

The Witness Security Program

Becoming Imperceptible in the Relocation Matrix

Tracy C. Davis



The ideal would be to take only memories and to leave behind only footsteps.

—Rosi Braidotti, “*The Ethics of Becoming-Imperceptible*” (2006:153)

Anyone who has done their due diligence in consuming American crime drama will know that since 1971 the USA’s Witness Security Program—colloquially known as Witsec and often referred to as the Witness Protection Program—has relocated individuals whose cooperation with the Department of Justice (DOJ) puts them in mortal danger.¹ Over 8,500 witnesses and 9,900 of their family members have entered the program in its 43 years of existence, with

1. Full-length films in all genres include *Hide in Plain Sight* (1980, dir. James Caan), *Goodfellas* (1990, dir. Martin Scorsese), *Witness Protection* (1999, dir. Richard Pearce), *Witness Protection* (2008, dir. Charles Robert Carner), *Fire With Fire* (2012, dir. David Barrett), *Madea’s Witness Protection* (2012, dir. Tyler Perry), and *The Family*

three or four new cases entering the system each week.² Fictionalized representations take a lot of liberties, but in essence the Federal Bureau of Investigation (FBI) prepares these witnesses to testify in criminal trials, provides them with new identity documents, then hands them off to federal marshals who keep them as safe as possible from retribution until—and in some cases long after—they appear in court.³ Witsec is no picnic for participants. The ongoing pressures of understaffing strain the marshals, and the consequences for protected witnesses can be acute (US Federal Government 2005; Koedam 1993:364–65). A protected witness who testified in a 1978 case and then entered the program a second time in the 1990s commented: “Short of a jail cell, this is the hardest existence I can fathom” (Cormick 1995:29). Witnesses and US Attorneys agree that “the program was designed to keep you alive and nothing else” (Committee on Government Operations 1990:9).⁴

When Witsec was founded fingerprints were still the only forensic biometric identifiers (see Kash 2004:25; Fitzgerald 2007:278; Committee on the Judiciary 1994:25–26 [testimony of Gerald Shur]). Its quaint but effective pre-digital revolution premise is that the associates of accused perpetrators are capable of finding anyone anywhere, yet by providing new identity credentials individuals can be relocated within the USA and hide “in plain sight” without bodyguards. Witnesses commence new lives with state-authorized and state-manufactured identities, unlinked from their former associates and unnoticed by their new neighbors. Witsec puts the

(2013, dir. Luc Benson). Television series include *Meadowlands* (2007, Showtime) initially released as *Cape Wrath* (2007, Channel 4/E4), *In Plain Sight* (2008–12, USA Network), *Delocated* (2009–13, Adult Swim), and *Lilyhammer* (2012–present, NRK1 Norway and Netflix).

2. Witsec emerged in 1970 in response to the need to protect witnesses and their families prior to and following testimony. It was established by the Organized Crime Control Act (1970), amended as the Comprehensive Crime Control Act (1984). There are two types of witnesses: those in protected custody serving sentences in prisons-within-prisons (in 2000, the Bureau of Prisons reported 475 protected witnesses within its facilities), and non-incarcerated witnesses living in undisclosed locations. Some Witsec participants are relocated only until they give testimony; some emerge with new identities after testifying; others have the new identities concurrent with trial preparation and retain them indefinitely. Many states also operate witness protection programs but all examples cited here are federal (see US DOJ 2014a; Committee on the Judiciary 1985:58 [testimony of Senator Sam Nunn]; Fitzgerald 2007:269, 263; US Federal Government 2008).
3. Federal marshals serve documents, sell off confiscated property, guard federal prisoners awaiting trial, apprehend fugitives, and are responsible for the “unique procedures which provide not only for the security of the witness but the complete reconstruction of his lifestyle and that of his family, and at the same time balance the requirement to protect his relocation community and society at large” (Committee on the Judiciary 1985:20). The marshals are not a social service agency, but become as involved in the provision of housing and enrollment of children in schools as they are in providing physical protection.
4. See especially testimony in which Max Mermelstein (protected witness) concurs with Richard Gregorie (former US Attorney, Southern District of FL).

