



The Organized Crime Drug Enforcement Task Forces

Program Guidelines

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U.S. Department of Justice
Organized Crime Drug Enforcement Task Forces
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OCDETF
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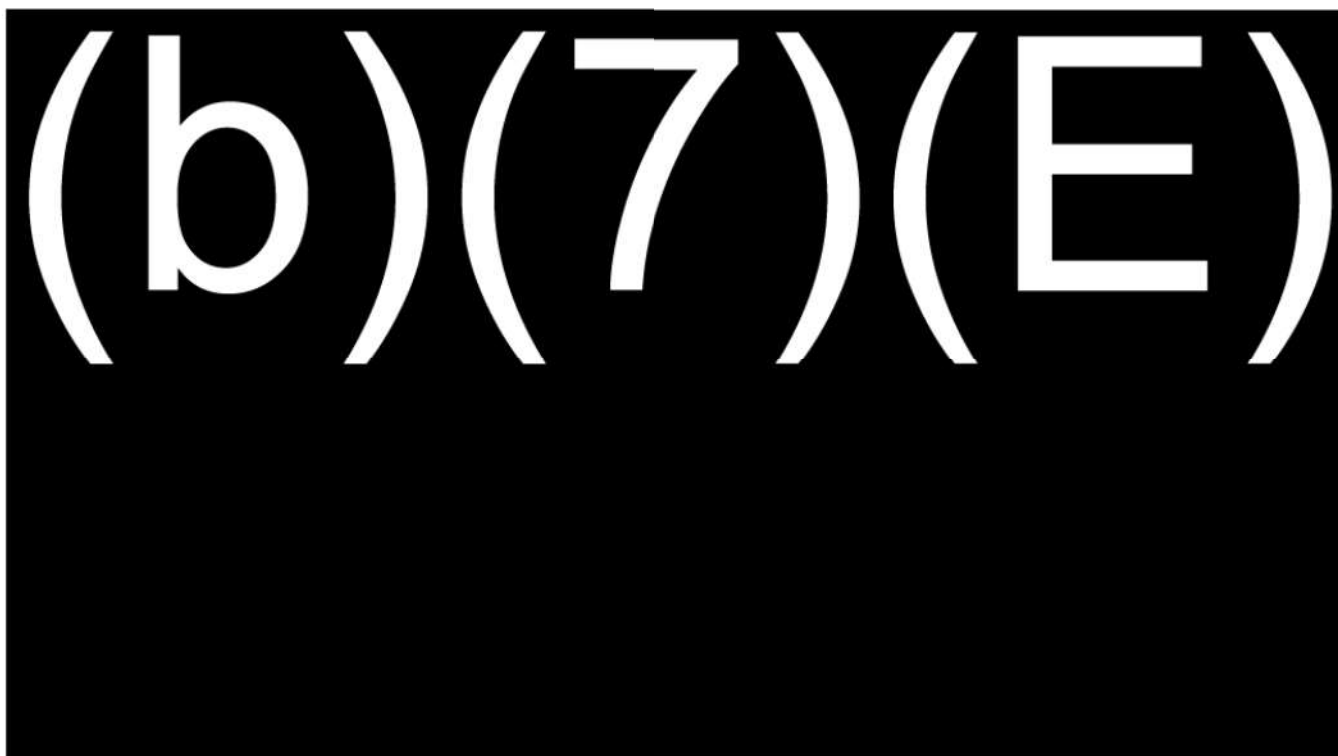
OCDETF Member Agencies July 2023



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I. INTRODUCTION

The *OCDETF Program Guidelines (Guidelines)* will guide United States Attorneys, Special Agents-in-Charge, United States Marshals, and other investigative and prosecutorial personnel in partnering with the Executive Office of OCDETF in managing the Organized Crime Drug Enforcement Task Forces (OCDETF) Program.

These *Guidelines* apply to anyone assigned to work on an OCDETF investigation, regardless of whether he or she has been officially designated or deputized as an OCDETF attorney, agent, analyst, or task force officer. The *Guidelines* provide structure and uniformity to ensure that all participants meet the fundamental goals and objectives of the OCDETF Program. The *Guidelines* also are intended to be sufficiently broad and flexible to allow each OCDETF Region to tailor them, as necessary, to meet special circumstances. No OCDETF Region may implement a policy that is *less* restrictive than those set forth in these *Guidelines*, however.

