



Southern District of Liberty State

WITNESS SECURITY PROGRAM ACT

PREAMBLE

Whereas the Liberty State offers little to none official protection to the witnesses of crimes and other people in need.

Whereas the Liberty State offers no rewards to informants to law enforcement agencies even though such informing might cause severe complications to the informants.

I, Vasek Stolba, representative of the legislative part of the board of directors of the Liberty District Court & Legislation, with the advice and consent of other members of the board, enact as follows:

CHAPTER 1 - REWARDS FOR INFORMATION

§1. Information for which rewards authorized

- (a) With respect to acts of terrorism primarily within the territorial jurisdiction of the United States, the Federal Bureau of Investigations Senior High Command may reward any individual who furnishes information
 - (1) leading to the arrest or conviction, in any country, of any individual or individuals for the commission of an act of terrorism against a United States person or United States property; or
 - (2) leading to the arrest or conviction, in any country, of any individual or individuals for conspiring or attempting to commit an act of terrorism against a United States person or property; or
 - (3) leading to the prevention, frustration, or favorable resolution of an act of terrorism against a United States person or property.
- (b) With respect to acts of abductions and homicides primarily within the territorial jurisdiction of the United States, the Federal Bureau of Investigations Senior High Command may reward any individual who furnishes information
 - (1) leading to the arrest or conviction, in any country, of any individual or individuals for the commission of an act of homicide or abduction against a United States person; or

- (2) leading to the arrest or conviction, in any country, of any individual or individuals for conspiring or attempting to commit a homicide or abduction against a United States person; or
- (3) leading to the prevention, frustration, or favorable resolution of an act of homicide or abduction against a United States person.

§2. Determination of entitlement; conclusiveness

- (a) The Federal Bureau of Investigations High Command shall determine whether an individual furnishing information described in section 1 is entitled to a reward and the amount to be paid.

§3. Protection of identity

- (a) Any reward granted under this chapter shall be certified for payment by the Federal Bureau of Investigations High Command. If it is determined that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Federal Bureau of Investigations High Command may take such measures in connection with the payment of the reward as deemed necessary to effect such protection.

§4. Exception of governmental officials

- (a) No officer or employee of any governmental entity who, while in the performance of his or her official duties, furnishes the information described in section 1 shall be eligible for any monetary reward under this chapter.

§5. Eligibility for protection program

- (a) Any individual (and the immediate family of such individual) who furnishes information which would justify a reward by the Federal Bureau of Investigations Senior High Command under this chapter may, in the discretion of the United States Marshals Service upon a recommendation from the Federal Bureau of Investigations Senior High Command, participate in the United States Marshals Service's witness security program authorized under chapter 2 of this act.

CHAPTER 2 - PROTECTION PROGRAM

§6. Relocation and protection

- (a) The United States Marshals Service may provide for the relocation and other protection of a witness or a potential witness for the Federal Government or for a State government in an official proceeding concerning an organized criminal activity or other serious offense, if the United States Marshals Service determines that an offense involving a crime of violence directed at the witness with respect to that proceeding is likely to be committed. The United States Marshals Service may also provide for the relocation and other protection of the immediate family of, or a person otherwise closely associated with, such witness or potential witness if the family or person may also be endangered on account of the participation of the witness in the judicial proceeding.