Figure 1. (facing page) Hiding in plain sight makes a notorious mobster look like a conscientious neighbor. Henry Hill, Empire Magazine, September 2010. (Photo by Austin Hargreaves; from Pierce 2010)

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onus on the relocated individuals to maintain the pretense; the marshals boast that when witnesses obey guidelines the program never fails (US DOJ 2014b). Witnesses' former familial, social, and business connections must be severed, but in exchange their civil liberties are largely intact. This instance of covert performance of assumed identity wielded to deliberately deceive others is important to law enforcement because of the benefits of keeping at-risk witnesses in relative safety—only living witnesses can testify—and beneficial to society because 86 percent of cases in which protected witnesses testify result in convictions (Committee on Government Operations 1990:46).

It is customary to think of visibility as synonymous with access to the public sphere, and presence in the public sphere as the direct precursor to political empowerment. When women break the bonds of domesticity, homosexuals emerge from closets, and the undocumented request asylum, this is synonymous with becoming visible.⁵ In heavily mediated democracies we conflate visibility with agential self-determination, membership in the polity, and claims to civil rights, yet it is precisely because of this that Witsec presents a fascinating challenge to optics of public identity.⁶ It is not just that, as Foucault argued, things are never wholly visible or entirely seen,⁷ a truism for individuals as well as social institutions, or that in Witsec theatrical know-how submerges witnesses beneath a threshold of recognizability, for we all function with corporeal as well as virtual presence in the public sphere and take a part in manipulating what is outward-facing. Witsec differs from normative circumstances because it is an instance of agential identity formation that must not be proclaimed as such: it is constituted through performative citationality of norms undertaken as consciously as possible, yet specifically misaligns inner experience from outward signs and avowals.

Acting in Plain Sight

Relocation imposes a “new normal”—not exactly everyday life—requiring deliberate adjustment of identity cues when witnesses are in public. Erving Goffman's formative contributions to performance theory are usefully adapted to account for aspects of this, not because of the conspiracy to occlude identity through secrecy oaths but as a straightforward presentation of self that swaddles witnesses in the mundane blandness of suburban normalcy. By this logic, in essence, the DOJ manages a vast masquerade so successfully that no one guesses whose cover stories are thinner than anyone else's in Middle America. Reifying the public as a front-stage region where acting and illusion are requisite suggests an extreme instance of performance interwoven into ordinary social relations in ways commensurate with government policy and judicial processes. A great advantage of a Goffmanesque explanation of Witsec is that it presumes a constructed identity on everyone's part; no special awareness to designate actors from

5. It was not always thus: during the 19th century when the oppressed “cried out” to be relieved of misery, it was their voices, not their visibility (sound, not sight) that marked the threshold to revolution (Berger 2014:83–85).

6. The USA's program has been enormously influential: comparable legislation was adopted in 24 other countries by 1989, and South Africa, Turkey, Italy, Israel, Bosnia-Herzegovina, Chile, Colombia, Guatemala, Kosovo, Mexico, Panama, Russia, Serbia, Thailand, Austria, and Bahamas are among the nations that have subsequently implemented programs on the American model. The scope of witness protection continues to expand: the International Court at The Hague has utilized witness protection measures in prosecutions originating from the former Yugoslavia, and Canada extends witness protection to victims of domestic abuse. The British parliament passed a bill protecting witnesses to Royal Commissions or committees of parliament (though not courts of justice) in 1892. Up to the present, Britain continues to operate with an informal system of protection for witnesses to capital crimes (see Featherstone 1997:179–98; Boll 2002:39; UK National Archives 1892; US Federal Government 2008).

7. Foucault remarked that “this inexhaustible wealth of visible things has the property (which both correlates and contradicts) of parading in an endless line; what is wholly visible is never seen in its entirety. It always shows something else asking to be seen; there's no end to it” (1986:110).

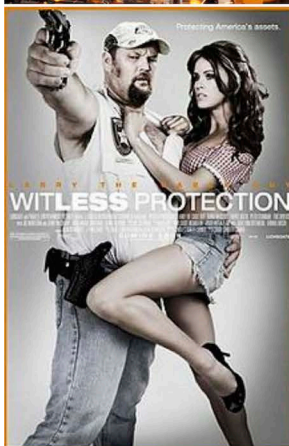
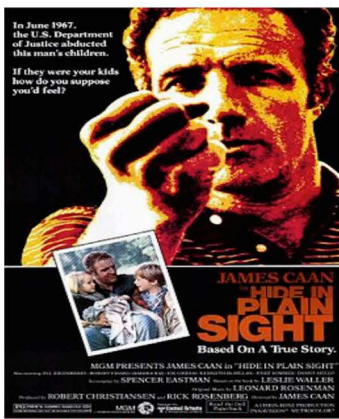