II. GOALS, POLICIES, AND STANDARDS

A. Goals and Objectives

A primary goal of the OCDETF Program has always been to identify, investigate, and prosecute the transnational, national, and regional criminal organizations most responsible for the illegal drug supply in the United States, the diversion of pharmaceutical drugs, and the violence associated with the drug trade. These organizations include the international sources of supply of illegal drugs, their international and domestic transportation organizations, their regional and local distribution networks, their money launderers and financial infrastructure, and their violent enforcers. OCDETF's mission expanded beyond counter-narcotics to include identifying, investigating, and prosecuting non-drug criminal enterprises in 2009 and Congress formally approved this expansion in its 2017 OCDETF appropriations language.

Transnational Criminal Organizations (TCO) typically engage in multiple forms of organized criminal activity including drug trafficking, violence, terrorism, corruption, human smuggling, trafficking in persons, weapons trafficking, complex financial crimes, and other illegal activities that threaten the safety of our society and the security of our nation. That is why OCDETF brings to bear the different authorities and expertise of its multiple component agencies to disrupt and dismantle every component of TCOs to reduce the illegal drug supply and diminish the violence and other transnational organized crime (TOC) associated with these transnational, national, and regional criminal organizations.

OCDETF is also an integral part of the 2008 Law Enforcement Strategy to Combat International Organized Crime and the White House's 2011 Strategy to Combat Transnational Organized Crime (TOC Strategy). The TOC Strategy complements the strategy OCDETF has implemented since its inception in targeting and dismantling the most powerful and dangerous transnational criminal organizations that threaten the United States. The TOC Strategy recognizes that organized crime is no longer associated exclusively with traditional, domestic groups, but is now fully transnational in its origin, composition, and scope and poses unprecedented threats to the United States' national

and economic security. It further acknowledges that international narcotics trafficking is a form of TOC and that many criminal organizations are engaged in multiple forms of illicit criminal activity. These transnational criminal threats include attempts by organized criminals to exploit our energy and other strategic sectors; support terrorists and hostile governments; manipulate our financial, securities, and commodities markets; and engage in other serious criminal activities. The TOC Strategy extends the multi-agency, multi-department effort beyond counter-drug enforcement to include the execution of intelligence-driven, multi-jurisdiction investigations and prosecutions that target organizations whose transnational criminal conduct encompasses a broad array of criminal activity, often – but not always – including drug trafficking. While not every TOC case is suitable for designation as an OCDETF case, priority investigations of command-and-control elements of TCOs are eligible for OCDETF designation.

To accomplish these goals, OCDETF will:

1. Foster prosecutor-led, synchronized, increased interagency coordination and cooperation in the investigation and prosecution of major transnational criminal organizations engaged in drug trafficking, money laundering, and other transnational criminal activity;
2. Supplement federal resources for the investigation and prosecution of command-and-control elements of transnational criminal organizations; and
3. Ensure that finite OCDETF resources are accounted for and efficiently used to target, investigate, and prosecute the most culpable and dangerous individuals responsible for the most serious criminal activity.

OCDETF's focus is, and has always been, on quality over quantity. OCDETF's goal is to bring high quality, thoroughly prepared cases against criminal organizations and leaders who pose the greatest threat to public safety. Accordingly, OCDETF components should not strive to handle the highest volume of cases and defendants for the sake of numbers. Nor should they view bringing cases that result in the longest possible periods of incarceration as a principal measure of success. Rather, in determining what types of cases are appropriate for OCDETF designation, and in pursuing the investigation and prosecution of OCDETF cases, OCDETF components should continue to coordinate strategies to leverage their collective talents, expertise, and authorities to identify and target the most prolific and dangerous TCOs and the individuals most responsible for the threat these organizations represent. This approach yields quality cases against higher level and violent criminal organizations, which, in turn, has an appreciable impact on the illegal activities of organized crime, including drug trafficking, violence, money laundering, and other priority transnational criminal activity.

Each OCDETF Region has its own organizational identity. (b)(7)(E)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The objectives of OCDETF within each Region will be:

1. To target, investigate, and prosecute individuals who organize, direct, finance, or are otherwise engaged in facilitating: (a) high-level illegal drug trafficking; (b) TOC activity; and/or (c) other illegal activities related to TOC and significant drug trafficking, including money laundering and violence;
2. To promote a coordinated TOC enforcement effort in each OCDETF Region, to involve prosecutors early in the development of investigations as leaders who encourage maximum cooperation among all investigative or enforcement agencies;
3. To work fully and effectively with state, local, and tribal law enforcement agencies; and

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Meeting these objectives will result in the disruption and dismantlement of large-scale TCOs, the prosecution of their leaders and members and those who assist them, the seizure of large quantities of illegal drugs and other contraband, the reduction of TOC-related violence, and the forfeiture of the TCOs' assets.