- (1) Length of protection services specified in subsection (a) can not exceed 45 minutes, and is to be used only for questioning and interrogating any involved individuals.
- (b) In connection with the protection under this chapter of a witness, a potential witness, a potential victim or an immediate family member or close associate of a witness, potential witness or a potential victim, the United States Marshals Service shall take such action as the United States Marshals Service determines to be necessary to protect the person involved from bodily injury and otherwise to assure the health, safety, and welfare of that person, including the psychological well-being and social adjustment of that person, for as long as, in the judgment of the Federal Bureau of Investigations Senior High Command, the danger to that person exists. The Federal Bureau of Investigations Senior High Command and the Protection Program Official may, by regulation
 - (1) provide suitable documents to enable the person to establish a new identity or otherwise protect the person;
 - (2) provide housing for the person;
 - (3) provide for the transportation of household furniture and other personal property to a new residence of the person;
 - (4) provide to the person a payment to meet basic living expenses, in a sum established in accordance with regulations issued by the United States Marshals Service, for such times as the United States Marshals Service determines to be warranted;
 - (5) assist the person in obtaining employment;
 - (6) provide other services necessary to assist the person in becoming self-sustaining;
 - (7) disclose or refuse to disclose the identity or location of the person relocated or protected, or any other matter concerning the person or the program after weighing the danger such a disclosure would pose to the person, the detriment it would cause to the general effectiveness of the program, and the benefit it would afford to the public or to the person seeking the disclosure, except that the United States Marshals Service shall, upon the request of State or local law enforcement officials or pursuant to a court order, without undue delay, disclose to such officials the identity, location, criminal records, and fingerprints relating to the person relocated or protected when the United States Marshals Service knows or the request indicates that the person is under investigation for or has been arrested for or charged with an offense that is punishable by more than one year in prison or that is a crime of violence;
 - (8) protect the confidentiality of the identity and location of persons subject to registration requirements as convicted offenders under Federal or State law, including prescribing alternative procedures to those otherwise provided by Federal or State law for registration and tracking of such persons; and

- (9) exempt procurement for services, materials, and supplies, and the renovation and construction of safe sites within existing buildings from other provisions of law as may be required to maintain the security of protective witnesses and the integrity of the Witness Security Program.

§7. Responsibilities

(a) RESPONSIBILITIES OF THE UNITED STATES MARSHALS SERVICE DURING ACTS PER SECTION 17(b) OF THIS TITLE

- (1) The United States Marshals Service shall establish an accurate, efficient, and effective system of records concerning the criminal history of persons provided protection under this chapter in order to provide the information described in section 6(b)(7) of this title.
- (2) Before providing protection to any person under this chapter, the United States Marshals Service shall, to the extent practicable, obtain information relating to the suitability of the person for inclusion in the program, including the criminal history, if any, and a psychological evaluation of the person. In assessing whether a person should be provided protection under this chapter, the United States Marshals Service shall consider the person's criminal record, alternatives to providing protection under this chapter, the possibility of securing similar testimony from other sources, the need for protecting the person, the relative importance of the person's testimony, results of psychological examinations, and such other factors as the United States Marshals Service considers appropriate. The United States Marshals Service shall not provide protection to any person under this chapter if the risk of danger to the public, including the potential harm to innocent victims, outweighs the need for that person's testimony.
- (3) Before providing protection to any person under this chapter, the United States Marshals Service shall enter into a memorandum of understanding with that person. Each such memorandum of understanding shall set forth the responsibilities of that person, including
 - (A) the agreement of the person, if a witness or potential witness, to testify in and provide information to all appropriate law enforcement officials concerning all appropriate proceedings;
 - (B) the agreement of the person not to commit any crime;
 - (C) the agreement of the person to take all necessary steps to avoid detection by others of the facts concerning the protection provided to that person under this chapter;
 - (D) the agreement of the person to comply with legal obligations and civil judgements against that person;
 - (E) the agreement of the person to cooperate with all reasonable requests of officers and employees of the Government who are providing protection under this chapter; and

- (F) the agreement of the person to regularly inform the appropriate program official of the activities and current address of such person.
- (b) The United States Marshals Service may terminate the protection provided under this chapter to any person who substantially breaches the memorandum of understanding entered into between the United States Marshals Service and that person pursuant to subsection (a)(3), or who provides false information concerning the memorandum of understanding or the circumstances pursuant to which the person was provided protection under this chapter. Before terminating such protection, the United States Marshals Service shall send notice to the person involved of the termination of the protection provided under this chapter and the reasons for the termination. The decision of the United States Marshals Service to terminate such protection shall not be subject to judicial review.
- (c) Any person who, without the authorization of the United States Marshals Service or Liberty District Court, knowingly discloses any information received from the United States Marshals Service under section 6(b)(7) shall be fined \$5,000 or imprisoned five years, or both.

Vasek Stolba

LIBERTY DISTRICT COURT AND LEGISLATION