Figure 2. Witsec films and television series. (Montage courtesy of Aileen Robinson)

spectators is required (see Goffman 1959; Read 1993:141). Yet there are two significant problems with the social role-play explanation. As a practice, the presentation of self in everyday life does not build in a deviation from one's actual identity or—like acting per se—subordinate the presentation to an overall “aesthetic offering” (Zamir 2014). Witsec's official archive is sealed, yet enough has been said to congressional committees, investigated by sociologists, and blabbed to journalists to document how administrators and relocated witnesses sustain a theatrical apparatus of tracelessness. The durable perspective of *The Presentation of Self in Everyday Life* does not comprehensively account for this evidence, and though Goffman's subsequent work—including *Frame Analysis*, *Gender Advertisements*, *Behavior in Public Places*, *Stigma*, and *Strategic Interaction*—gives insight into this testimony, later performance theory of the phenomenology of identity formation provides the tools necessary to round out the analysis of the corpus of evidence.

Preparation to enter witness protection occurs in a process that the FBI calls “acting class” (Taylor and Linedecker 1998:326–32). Tzachi Zamir's recent treatise on acting allows for this construct to be nuanced from a form of acting (an “*imagined* metamorphosis that simultaneously commissions an act of imagination from the audience”) to a *use* of acting in role-play which, if successful, is utterly imperceptible and generates neither imagination nor notice in social encounters (2014:171, 161–62). The new birth certificate, social security card, driver's license, and a selection of school records, diplomas, professional degrees or licenses, military discharge papers, marriage or divorce papers, and credit references that the FBI supplies is scaffolding for a credible performance (Graham 1977:79). This differs from a legal name change, in which the connection between two nominal conventions is officially linked even if the individual behaviorally projects new identity markers; and from death, which brings one identity to legal closure and literally cannot be acted (Montanino 1984:504). In Witsec, the identity related to the old set of documents ceases to generate history and the identity related to the new set commences. Both old and new sets of documents are “true” and “original,” just as both presentations of identity are constructed and performative.⁸ Somewhere in the DOJ's archive, each set of documents is linked for juridical verifiability, just as within each witness's memory ineffable thoughts and sensations transcend legislative, discursive, and performative separation of identities. Indelible markers, such as fingerprints, DNA, and retinal scans, can corroborate memory and link identity performances but the documents suffice for most purposes as the backbone for constructing actable self-presentations in a new community. Somehow witnesses figure out how to act and the rest of us let them get on with it unaware, even if one of them is right in our midst.

If role-play is vital to living in Witsec, how can it suffice to keep witnesses alive and their foes at bay? There are three unresolved problems with this explanation:

1. The deployment of roles is not subject to proof, even by humanistic standards. If teams of ethnographers were to venture into the field in search of protected witnesses, symbolic interactions would not betray the witnesses' status. The researchers would neither verify dramaturgical analysis through a representative sample nor identify a control group. Witsec is designed to be an empirical paradox: to be in it one must deny the deceit, and no one outside the DOJ has criteria to identify fabrication or locate the deceivers.
2. *Dédoublement* (retaining an authentic self while presentationally portraying a character), which Denis Diderot defined as a condition of acting and Goffman utilized in *The Presentation of Self* as a structuralist explanation of everyday life, does not account for how living under Witsec is a “state of exception” involving internal exile (see Berwick 1991:75;

8. Early in the program's history, witnesses received Social Security numbers consecutive with their family members', a logistical impossibility under any other circumstances. In such cases the camouflage of a new identity was recognizable as flagrant misrepresentation. Subsequently, Witsec has become more sensible about such identity markers (Graham 1977:92).

Goffman 1959).⁹ Protected witnesses create a new serviceable identity, yet must retain the old identity intact to credibly and authentically be themselves when in court. If, in Witsec, individuals simply “act” in both circumstances, this does not sufficiently account for how inward identity is necessarily in flux when dealing with a new environment, or the consequences when an individual experiences the contrast *in extremis*.

3. Actors learn to cope with the cognitive dissociation of their true selves while sustaining characters, and yet remain sane, sensible, and ethically accountable for what is not contained by the character (see Zamir 2014:162). Additionally, protected witnesses need to align the conditionality of their freedom to the behavior that enables them to remain “disappeared” in a new place, motivated by the fundamental drive for survival.