B. General Policies

The following general policies apply to all OCDETF operations:

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below. That is, the specific charges in an indictment may be drug trafficking, or tax, RICO, money laundering, weapons, human smuggling or trafficking, explosives, immigration, customs, fraud, or other non-drug violations, as long as the targets have been identified as major violators linked to, or have the demonstrated potential to link, criminal activity of a significant transnational criminal organization. OCDETF supports investigations/prosecutions of criminal networks regardless of the particular charges returned in an indictment. Agents may work on joint investigations which may reasonably result in criminal, administrative, or forfeiture action within the respective agency's area of responsibility.

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C. Standards for OCDETF Cases

The principal goal of OCDETF is to identify, investigate, and prosecute the command-and-control elements of transnational, national, and regional criminal organizations. Some of these organizations include the international sources of supply of illegal drugs, their international and domestic transportation organizations, their regional and local distribution networks, their money launderers and financial infrastructure, and their violent enforcers.

OCDETF is an integral part of the TOC Strategy. OCDETF's goal in support of the TOC Strategy is to identify, investigate, and prosecute the TCOs that present the greatest threat to the United States' national and economic security. These TOC threats include attempts by organized criminals to exploit our energy and other strategic sectors; support terrorists and hostile governments; manipulate our financial, securities, and commodities markets; and engage in other serious criminal activities. The TOC Strategy extends the multi-agency, multi-department effort beyond counter-drug enforcement to include the execution of intelligence-driven, multi-jurisdiction investigations and prosecutions that target organizations whose transnational criminal conduct encompasses a broad array of criminal activity, often – but not always – including drug trafficking.

These TCOs typically engage in multiple forms of organized criminal activity including drug trafficking, violence, terrorism, corruption, human smuggling, trafficking in persons, weapons trafficking, complex fraud and financial crimes, cyber-enabled crimes, and other illegal activities that threaten the safety of our society and the security of our nation. That is why the OCDETF governance model incentivizes prosecutors to synchronize the different authorities and expertise of its multiple component agencies to disrupt and dismantle every component of these transnational criminal networks.

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4. Investigations that are expected to result in the conviction in U.S. courts of persons engaged in regional, national, or international organized criminal activities including, but not limited to, the importation, manufacture, distribution, diversion, or sale of any illegal drug or narcotic substance; the production, transportation, diversion, distribution, importation or exportation of illicit items; extensive human smuggling/trafficking; criminal tax violations; firearms/weapons violations; public corruption; murder/other violence; mass identity theft; large-scale fraud schemes such as healthcare, government benefits, wire, or visa fraud; securities violations; counterfeit obligations; racketeering; obstruction of justice; U.S. sanctions evasion; significant cyber-enabled crime; or financial support and/or money laundering associated with any illicit criminal activity.

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E. Designation of OCDETF Co-located Strike Forces

The OCDETF Co-located Strike Forces logically extend the OCDETF Program beyond the creation of prosecutor-led task forces that join together on case-specific efforts and then disband at the end of the investigation. The Co-located Strike Forces provide for the establishment of permanent task force teams that are able to continue to work together to conduct intelligence-driven, multi-jurisdictional operations against the continuum of priority targets. These prosecutor-led, co-located Strike Forces capitalize on the synergy created through the long-term relationships that can be forged by agents, analysts, and prosecutors who remain together over time, and epitomize the prosecutor-led, multi-agency task force model that has proven most effective in combating organized crime.

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III. NATIONAL OVERSIGHT

A. OCDETF is a Component of the Department of Justice

In 2018, the Attorney General directed that as a component-head, the Director of OCDETF reports directly to the Deputy Attorney General.

The OCDETF Director provides national leadership, direction, and focus in achieving the goals and objectives of the OCDETF Program, oversees performance and management of the Program, and is accountable for all Program resources.

The Director is the spokesperson and advocate who represents the OCDETF Program's interests and resource requirements, its participants, and its clientele on a national level before the Congress, the Office of Management and Budget, the Office of National Drug Control Policy, and other federal, state, and local oversight and law enforcement entities.

The Director formulates and articulates policy and Program direction to agency participants, reviews and determines allocation of Program resources, and coordinates development and maintenance of the Program at the national, regional, and local levels.

The Director, with support from the Deputy Director, manages the staff of the OCDETF Executive Office and has responsibility for overseeing performance by Executive Office staff of the broad range of management, financial, and administrative functions assigned to them.

The Director is responsible for reviewing and proposing updates to these *Guidelines*, as necessary, to efficiently and effectively manage the OCDETF Program and properly account for OCDETF resources. Revisions or updates to these *Guidelines* must be approved by the Deputy Attorney General or the Deputy Attorney General's designee.

