

United States Marshals Service District of Oregon

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Marshal Notes



Happy New Year! We certainly had an interesting end to calendar year 2008. The weather and heavy snow, especially in Portland, made for a white Christmas and a challenging holiday overall. Fortunately it now seems we may be getting back to a more "normal" weather pattern.

Since the last newsletter in July, a number of personnel changes have occurred in our office. As a result of these changes, all of our authorized positions are either filled or in the process of being filled. However, based on the United States Marshals Service (USMS) staffing model, we are still just over 70% of required staffing based on current workload. The bad news is I don't anticipate our authorized staffing will change much over the next few years due to budget constraints.

Luis Byerly, who worked for us in our Portland Office as a Detention and Enforcement Officer (DEO), was selected to attend the basic United States Marshals Service Academy at the Federal Law Enforcement Training Center (FLETC) last July. He graduated in November and is now performing his duties as our newest Deputy U.S. Marshal. His former DEO position was posted and we are now in the process of making a selection among a number of highly qualified candidates.

We welcome aboard Deputy U.S. Marshals Aaron Pfenning and Robert Smith who completed the USMS Basic Academy and reported to the District in September. Deputy Pfenning came to us from the Clackamas County Sheriff's Office and works in the Portland Office. Deputy Smith was previously with the U.S. Postal service and he works in the Eugene sub-office.

Additionally, we hired Anthony Cowan as our second DEO in September 2008. Anthony was formally with ICE as an Immigration and Enforcement Agent in Texas and we are very happy to have him on board.

In late July we were notified that we were one of 10 districts identified as the recipient of a new position called Protective Intelligence Investigator (PII). The funding for this position came from the Global War on Terror supplemental budget package, passed by Congress and signed by the President on July 6, 2008. The duties of the district PII include the coordination and facilitation of protective investigations (e.g., threats and/or inappropriate

communications to the judiciary) and will significantly enhance our overall judicial security efforts. The position was posted nationally within the USMS. As a result, a list of highly qualified candidates was developed. I'm very happy to say we were able to select Eric Wahlstrom who was formally from the District of Oregon. Eric left Oregon in 2006 for a supervisory position at the Special Operations Group in Louisiana. We are extremely happy he is now able to return to us in this new capacity.

In November, Deputy U.S. Marshal James Stratton returned to Portland from a deployment to Iraq. Deputy Stratton deployed in June as a member of the USMS Special Operations Group and was assigned to the U.S. Embassy, Rule of Law Section, while overseas.

Criminal investigator Jhon Coleman, from our Medford office, was granted an extended military leave of absence in order to attend Army Special Operations training. He left the district in October. We anticipate he will return sometime in early 2010. When he returns he will be assigned to the Portland Office. Currently, we have a seat in the upcoming USMS Academy to backfill an operational position in Medford. We hope to have a new person on board in May.

Also of special note, we conducted an emergency event exercise at the Hatfield United States Courthouse last July 17th. The exercise scenario involved active shooters forcibly entering the courthouse and hostages being taken inside a courtroom. We conducted the exercise in conjunction with the Portland Police Bureau (PPB). The Police Bureau committed significant operational resources including officers from Central Precinct, the Special Emergency Response Team, Hostage Negotiation Team, the Intelligence Unit, and the Training Division. Role players for the training event came from the PPB, the USMS, United States Attorney's Office, Pretrial Services, Probation, the Clerk's Office and a U.S. Magistrate. In all, close to 100 people were involved.

The scenario ended with the desired result. The perpetrators were apprehended and the hostages freed. Most importantly, the after action review conducted at the end of the exercise, identified some important areas that can be improved at all operational levels. The interoperability of the USMS and the PPB for these types of events was significantly enhanced. We plan on conducting another emergency response exercise sometime in 2009.

I look forward to a positive and productive year. Again, I thank all of our law enforcement partners and the court family for your excellent support during 2008. We can't do our job without you.

Investigations

Investigative Operations ushers in 2009 with high expectations for the coming year and great appreciation of the often unrecognized hard work performed daily by members of the law enforcement community throughout the State of Oregon.