In other words, the archive is scanty, other evidence is unseeable, and masquerade is a matter of life and death, not merely impression management. Performance can posit the existence of protected witnesses, but only the witness stand records their trace: there is no Large Hadron Collider to verify their existence, functionality, or experience under the assigned identities.

By putting greater emphasis on the matrix of circumstances that sustains role-play than on the techniques of acting *per se*, both the interdependence and multilayered subjectivities that relate to witnesses’ nomadic politics of location come to the fore. Philosophical writing on contemporary subjectivity assists with the analysis. Deleuze and Guattari emphasize the nomad’s lack of history and orientation only to geography (1987:393–94), yet the tracelessness of protected witnesses is emphatically nonrhizomatic. If, through acting, we all experience self-making, through immanence we self-actualize within cultures of unfathomable complexity. Rosi Braidotti calls the threshold of immanence “becoming-imperceptible” in a way that is sustainable despite stretched boundaries (“forces, drives, yearnings or sensations”) that decenter individuals’ geopolitical orientations:

A qualitative leap is needed and it is neither a suicidal jump into the void, nor a fall into moral relativism. Nor does it amount to a romantic re-appropriation of the schizophrenic, non-human elements of the self *per se*. I see it rather as a way of making the contemporary subject slightly more familiar with and consequently less anxious about the yet untapped possibilities that his or her living, embodied and embedded self can empower him or her; a way of living more intensely, on increasing one’s *potential* and with it, one’s freedom and understanding of complexities, but also an ethics that aims at framing, sustaining and enduring those very complexities. (2002:147–48)

When identity is radically displaced, she writes, “all a subject can do is mark his/her assent to the loss of identity [...] and respectfully merge with the process itself, and hence with one’s environment” (2006:157). Thus, it may not be acting that defines life in Witsec, but rather the interaction between the witnesses and their identity scaffold, the new locale, and other people. Together, this constitutes the pragmatism of navigating a relocation matrix.

The Identity Scaffold

Mere relocation is not sufficient for survival: one must make the former identity illegible in the new place. It was not certain that a man like Nicky Barnes, “Mr. Untouchable,” could disappear. He made a fortune dealing heroin and flaunted his wealth as conspicuously as possible, then turned on his confederates and entered the program in 1998. “If he runs a Laundromat in Dubuque or a grocery store in Slippery Rock, that’s one thing,” an associate said, “But the

9. I recognize the liberties I am taking with Carl Schmitt’s concept by situating witnesses within a sanctioned legal framework rather than identifying the exception as beyond legal norms, however the “normalcy” of living under Witsec administration and the unpredictability of results for individuals are parallel with Schmitt’s model (Schmitt [1922] 2005:13).



Figure 3. Heroin dealer turned federal informant Leroy “Nicky” Barnes, 1977.
(Photo by Alex Webb)

man has a tremendous amount of charisma and intelligence. I don’t think he’s going to be innocuous anywhere.” This was false prophecy, for after a decade in the program Barnes himself stated, “The anonymity that cloaks middle America is the life I’m comfortable with, and what I want to be.” He works a 40-hour-a-week job, lives in a white neighborhood, and gets by on his paycheck. “‘Nicky Barnes is not around anymore,’ he said. ‘Nicky Barnes’s lifestyle and his value system is extinct. I left Nicky Barnes behind’” (in Roberts 2007). Barnes and others in Witsec achieve this through an epic attitude adjustment. The ladder to the job and the housing that makes the mundane possible begins for them with a new set of identity documents. In *Strategic Interaction*, Goffman states that identity documents “constitute a kind of open challenge, an admission that through identification devices the person who would misrepresent himself would be defeated” (1969:22–23). Indeed, identity documents—props that constitute ontologies—set these new scenarios in motion, grounding discursive and performative claims with material verifiability that enables witnesses to acquire employment and housing that, in turn, locate people

such as Nicky Barnes where they can build an actable persona. Identity is neither a preexistent entity nor an end product that is ever fully assembled: it unfolds as what Karen Barad calls “agential realism,” whereby modern subjects have “ongoing historicity” as part of the world’s “open-ended becoming” in which corporeal existence, identification, and environment all interact (2003:821).