B. Deputy Director, OCDETF

The Deputy Director position will be held by an attorney with extensive experience in federal drug, transnational organized crime, and/or money laundering investigations and prosecutions.

The Deputy Director will support the OCDETF Director in the management of the OCDETF Program, and the execution of all OCDETF budget, policy, and administration matters.

C. Associate Directors, OCDETF

A Principal Associate Director position will be held by an attorney with extensive experience in federal drug, transnational organized crime, and/or money laundering investigations and prosecutions. This Principal Associate Director will be selected by the OCDETF Director.

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IV. MANAGEMENT AND SUPPORT

A. OCDETF Executive Office

The OCDETF Executive Office operates under the supervision of the Director, who is responsible for carrying out the goals and objectives of the Deputy Attorney General with respect to OCDETF policy. The OCDETF Executive Office supports the needs of the OCDETF Program by performing the following management, financial, and administrative functions:

1. Providing OCDETF staff support to the (b)(7)(E) [REDACTED], and to the Regional Advisory Councils and Coordination Groups, through the development of policies, practices, and procedures that serve the interests of the OCDETF Program and its participants;
2. Scheduling and staffing the meetings of the (b)(7)(E) [REDACTED] and the WARG;
3. Collecting OCDETF investigative and prosecutorial data to monitor Program performance management, agency participation, and agency adherence to Program guidelines;
4. Providing administrative services to the (b)(7)(E) [REDACTED], the WARG, the Regions, and districts, including:
 - a. Collecting, analyzing, and reporting on caseload, performance, and other statistical data for the Regions;
 - b. Collecting resource allocation information;
 - c. Producing periodic informational memoranda of events occurring throughout the Program; and
 - d. Producing reports and other analyses as directed by the Attorney General, the Deputy Attorney General, or the OCDETF Director;
5. Assisting the United States Attorneys, the Regional Advisory Councils, and the Regional Coordination Groups in the management of the Regions;
6. Managing and disbursing the OCDETF State and Local Overtime funds;
7. Developing the annual OCDETF budget, including any amendments, supplemental requests and reprogramming requests, for consideration by the Attorney General, the Office of Management and Budget, the Office of National Drug Control Policy, and the Congress;
8. Managing the OCDETF budget, including reimbursing and monitoring agency expenditures;

9. Developing appropriate and informative Program performance measures, and monitoring and reporting the results of these measures in compliance with the Government Performance and Results Act (GPRA) requirements;
10. Developing and coordinating training for OCDETF personnel in consultation with the United States Attorneys' Offices, participating agencies, and, when appropriate, the Regional Coordination Groups; and
11. Developing and disseminating Field Guidance and other important Program policies, directives, and information.

B. Management Information System

The Management Information System (MIS) is designed to meet the management needs of the Director, (b)(7)(E), the WARG, the United States Attorneys, (b)(7)(E), the Regions, and the districts. In addition, the MIS provides the data necessary to evaluate OCDETF Program performance and to provide reports to the President, the Attorney General, the Congress, and the public. (b)(7)(E)

C. OCDETF Fusion Center

The OCDETF Fusion Center (OFC), the cornerstone of OCDETF's information and intelligence sharing efforts, is a comprehensive data center containing a single data repository for criminal case reporting and related financial intelligence from OCDETF member investigative agencies, OCDETF's MIS, and other agencies and organizations that participate in the OFC by written agreement. (b)(7)(E)

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VII. OCDETF ATTORNEYS AND AGENTS

All Assistant United States Attorneys, federal investigative agents, and other federal personnel, as well as state and local law enforcement officers, who participate in OCDETF cases shall be knowledgeable of and comply with these *Guidelines* and other policy directives of the Executive Office, as well as with all other OCDETF policies and procedures.

Assistant United States Attorneys participating in OCDETF investigations and prosecutions will report to their respective United States Attorneys. Investigative agents participating in OCDETF investigations will report to their respective agencies.

Attorneys and agents working OCDETF cases will be housed in their own offices or agencies, unless assigned by their offices or agencies to be partially or fully housed in OCDETF Co-located Strike Forces. When operational circumstances warrant, arrangements will be made for designation of shared space within existing agency offices. If adequate space is not available within agency offices, agencies may seek authorization to acquire secure space for this purpose.

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X. RESERVATION

These *OCDETF Program Guidelines* are set forth solely for the purpose of internal guidance for OCDETF agencies and their personnel. They are not intended to, do not, and may not be relied upon to, create any rights, substantive or procedural, enforceable at law by any party in any matter, civil or criminal, nor do they place any limitations on otherwise lawful investigative and litigative prerogatives of the OCDETF agencies.