

Federal Law Enforcement

Federal Law Enforcement

A Primer

THIRD EDITION

Jeff Bumgarner
Charles Crawford
Ronald Burns



CAROLINA ACADEMIC PRESS
Durham, North Carolina

Copyright © 2023
Carolina Academic Press, LLC
All Rights Reserved

LIBRARY OF CONGRESS CATALOGING-IN-PUBLICATION DATA

Names: Bumgarner, Jeffrey B., author. | Crawford, Charles E., 1967- author. |
Burns, Ronald G., 1968- author.
Title: Federal law enforcement : a primer / Jeff Bumgarner, Charles E. Crawford,
and Ronald Burns.
Description: Third edition. | Durham, NC : Carolina Academic Press, LLC, [2023] |
Includes bibliographical references and index.
Identifiers: LCCN 2023008739 | ISBN 9781531023546 (paperback) |
ISBN 9781531023553 (ebook)
Subjects: LCSH: Law enforcement--United States. | Police--United States.
Classification: LCC HV8139 .B86 2023 | DDC 363.20973--dc23/eng/20230510
LC record available at <https://lcn.loc.gov/2023008739>

Carolina Academic Press
700 Kent Street
Durham, North Carolina 27701
(919) 489-7486
www.cap-press.com

Printed in the United States of America

Contents

Preface	xiii
----------------	-------------

Part I

FEDERAL LAW ENFORCEMENT OF THE PAST AND PRESENT

One · Origins of Federal Law Enforcement in America	3
Enforcing Taxes and Tariffs	5
Serving the Federal Judicial System	6
Securing Public Facilities	7
Protecting the Postal System	9
Federal Law Enforcement Expands with the Nation	10
Public Lands	14
References	17
Two · Current State of Federal Law Enforcement in America	19
Federal Law Enforcement: Organization and Extent	21
U.S. Department of Justice	21
U.S. Department of Homeland Security	23
Federal Law Enforcement Officers	24
United States Attorneys	27
Special Counsels	28
Federal Regulatory Agencies	30
Cooperative Law Enforcement Efforts	31
Debate Regarding Constitutional Limits of Federal Police Power	32
References	37

Part II

FEDERAL LAW ENFORCEMENT AGENCIES · DEPARTMENT OF JUSTICE

Three · Federal Bureau of Investigation (FBI)	43
History	43

Early Jurisdiction	47
J. Edgar Hoover	49
Organization and Personnel	52
Criminal Justice Information Systems (CJIS)	56
Functions	57
Foreign Intelligence Surveillance Act (FISA)	58
USA PATRIOT Act and USA FREEDOM Act	58
References	60
Four · Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)	63
History	64
Treasury's Prohibition Unit	64
ATF Missteps and Bad Publicity	66
Revitalizing the ATF	68
Organization and Personnel	69
Functions	70
Focus and Accomplishments	71
ATF Crime Prevention and Cooperative Efforts	72
ATF Crime Labs and Information Sharing	73
References	74
Five · U.S. Marshals Service	77
History	78
Organization and Personnel	81
Functions	84
Judicial Security	84
Fugitive Apprehension	85
Witness Security Program	87
JPATS	88
Prisoner Operations	89
Asset Seizure and Forfeiture	89
Special Missions and Programs	90
References	90
Six · Drug Enforcement Administration	93
History	93
Controlled Substances Act of 1970	94
Organization and Personnel	96
El Paso Intelligence Center (EPIC)	96
Figure 6.1 Organizational Structure of the DEA	97
Functions	98
<i>Bivens v. Six Unknown Drug Agents</i>	99

Priorities and Strategies	99
References	106

Part III

FEDERAL LAW ENFORCEMENT AGENCIES · DEPARTMENT OF HOMELAND SECURITY

Seven · U.S. Immigration and Customs Enforcement (ICE)	111
History	113
Organization and Personnel	114
Enforcement and Removal Operations	115
Homeland Security Investigations	117
Office of the Principle Legal Advisor	118
Personnel	120
Functions	121
Homeland Security Investigations Efforts	121
Enforcement and Removal Operations Efforts	124
References	127
Eight · U.S. Customs and Border Protection	131
History	132
Early Immigration Enforcement	133
Creation of the U.S. Border Patrol	133
Change in Immigration Policy	135
Organization and Personnel	136
Positions within CBP	138
Border Patrol Agents	138
Customs Border Protection Officers	138
Agricultural Specialists	139
Air and Marine Agents	139
Functions	139
Border Patrol	140
Air and Marine Operations	141
CBP Field Operations	142
References	143
Nine · United States Secret Service	147
History	147
Creation of the Secret Service	148
Duties of the Early Secret Service	149
Protecting the President	150

Lessons Learned from the Kennedy Assassination	152
Organization and Personnel	153
Becoming a Secret Service Employee	156
Functions	158
Criminal Investigation	158
Protection Details	161
References	165
Ten · Federal Air Marshal Service	169
History	169
Hijackings as an International Threat to Aviation	170
Explosives Emerge as a Threat to Aviation	171
Lessons Learned from Dawson's Field	172
Creation of the Sky Marshals Program	173
Terrorism and Airline Security	175
Aviation and Transportation Security Act	176
Organization and Personnel	178
Becoming a Federal Air Marshal	180
Functions	180
References	183
Part IV	
FEDERAL LAW ENFORCEMENT AGENCIES · DEPARTMENT OF INTERIOR	
Eleven · National Park Service	189
History	190
Organization and Personnel	193
Visibility of Park Rangers	196
United States Park Police	198
Functions	199
Crime and the NPS	200
References	204
Twelve · The Bureau of Indian Affairs	209
History	209
Removal of American Indians	210
Creation of the Bureau of Indian Affairs	211
Early BIA Policing	212
Organization and Personnel	214
Becoming a BIA Police Officer	215
Functions	216