Around 2003, after spending 23 of the previous 30 years incarcerated on murder and racketeering charges, Boston-based mobster Frank Salemme left prison as a protected witness. He chose a new name, probably by thumbing through the phone book, and waited in a motel for a few days while marshals secured official documents and an automobile. The techniques by which one proceeds to act out the new identity, based on the new documents, come from a witness’s internal resources, mimetic processes of representation, and self-invention fueled—like any theatre act—by what Alice Rayner calls “an event of consciousness generated by repetition”

(2006:xvii). Though unaccustomed to freedom, Salemme was expected to do well even though the marshals would have to help him find work at age 69 (Ranalli 2003:B1).

Witsec participants must exert effort to give their new documents degrees of “repleteness” and their narratives “concreteness,” demonstrating “how well they somehow fit, match, or correspond to the fact” (Goffman 1969:6). As the daughter of a Luchese Mafia mobster, Gina Hill, who went into Witsec with the rest of her family in 1980, recalled of her transformation at age 11:

When the government relocates you, they don’t give you much coaching. [...] They don’t give you a script to explain the rest of your life—where you came from, why you moved, why your parents have no credit or work history, or even a new name. That part we turned into a game.

My mom and I spent hours going through magazines and even the phone book looking for one that would be perfect. [...] I spent hours writing Gina Haymes on notebook paper. I liked the way it looked, the way it sounded, even the way my hand curled to form the swirl of the *y*. That was the only glimpse I had of our future, my made-up name, and I wanted to get it right, wanted to feel comfortable with it. We were working without a script—we never even sat down as a family to get our stories straight—but at least I would know who I was. (Hill and Hill 2004:78–79)

Just as a script gives a stage actor words and clues to character as a starting point for developing a role, or a scenario gives improv actors the basis for their invention, the protected witness’s new documents suggest a life course from which they develop an identity to role-play. A life narrative must be invented to account for this identity, and as with stage actors the Witsec participant’s conscious awareness that the new role is constructed is not an impediment to making it persuasive to others. Mundane and low-profile backgrounds are preferred (Graham 1977:57). Yet a profile cannot be so mundane that a person lacks specificity. According to Goffman’s *Stigma*, identity presumes differentiation, around which “a single continuous record of social facts can be attached, entangled, like candy floss, becoming then the sticky substance to which still other biographical facts can be attached” (1963b:47). The Polisi family, for example, tried on the names of famous race-car drivers, jockeys, coaches, and actors, but settled on something bland and, on the marshals’ advice, drew a family tree and filled in two generations of names (Taylor and Linedecker 1998:235–36).

Some social markers are easier to exchange than others. Some are impossible to shed. Employment history can be faked, but not verified. The sociologist Fred Montanino found that the higher their level of education, the more difficulty participants had in adjusting to Witsec (1987:520). One college graduate who ratted out 40 Mafia members re-entered the work force as a tabula rasa: “What do you tell a businessman you want to work with? I’m So-and-So and for thirty-two years my life is a blank? I never worked for anyone?” (in Graham 1977:86). Witsec participants are easiest to place in relatively menial jobs. When documentation of work experience is not available, and the one or two employment leads given by the marshals do not take hold, a person may have to start at the bottom of the ladder. For certain social categories this could raise suspicion, if not outright denial of the cover story.¹⁰

Imagine, for example, if a witness’s place of birth changes from Jersey City to Queens, and the high school attended is not St. Anthony’s but Forest Hills. Even this leaves a lot to be filled in: what street did the family live on, what activities did they favor, and who ran the convenience mart on the corner? If military service was not with the 82nd Airborne but the 5th

10. The Witsec monetary allowance lasts for six months, but for most witnesses, official participation in Witsec lasts one year. At that time, they either leave the marshals’ protection because they find compliance impossible, or no longer have need for official support of their cover story.

Infantry, what were the veteran's duty stations, and when? Who is that newcomer, and why did she move from the Bronx to Bozeman, from Berwyn to Phoenix, or from South Central LA to Candler Park in Atlanta? It helps witnesses if their ethnicity can be maintained, but if Phil Kovacs from Miami must be forgotten, who is Pete Karsten in Tuscaloosa? If Elena Garcia was a mother and hairdresser in Cincinnati, who is Eva Reyes of Redwood City? She checks inventory for a supermarket chain, has two children in Little League, and has never been east of Las Vegas. She used to answer phones in telethons, raising money for muscular dystrophy research, but now she stuffs envelopes for the Kidney Foundation. She used to take her kids to Lake Placid every summer, convening in a communal campground with her extended family; now the three of them take day trips to the ocean. Her kids used to walk a border collie; now they have a cat. She used to be an earnest Catholic; now she's a member of Peninsula Covenant Church but prefers the Wednesday night bible study group to the populous Sunday morning service. In such scenarios, Witsec participants select a standardized lifestyle—soccer mom, salesman hustler, nine-to-fiver—and perform what others have rehearsed before them. They perform with difference, making the acts “their own,” but the repertoire of behaviors that signal identity precedes their iterations and so is cogent. This repetition legitimates the chosen norm and its enactor. Plausibility for public presentation is the point, and to borrow Judith Butler's turn of phrase, the “performance renders social laws explicit” (1990b:277).