Oregon Fugitive Task Force (OFTF) members, like most law enforcement officers, pursue their investigative tasks and law enforcement functions with no expectation of personal recognition. Instead, they seek merely to do the best job possible with only personal satisfaction as their reward. Usually when an agent or officer gets his or her name in the paper it is associated with some misdeed or—worse yet—when there is a line-of-duty injury or death. This was evident in recent articles related to the tragic deaths of our fellow officers with the Oregon State Police and Woodburn Police Department. These officers dutifully performed their jobs for many years without fanfare and they paid the ultimate price when they gave their lives by selflessly serving the public they were sworn to protect.

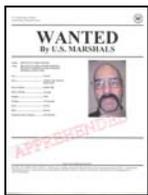
Often, the public and the media have the luxury of analyzing and reporting from the comforts of a living room or office, but the officer or agent must act in the moment. Law enforcement in general—and the OFTF in particular—has become even more dangerous by the ever-increasing presence of violent offenders on our city streets. To illustrate the magnitude of the threat facing OFTF members, 483 of the 514 OFTF arrests made during 2008 were classified as Violent Offenders by the FBI. That translates into 94%. How many people are willing to walk into situations day-after-day where they know that nine out of ten times they are confronting a violent individual who does not want to go to jail? OFTF members demonstrate that willingness every day and in all types of circumstances without complaint. These individuals represent what the Oregon law enforcement community is all about; selflessly serving the public interest while helping make the State of Oregon a safe and secure place to live, work and play.

Since its inception at the end of 2004, the OFTF has made over 1,989 arrests. Of those arrests, 976 were classified as violent offenders. The following investigative highlights represent just some of the great work the OFTF has performed in the last six months.

Investigative Highlights

JAMES BENNETT had recently been released from federal prison after serving 188 months for distribution of cocaine when he arrived in Portland. In order to support his drug addiction, while still on Probation, BENNETT took to robbing banks and by the time the OFTF caught up with him he had been identified as the suspect in seven bank robberies. In addition to arresting BENNETT, the OFTF arrested five associates on numerous charges and recovered cash from the bank robberies, seized a loaded handgun, and located and seized approximately five ounces of methamphetamine.

LEONARD DUNCAN was wanted out of Missouri by the DEA for being a major participant in a narcotics distribution ring as well as being the named as a suspect in a rape. The OFTF tracked DUNCAN to an address in NE Portland where he was arrested



along with **ORLANDO WARE**, a known local drug dealer who had a probation violation warrant.

On September 2, 2008 the OSP Major Crimes Team requested assistance in tracking down and locating **JOSHUA CUBBAGE** who was on the run after committing a homicide in Columbia County. After working the case for a day and a half straight, Task Force Officer Detective Travis Fields and other members of the OFTF located CUBBAGE at a residence in St. Helens where they were able to safely make the arrest. CUBBAGE is now in jail facing charges of Murder.



JOSE PEREZ CORREA thought he could move to Mexico to avoid answering for his history as a sexually violent predator with numerous child molestation charges. The OFTF was able to gain the assistance of the USMS Lone Star Task Force in Texas and the Mexican Immigration Officials in tracking, arresting and expelling CORREA from Mexico on October 15, 2008. CORREA was extradited from Texas back to Oregon where he must now answer for his past violent sexual criminal history.



DONTRAIL LATHAM was wanted by the Las Vegas Metro Police Department for homicide when he decided to hide out in Portland. Based on information developed by the Portland Police and the OFTF, several possible locations were identified. On December 11, 2008 a location for LATHAM was developed and surveillance was initiated. LATHAM was soon taken into custody and now faces his charges back in Las Vegas.



In 1988, **MICHAEL GARRETT** believed he had gotten away with murder. The Portland Police Bureau Cold Case Squad believed differently, and in December 2008 they had developed enough evidence to charge GARRETT with the homicide. It just so happens that GARRETT was also wanted for more recent Domestic Violence charges. At the request of Portland Homicide detectives, the OFTF took the case and immediately began to develop information to locate GARRETT. On December 16, 2008 GARRETT was arrested and charged with the twenty year old murder.



On November 8, 2008 **BRANDI LYNN BAGGETT** was arrested at the Lloyd Center Mall. The OFTF received information from the USMS in Orlando, Florida who were assisting the Lake County Sheriff's Office in attempting to locate Baggett and recover her four month-old daughter. OFTF members were advised that Baggett had taken her daughter from the Florida Department of Children and Families Custody Center (FDCF) on October 29th, 2008 against a court order issued by a local judge. The abduction of the baby was posted on the National Center for Missing and Exploited Children (NCMEC) website. Baggett had a history of assault arrests and cruelty towards children.



