursement is approved for payment. Supporting documentation must accompany requests

for reimbursement for equipment, supplies, training, fuel, and vehicle leases. **Reimbursable Funds for all USMS approved expenditures are capped at no more than 2,256⁰⁰.**

USE OF FORCE:

All members of the participating agency shall comply with their agencies' guidelines concerning the use of firearms and deadly force. All members of the participating agency shall comply with United States Justice Department guidelines concerning the use of less-lethal devices. Copies of all applicable firearms, deadly force, and less-lethal policies shall be provided to the District Chief Deputy and each concerned task force officer. In the event of a shooting involving task force personnel, the incident will be investigated by the appropriate agency(s).

NEWS MEDIA:

Media inquires will be referred to the District Chief Deputy. A press release may be issued and press conference held, upon agreement and through coordination with participant agencies' representatives. All press releases will exclusively make reference to the task force.

RELEASE OF LIABILITY:

Each agency shall be responsible for the acts or omissions of its employees. Participating agencies or their employees shall not be considered as the agents of any other participating agency. Nothing herein waives or limits sovereign immunity under federal or state statutory or constitutional law.

Cascade County Compliance
Operation Name

Department of Correction (Probation; Parole)
Participating Agency Name

Lisa Grady
Participating Agency Representative

12/29/15
Date

[Signature]
United States Marshal

D/MT (046)
Participating USMS District

1/4/2016
Date

INSTRUCTIONS: See page 2 for detailed instructions.

SECTION 1: OBLIGATION

STARS OBLIGATION #:

SECTION 2: PARTICIPATING AGENCIES

Notification to state and local agencies of funding provided in support of U.S. Marshals Service operations, pursuant to the Memorandum of Understanding (MOU) between:

Montana Department of Correction (Probation and Parole)

and

District of Montana (46)

SECTION 3: PROJECT / OPERATION NAME

Cascade County Compliance

SECTION 4: PERIOD OF PERFORMANCE

January 18, 2016 to February 1, 2016

SECTION 5: APPROPRIATION DATA

| FISCAL YEAR | ORGANIZATION | FUND | PROJECT | SOC | PURPOSE | DOLLAR AMOUNT |
|---------------------------------|--------------|--------|----------|------|------------------------|-------------------|
| | | | | 2100 | Travel / Per Diem | |
| | | | | 2532 | Investigative Expenses | |
| 2016 | D46 H51 | 0324AD | FWB3000F | 2599 | State & Local Overtime | \$1,656.00 |
| 2016 | D46 H51 | 0324AD | FWB3000F | 2600 | Supplies & Materials | \$600.00 |
| ADD APPROPRIATION DATA | | | | | | |
| TOTAL OBLIGATION AMOUNT: | | | | | | \$2,256.00 |

SECTION 6: CONTACT INFORMATION

DISTRICT/RTTF CONTACT:

Name: Matt Brophy

Phone: 406/876-2025

E-mail: matthew.brophy@usdoj.gov

STATE/LOCAL CONTACT:

Name: Dawn Handa

Phone: _____

E-mail: _____

SECTION 7: AUTHORIZATION

This obligation document serves as notification of funding provided to support state and local agencies participating in U.S. Marshals Service Operations subject to the availability of funds. The U.S. Marshals Service reserves the right to remove unused residual funds upon completion of payments under this obligation.

USMS Administrative Representative - Certification of Funds:

Signature: _____

Carol Rash
Carol Rash, AO

Date: _____

1/4/2016

USMS Operational Representative - Obligation Approval:

Signature: _____

Rod Ostermiller
Rod Ostermiller, CDUSM

Date: _____

1/4/16

Departmental Representative - Acknowledgement:

Signature: _____

Date: _____

12/29/15

FORM USM-614 INSTRUCTIONS

The Investigative Operations Obligation Document is designed to provide district and regional fugitive task forces with one standard obligating form to record new obligations of USMS funding in STARS. To adjust funding in an existing obligation, please refer to Form USM-614A, Investigative Operations Task Force Modification Document. Funding in support of the task force mission is pursuant to the existing Memorandum of Understanding (MOU) between the USMS and the state or local law enforcement agency participant. Reimbursements are subject to the availability of funds and contingent upon the submission of proper documentation. Please note that overtime reimbursements require the submission of agency invoices and supporting documentation on a quarterly basis.

In the event that the USMS will use a payment method OTHER than reimbursement directly to the state or local agency, additional guidance will be provided by USMS Headquarters. The district or RFTF office is responsible for communicating payment procedures to their partnering agencies. All payments are made via Electronic Funds Transfer (EFT) through the U.S. Department of Treasury.

SECTION 1: Obligation Number

- A. Enter STARS Obligation number.

SECTION 2: Participating Agencies

- A. BOX 1: Enter name of state or local participating agency.
- B. BOX 2: Use drop down menu to select appropriate USMS District/RFTF.

SECTION 3: Project/Operation Name

- A. IOD will insert the name of the project or operation being funded.

SECTION 4: Period of Performance

- A. Insert valid period of performance for the obligation. Obligations created using the one-page Investigative Operations Task Force Obligation Form may not cross fiscal years.
- B. Period of performance must begin no earlier than the date of funds availability (provided by IOD) and end no later than September 30 of the current fiscal year.

SECTION 5: Appropriation Data

- A. Enter information across appropriate field for all items being obligated. All fields for a line item must be completed in order to proceed to the next step.
- B. Project Codes: Will be assigned by IOD.

SECTION 6: Contact Information

- A. Enter District/RFTF contact information (Box 1) and State/Local contact information (Box 2).

SECTION 7: Authorization

- A. Certification of Funds: Signature will be applied by the IOD representative upon confirmation that funds have been moved into the budget.
- B. Obligation Approval: Signature will be applied by District or RFTF representative upon receipt of obligation document. To ensure sufficient internal controls and proper segregation of duties, the district/RFTF representative approving obligation forms cannot also approve invoices or reimbursements related to the same obligation. (See U.S. Office of Management and Budget (OMB) Circular A-123 and USMS Office of Finance guidance for further information regarding internal controls.)
- C. Acknowledgement: Signature will be applied by state or local agency representative. The obligation is not valid until all parties have signed. When completed, the form will be returned to the District/RFTF office. Districts are responsible for entering obligations into STARS. RFTF obligations will be forwarded to Headquarters IOD to be entered into STARS.