Witsec participants with criminal backgrounds often find it easier to perpetrate a fiction than their law-abiding families, but their aptitude for lying can also make them impervious to perceiving flaws in their story. For some witnesses, deeply ingrained traits are inimical to their new identities. This can be an actor's charm: we always recognize Jimmy Stewart or Liza Minnelli in whatever characters they play. But for a protected witness, revealing such a “trademark”—whether it be their stammer, distinctive appearance, or role in a community—can be as perilous to their safety as the paper trail connecting their old identity to their new one.

Witnesses who relocate with another adult generally report less distress over an identity change than solitary relocators (Montanino 1987:522).¹¹ When Jess Brewer agreed to testify against a drug dealer in Hawaii, he went into the program along with his wife, Remedios Devera, and their three young children. They left with seven suitcases and were flown to a safe house near Washington, DC. While the children watched videos, Brewer and Devera:

studied “stacks of books, pamphlets and newspapers” on the region to which they would be relocated. Within his relocation inspector's area of responsibility—as small as a single city or as large as a state—Brewer would be allowed to choose where he wanted to live. Later, working with the inspector, Brewer and Devera would study similar information to support a cover story—information on the community that they would now say they were “from.” (Sabbag 1996)

They practiced their new signatures, drilled the children on their new surname, and 10 days after leaving Hawaii were taken from the safe house to the Midwest, feeling like new people. But, as Devera states, “You must be constantly aware of what role you're playing [...] You're constantly clicking on and clicking off. We remind each other, ‘Remember, you're this, not that’” (Sabbag 1996). Reinforcement of the pretense helps group members, though of course a slip-up by any member also imperils the whole family. Their cognitive recognition of the new identity must be seamless, or else social recognition by their new community will be dissonant (see Goffman 1963b:68–69).

Whereas personal history can be reinvented, other aspects of identity are difficult or impossible to transform. The backstops in stories need to accord with evident material circumstances.

11. Single or divorced adults have *tabula rasa* for their romantic lives: here, invention may be a strategic asset, yet intimacy's involuntary revelations can prove dangerous.

Criminals accustomed to lavish lifestyles may find it difficult to account for the discrepancies between their tastes and their means. For Salvatore Polisi, a confederate of John Gotti who turned state's evidence, the "old urgency, the need to be in control, to show he was on top, with his own set of rules" led him to transfer a six-figure sum from a bank account in his old name to another in his new one. His biographer concludes:

He'd been not only greedy but impatient. He'd wanted to make their new life so attractive he'd been careless. [...] The huge amounts of money hooked him. [...] He thought it was behind him. But you got used to having money. And that bail money had been sitting there back East, it would take the government too long to wash it and get it to him safely, without a paper trail. (Taylor and Linedecker 1998:286–87)

This compromised the Polisi's security vis-à-vis their extended family and criminal associates who knew about the old bank account, but Sal Polisi only became aware this was a gaffe when alerted by the FBI. In utilizing their own impulses, stage actors meld themselves with their characters; protected witnesses call on old behaviors at their peril. They may need to start over somewhere else, again and again, following a trial or an inadvertent "leakage," a variety of concealment that betrays withheld information (Goffman 1969:31; Eckman and Friesen 1969:89). Successive relocations and identity changes require successive rounds of invention and compound the material and social losses; the effects of these stressors are reported to subside after two or three years, but in the meantime they are potent (Montanino 1987:518).