Eugene

After a year on the run as a fugitive Michael T. BRESNAHAN'S flee from justice came to a screeching halt.

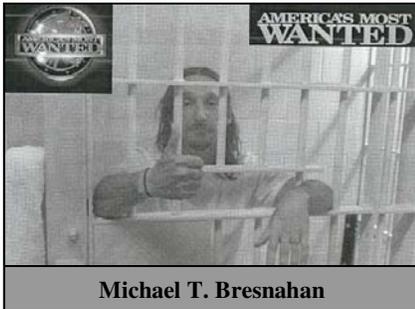
On September 7, 2007, two warrants were issued out of the Commonwealth of Massachusetts, Winchendon District, charging BRESNAHAN with Armed Burglary, Possession of Cocaine and Disorderly Conduct. Massachusetts authorities believe BRESNAHAN cut a screen window of an elderly woman's home and entered the residence, terrorizing the woman with his knife. BRESNAHAN then raped the woman over a two hour period taking her ATM card and credit cards. Fingerprints and DNA of BRESNAHAN were collected at the scene. U.S. Marshals from Massachusetts and Detectives from the Massachusetts State Police tracked BRESNAHAN over six states.

On August 3, 2008, after being featured on the television show Americas Most Wanted, a viewer reported BRESNAHAN had been a passenger in a vehicle and was dropped off near I-5 at Beltline Rd. in Springfield, Oregon. Springfield Police Department and Oregon State Police canvassed the area but BRESNAHAN was not to be found. Marshals in Eugene picked-up the investigation along with the Springfield Police Department.

On August 4th, Marshals discovered digital video footage from a local Wal-Mart showing BRESNAHAN shopping for camping equipment. During the next 14 days, BRESNAHAN would prove to be as allusive as he had been the previous year. Marshals tracked BRESNAHAN from Springfield, Bend, the Pacific Crest trail on the McKenzie Pass, then back to Springfield. Marshals conducted surveillance at local Taverns known to be frequented by BRESNAHAN as well as concerts in Springfield's Day Island Park and Eugene's Armitage Park.

On August 16th, Americas Most Wanted aired BRESNAHAN a second time. That night, a viewer called stating they had seen BRESNAHAN at a local grocery store in Cottage Grove and that he had stolen some beer. Marshals quickly dispatched to the grocery store and reviewed the digital video that again clearly depicted BRESNAHAN entering the store, taking the beer and leaving. Cottage Grove is a small and close knit, family oriented community 25 miles South of Eugene along I-5. Over the next two days and nights, Marshals and the Cottage Grove Police Department, canvassed various convenience stores, homeless camps and fast food restaurants. Marshals also handed out wanted posters of BRESNAHAN.

On August 18th, a clerk from a Cottage Grove convenience store recognized BRESNAHAN as having come into her store to purchase beer. The clerk quickly called 911 and reported the direction BRESNAHAN had taken. An off duty Cottage Grove Police Officer heard the 911 dispatches and, while in his personal vehicle, spotted BRESNAHAN walking along a set of railroad tracks. The off duty officer reported to dispatch his location and requested backup. For BRESNAHAN the run from justice was on again but it would be a race he would not win. The well trained and eager Police Officers gave chase to BRESNAHAN first in their vehicles and then by foot and within minutes BRESNAHAN was lying on his belly with his hands cuffed behind his back. Marshals were in Cottage Grove at the time and were able to interview BRESNAHAN. BRESNAHAN who had hitchhiked or walked throughout his time as a fugitive provided Marshals the location of his camp site. BRESNAHAN was extradited back to the Commonwealth of Massachusetts where he awaits trial. It was with the assistance of our local law enforcement friends, including the Springfield Police Department, Oregon State Police and the Cottage Grove Police Department that Michael T. BRESNAHAN is in custody today.



