On April 17, 2008, the Federal Bar Association hosted a special celebration of the U.S. Marshals Service at the actual birthplace of the organization—Federal Hall in New York City. It was from this very same location that President George Washington and Congress passed the Judiciary Act on Sept. 24, 1789; this legislation founded the oldest federal law enforcement organization. Two days later, the first names offered for appointment as U.S. marshal passed through the sculpted columns of Federal Hall; among the names was that of William S. Smith, the first U.S. marshal of New York.

Marshal Smith brought a wealth of experience and political connections to his office. The son-in-law of Vice President John Adams, when Smith was appointed at the age of 33, he was among the younger of the first generation of marshals. During the Revolutionary War, Smith's alert style prevented a British advance in the New York area when the Revolutionary forces destroyed a vital bridge at Throg's Neck. Smith performed bravely during the Battle of Trenton, then served as adjutant to both the Marquis de Lafayette and General Washington. Whereas most of the first generation of U.S. marshals garnered some military experience, Smith also boasted foreign diplomatic skills as secretary of the American legation in Great Britain and when he saw to the British evacuation of New York. During his short term of service as a U.S. marshal—from Sept. 26, 1789, to Aug. 5, 1790—Smith worked and dined frequently with President Washington. His successor, U.S. Marshal Matthew Clarkson, continued this tradition.

The early marshals had vague but sweeping enforce

When the federal government acquired new territories, the U.S. marshals were the only alternative for enforcing law and order aside from local sheriffs and the military. The reputation of marshals serving in the American West grew large—sometimes even deservedly so. Deputy U.S. marshals served both in the office and in the field; the difference was that those working in the office were paid salaries, while those in the field were only paid for their expenses and received commissions for the tasks they fulfilled.

The most storied reputations were made in the field in places like Lincoln County in the New Mexico Territory and Tombstone in the Arizona Territory—some of which have become famous in the lore of the American West. For example, in the last months of 1881, Virgil Earp was a career deputy, who created a posse consisting of his two brothers and a family friend, Doc Holliday. Wyatt Earp received a commission after the famous gunfight at the O.K. Corral. In addition to his “day job” as sheriff of Lincoln County, New Mexico Territory, Patrick Garrett served as a special deputy U.S. marshal when dependable assistance was in short supply.

In Indian territory—later to become the state of Oklahoma—the greatest concentration of deputies was assembled to keep law and order between settlers and Native American tribes. These deputies—including African-Americans, Native Americans, and females—conducted some of the hardest duty seen in the organization. They initially performed their duties under the supervision of U.S. District Judge Isaac C. Parker, who was known as the “hanging judge.” Despite the nickname, however, Judge Parker was actually quite humane and earned the respect of key members of the Cherokee Tribe.

As territories became states, the role of the U.S. marshal underwent additional changes. Coming under the authority of the U.S. attorney general in 1861 and with the establishment of the Department of Justice in 1870, the assistant attorney general for administration issued formal written orders for the U.S. marshals. When other law enforcement agencies were created, they received many of the sweeping powers that the marshals had initially. The U.S. Secret Service got jurisdiction over counterfeiting, and the marshals were relieved of other duties, such as conducting the U.S. census and fulfilling certain responsibilities related to fugitives. However, additional duties emerged, such as the registration of enemy aliens during World War I and II. The crucial service provided by deputy marshals was seen during situations of civil unrest as disparate as the Pullman Strike and the march of Coxey’s Army.

In 1954, after the U.S. Supreme Court’s decision in Brown v. Board of Education, a new historical phase began for the U.S. marshals. The Court’s ruling empowered lower courts to protect the educational rights of African-Americans and gave deputy marshals the authority to enforce the integration of schools in the South. Ironically, the U.S. marshals had a great deal of experience in enforcing court orders in this field: Initially U.S. marshals were responsible for returning runaway slaves as part of the Compromise of 1850, in the form of the Fugitive Slave Act, but...
later protected freedmen from the post-Civil War Ku Klux Klan in the early 1870s. In the wake of the 
Brown decision, deputy marshals were castigated—even threatened—for their participation in enforcing integration orders. Three 
years after the initial integration at Little Rock, Ark., in late 1957, the U.S. marshals enforced the integration of public 
schools in New Orleans. These activities were followed by enforcement of civil rights legislation in Montgomery, Ala., 
in 1961; Oxford, Miss., in 1962; Tuscaloosa, Ala., in 1963; and Selma, Ala., in 1965. The eruption of riots at the 
University of Mississippi, in which the U.S. marshals bravely withstand thousands of rioting citizens, was the organiza-
tion’s modern watershed moment.