BIA Investigation Priorities	217
References	219
Part V	
FEDERAL LAW ENFORCEMENT AGENCIES · OTHER AGENCIES	
Thirteen · Internal Revenue Service	225
History	225
Taxation in the 20th Century	226
Creation of Special Agents	227
Targeting Al Capone	229
IRS Special Agents over the Decades	229
Organization and Personnel	231
Becoming an IRS Special Agent	233
Functions	234
IRS Criminal Investigation Procedures and Recent Cases	235
References	237
Fourteen · U.S. Postal Inspection Service	239
History	240
Early Criminal Investigative Responsibilities	241
Personnel and Organization	242
Functions	245
Postal Inspection Service Forensic Laboratory	248
Cooperation and Initiatives	248
References	250
Fifteen · Uniformed Police Services	253
U.S. Capitol Police	254
U.S. Supreme Court Police	258
Federal Protective Service	260
References	265
Sixteen · Military Criminal Investigative Agencies	269
Army Criminal Investigation Command	271
U.S. Marine Corps Criminal Investigation Division	274
Naval Criminal Investigative Service	275
Air Force Office of Special Investigations	277
Coast Guard Investigative Service	279
Defense Criminal Investigative Service	282
References	283

Seventeen · Offices of Inspector General	285
History	286
Creation of Statutory Inspectors General	287
Organization and Personnel	289
Ambiguous Law Enforcement Authority	291
Deputation by the U.S. Marshals	293
Functions	297
References	299
Eighteen · United States Probation and Pretrial Services	301
History	303
Organization and Personnel	305
Functions	306
Pretrial Services	308
Probation and Supervised Release	309
Law Enforcement Authority	310
Careers with U.S. Probation and Pretrial Services	311
References	312
Part VI	
CAREERS AND TRENDS	
Nineteen · Careers in Federal Law Enforcement	317
History	319
Organization and Personnel	323
Federal Law Enforcement Training Center (FLETC)	326
The Organization of Careers in Federal Law Enforcement	326
Job Categories	328
Federal Pay Scale	329
References	333
Appendix A: Federal Career Resources	335
Twenty · The Future of Federal Law Enforcement	337
Organizational Issues	339
Entering Federal Law Enforcement	340
Functions and Responsibilities	341
Interagency and Intergroup Relations	344
Legal Aspects	347
Misconduct, Corruption, and Ethical Issues	349
Administration	350
The Drug War	351

Technology and Criminalistics	352
Homeland Security and International Crime	355
References	356
Index	361

Preface

The increasing importance of federal law enforcement in today's society cannot be overstated. Criminal justice is primarily addressed in the scholarly literature at the local level, despite the significance of federal law enforcement. This book provides an overview of federal law enforcement, with a particular focus on the more prominent federal law enforcement agencies and missions. The need for such a book stems primarily from the increased emphasis on federal-level criminal justice following the 2001 terrorist attacks against the United States, the significant student interest in federal law enforcement careers, the increasing number of academic programs offering courses in homeland security and federal law enforcement, and the void in the literature regarding federal law enforcement.

The organizational structure of federal law enforcement changed following the terrorist attacks against the U.S. in 2001. Among the notable changes in federal law enforcement was the creation of the Department of Homeland Security (DHS). The DHS plans, coordinates, and integrates U.S. government activities pertaining to homeland security. The Homeland Security Act of 2002 (the legislation responsible for creating DHS) transferred all or part of 22 existing federal agencies to DHS. The significance of this change is evidenced in the DHS surpassing the Department of Justice as the federal department employing the greatest percentage of federal officers with arrest and firearms authority. In addition to the reorganization of federal agencies, there has recently been an increase in the hiring of federal agents and projections of substantial growth in the coming years.

Students studying criminal justice are often interested in careers in federal law enforcement. However, most criminal justice programs structure their curriculum around crime and justice at the local level. In turn, one could make the argument that greater scholarly emphasis in this area is needed, particularly in the form of updated and recent reading material. Among other things, the 2001 terrorist attacks against the United States highlighted the need for greater cooperation among federal law enforcement agencies and prompted these agencies to bulk up their forces with additional officers and special agents. The bolstering of federal law enforcement with additional personnel continues today. These additional officers and agents, many of whom have yet to be hired and are currently enrolled in colleges and universities across the country, should be versed in the nature, structure, and responsibilities of federal law enforcement agencies.

The federal government is the United States' largest employer with over two million civilian employees working both domestically and abroad in over 2,000 different occupations. From a law enforcement perspective, federal law enforcement officers and agents are found in roughly 100 federal departments, independent agencies, and sub-agencies. Many students are familiar with the more popular federal law enforcement agencies, such as the Federal Bureau of Investigation (FBI) or the Drug Enforcement Administration (DEA). However, there are many other federal agencies that have law enforcement responsibilities, such the National Park Service, the U.S. Postal Inspection Service, the Defense Criminal Investigative Service, and the Office of Inspector General for the U.S. Department of Agriculture.

This book attempts to partly address the void in academic literature regarding federal law enforcement. It does so by (1) expanding reader knowledge of the more popular federal law enforcement agencies; (2) introducing readers to numerous lesser-known federal law enforcement agencies; and (3) exposing readers to the history and nature of federal law enforcement in general. Chapters in this book which focus on specific federal law enforcement agencies are organized in a similar manner to one another to ensure consistency with regard to coverage. Particularly, each agency-specific chapter begins with an overview of the agency, followed by examination of the agency's history, organization, personnel, and functions.

In sum, students and others will come away from this book with a thorough understanding the federal law enforcement community in the United States today, as well as an appreciation for its history and a sense for what might lie ahead in its future.