Michael T. Bresnahan

Medford

Investigative Highlights

On December 10, 2008 the Greenwood Village Police Department in Colorado, arrested William Ray WOOTEN, age 58. WOOTEN was wanted in the District of Oregon, Medford for escape from Bureau of Prisons custody. WOOTEN'S original charge was armed bank robbery of two banks in Oregon and three in North Carolina. WOOTEN was considered to be armed and dangerous. WOOTEN was sentenced in 1992 to serve a term of 175 months. On December 9, 2008, WOOTEN was identified in an armed bank robbery in Gastonia, North Carolina. WOOTEN conducted this bank robbery in the same manner as the bank robberies from the early 1990's, pocketing over fifty thousand dollars and taking the bank manager hostage. The Bank of America in Gastonia was also one of the same banks WOOTEN robbed 16 years prior. The Medford deputies along with the District of North Carolina tracked WOOTEN to a suburb of Denver, Colorado where he was located at a local motel in Greenwood Village. During the arrest, the sawed off shotgun and a portion of the money was recovered. WOOTEN has been charged with the armed bank robbery in Gastonia, North Carolina for which he will most likely spend the rest of his life behind bars.

On October 14, 2008 Medford deputies arrested Louis Wayne GALLIGAN in Medford. GALLIGAN was wanted in the District of Oregon, Medford office for violations of supervised release. GALLIGAN'S original charge was felon in possession during a first degree robbery and he was considered to be armed a dangerous. GALLIGAN was sentenced in 1994 to serve a term of 180 months. Medford deputies tracked GALLIGAN to Sacramento, CA then to Reno, Nevada and back to Medford where deputies arrested GALLIGAN after a brief foot pursuit. GALLIGAN was identified on October 14, 2008 as the suspect of an armed robbery the same morning at the Motel 6 in Medford. GALLIGAN and another subject are suspected of brutally beating an individual in a motel room while armed with a hammer and a .22 caliber pistol. GALLIGAN has been charged by the Medford police department with robbery 1, assault III, and menacing.



Judicial Security

The U.S. Marshals Service has been authorized to seek estimates to enhance officer safety at the Hatfield U.S. Courthouse front entrance screening station. The screening station will undergo a ballistic make-over which will act as an additional layer of protection for the Court Security Officers.

CSO's stationed at the front entrances of U.S. Courthouses around the country are the front-line of defense for the judiciary and staff. The project has yet to be awarded to a contractor and scheduled.



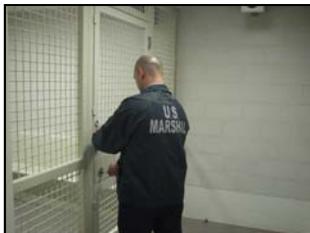
Hatfield front entrance screening station

The District of Oregon is currently conducting two background investigations for the Portland and Eugene CSO vacancies. The District is fully staffed at 63 Court Security Officers.

Operations

Prisoner Operations

Prisoner Operations continues to deal with many challenges, the biggest of which is prisoner housing. Our daily population is now averaging 600-700 prisoners as compared to 400-500 prisoners just two years ago. Due to reduced availability of Bureau of Prisons (BOP) bed space at FDC Sheridan, we are forced to rely more heavily on local jails for prisoner housing. Our office continues to carefully manage our jail contracts to ensure adequate bed space both now and in the future.



In December, we were notified by USMS Headquarters that non-federal defendant moves (commonly known as CO-OP or NFD) have been suspended until March 31, 2009. After that time, the program will be reevaluated. The reason for the moratorium is simply a lack of funding. Nationally, funding for prisoner movements is in the red by 40 million dollars. After March, cost adjustments may be made in the program to better reflect the actual costs involved.

We understand this may have an adverse affect on agencies throughout the state. Our goal is to maintain a positive working relationship and continue this service. However, we need to find a balance between recouping our costs and, at the same time, not become price prohibitive.

AFU

The Asset Forfeiture Unit had over \$5 million in assets in its inventory at the end of 2008.

Over \$1.6 million in new assets were seized between July and December. Some of the seizures included \$500,000 in cash, six real properties valued at \$918,000, and seventeen vehicles valued at over \$144,000.

Approximately \$2.5 million in assets were sold, transferred to State and Local law enforcement agencies for use, or destroyed in the last half of 2008. Some uncommon auctions included a 1977 Cessna Centurion air-plane and Amish furniture.



Artwork transferred to victim (Oregon Eye Specialist) in August



Miscellaneous merchandise seized from local second-hand stores, including tools, DVDs, movies, and video games sold at public auction in July

More and more DEA and FBI vehicles seizures have produced vehicles with hidden compartments concealed in the various locations inside the vehicles. These vehicles cannot be sold, but must be destroyed at forfeiture.



Seized vehicle being destroyed