Change occurred internally as well. Formally, each ap-
pointed U.S. marshal ran his or her own district as a sepa-
rate entity. Even marshals’ badges lacked uniformity until 
1941, when the first nationwide issue, known as the “eagle 
top,” was distributed. The Executive Office of the U.S. 
Marshals, formed in the 1940s, planted the seeds of new head-
quarters for the organization. It also led to the creation 
of the position of chief marshal, which was first held by 
a Department of Justice official named Clive Palmer. In 
1962, the mantle of leadership fell to a man from New York 
City, James J.P. McShane, a former boxer and city police 
officer. Just after Chief Marshal McShane died in office in 
December 1968, an official seal was approved, showcasing 
the three words that most define the U.S. Marshals Service: 
justice, integrity, and service.

The title of chief marshal was formally changed to di-
rector in early 1970. New formal branches were formed 
in the areas of prisoner transportation, special operations, 
and witness security. In the mid-1970s, the organization 
experienced a short-lived attempt to divide its authority 
into regions, but by the end of the decade, it was apparent 
that headquarters remained centralized. The U.S. Marshals 
Service became the agency’s permanent name.

As the country and the world faced various crises, 
the U.S. Marshals Service lived up to its motto. In Oc-
tober 1967, U.S. marshals defended the Pentagon against 
potential damage at the hands of crowds protesting the 
Vietnam war. In 1973, deputies withstand a three-month standoff with members of the American Indian Movement 
at Wounded Knee, S.D. Marshals organized and enforced 
the law among thousands of Cuban refugees during the 
boat lifts that occurred in 1980. When the tragedies of 9/11 
wreaked havoc in New York and Washington, D.C., the 
deputies were right there to help.

By a Memorandum of Understanding with the FBI in 
1979, the U.S. Marshals Service gained the authority to ap-
prehend fugitives, and that power involved marshals in 
many high-profile cases. Under two directors, William Hall 
and Stanley Morris, as well as the chief of investigations 
(later assistant director), Howard Safir, and his team, the 
agency undertook a plan for mass apprehension of crimi-
nals on the streets, using organized, interagency sweeps— 
originally called Fugitive Investigative Strike Teams (FISTs). 
The “Fifteen Most Wanted” program brought greater public 
attention to the U.S. Marshals Service. Finally, Safir sought 
to bring in the big national and international lawbrea-
kers, including Josef Mengele, the Nazi fugitive; Christopher 
“the Falcon” Boyce, the accused spy; and Alphonse “Allie 
Boy” Persico, accused member of an organized crime fam-
ily. Under the current director, John F. Clark, U.S. Marshals’ 
involvement in such apprehensions has progressed into 
modern-day task forces and tightly organized sweeps, such 
as Operation FALCON.

The U.S. Marshals Service of 2008 still reflects the core 
values of its predecessors, including that of U.S. Marshal 
William S. Smith. Marshals’ federal duties are still as wide-
spread as ever, as seen in its primary functions of providing 
security in courtrooms, apprehending fugitives, transport-
ning prisoners, protecting witnesses, and administering 
seized assets. Today the U.S. Marshals Service consists of 
6,500 talented people working under the first director who 
hails from a full career as deputy U.S. marshal, John F. 
Clark. The organization continues to serve the heritage its 
members invoke daily. The Southern District of New York 
and Eastern District of New York Chapters of the Federal 
Bar Association did that heritage a great honor when they 
celebrated the U.S. Marshals Service and its director in the 
organization’s birthplace—Federal Hall. 

David S. Turk has been the historian of the U.S. Marshals 
Service since 2001, after serving as a researcher and as-
Assistant to the agency’s first historian and as an intelligence 

in the courthouse. It is an enormous undertaking, and it 
is only a part of the responsibility of the office. Marshals 
are also charged with conducting fugitive investigations. 
Indeed, in December 2007, working with Suffolk County, 
the marshals arrested 64 fugitives in “Operation Rolling 
Thunder.” The marshals also have the responsibility to 
conduct threat assessments as well as added duties under 
the Adam Walsh Act.

The security of our courtrooms and of all of its partici-
pants is yet another difficult and important function of 
the marshals. Because our dockets are increasingly composed 
of cases with very dangerous defendants who have little 
to lose—a departure from the court’s history—this job has 
become increasingly more difficult.

There is the sense in our courthouse that we are all in 
this together. We appreciate our different roles. I have the 
power to send someone to prison for life without parole; 
but, believe me, I well understand that the defendant is not 
going to go unless the marshals take him. We often take 
for granted how smoothly things run in our courts. The fact 
that we operate as efficiently as we do and the fact that we 
have had no serious injuries to anyone in our courtrooms 
is not simply a matter of blind luck; it is because, as one 
of the marshals said of his boss, “He resolves issues before 
they become issues.”

I am pleased to celebrate Marshal Corcoran this eve-

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