The plausibility of a disguise is not achieved merely by fitting in; instead, protected witnesses must eschew familiar contexts. They must not resume social roles that deposit a trail leading to recognition: if they were Masons they dare not become Shriners, and if they were Latin Kings they must stay away from the barrios. That is commonsensical. Witsec does not provide plastic surgery or vocal coaching, so the effaced self must somehow find accord with the new identity.¹² Participants plausibly adjust their appearance as well as other indelible aspects of their performance. In one case, a tattoo with "Jerry" was covered by the claim that this was the bearer's middle name. Typically, "a change of hair style and color, a new mustache or beard, a habit of wearing sunshades is usually disguise enough to cover the new identity" (Graham 1977:70).¹³ But as Gregg Hill recalled, despite the WASPish sounding name Haymes, "As soon as my father opened his mouth, everyone would know he was Henry Hill from Brooklyn, *Noo Yawk*." Relocated to Omaha, the Haymes family was instructed to say they were from Stamford, Connecticut, and hope Midwesterners did not know the difference. On their first night of liberty, Henry took the family out to dinner—to Godfather's™ pizzeria—and with "a steady stream of *motherfuckers* and *cocksuckers* and *rat bastards*" tipped off their fellow diners that, wherever he was from, it wasn't local. A fractional possibility of peril lay in someone attaching the language to Hill's voice, face, and family, but even though they dined at a Godfather's restaurant—home of "A Pizza You Can't Refuse"—probability played a large part in their survival because they were in Nebraska (Hill and Hill 2004:80, 87–88).¹⁴

In *Gender Advertisements* (1987), Goffman describes a system in which appearance is "a way of presenting oneself that informs vision and inflects the way people who are looking at you

12. Shur tells of a mobster who became impotent, and upon a psychologist's warning that unless the witness's self-esteem improved he might not be able to testify, Witsec approved a penile implant. But Shur stresses that this story is exceptional (Earley and Shur 2002:271).

13. Gerry Zelmanowitz was offered plastic surgery to remove this tattoo; he declined and the cover story was developed. Only one source, early in the history of Witsec, documents offers of plastic surgery (Graham 70).

14. Godfather's™ was founded in Omaha in 1973 and has hundreds of franchises nationwide. Its mascot is a Marlon Brando lookalike in a fedora and striped suit who intones veiled threats such as "I know your neighborhood" and "A pizza you CAN'T refuse."

behave toward you”; this, in turn, has an effect on how roles are determined (Berger 2014:93). Often gender, for example, can be “typed at a distance” by corporeal, vestimentary, or vocal correlations (Goffman 1977:318). Goffman’s “system of identification” and Butler’s “repeated stylization of bodies” are subject to gendered, raced, and ethnic restylings (Butler 1990a:33), but protected witnesses must occlude recognizability, not merely align identity with outer signs. The point is not merely to pass, but to be passed by: particularities that map outward appearance into public legibility may be immutable, yet Witsec exploits deficits of recognition on all variables.

Whereas Goffman’s constructivist approach to identification grants a lot of power to others in determining ontologies, performativity contests the unexamined habits that grant power to signs and facilitate reconfiguration of intelligibly differentiated apparatus (Barad 2003:820). Barad’s account of the “intra-activity” of active participation in the materialist elaboration of performativity through agential realism emphasizes “it is vitally important that we understand how matter matters” when boundaries are contested (803). Neither new identity documents nor locations causally enable survival; they unpredictably constitute part of the path that witnesses take to lead to their new lives. The DOJ’s claim that no witness who follows the rules has ever been compromised is powerful testimony to Heisenberg’s principle of indeterminacy.¹⁵

New Locales

Witsec participants must trust that their identity scaffolds, narrative, and ensuing behaviors will suffice to create persuasive performances. For the vast majority of participants, the scale is manageable. Thus, both an innocent bystander pulled into the vortex of giving testimony and a career criminal will be equally able to handle the transformation process their new roles entail. As Sharon Mast documents with students, novice actors learn to hold onto themselves while formulating an alternate character that is not equally real, and can consciously monitor their performances (1986:177–78). If well performed, *others* will accept each persona in its proper context. Even so, identity markers’ legibility correlates to location: regional accents, turns of phrase, body language, and allowances for personal space all contribute to how we fit in and stand out to others in a new place. This “hermeneutic horizon” can “suggest a way to visualize the epistemic effects of difference in social locations,” as Linda Alcoff writes of the perception and knowability of lived subjecthood (2006:9).

Robert Benedetti, a teacher of acting and influential writer on acting technique, suggests that in “sixteen simple steps” you can find “the actor within you.” Believability is an external outcome enhanced by internal process. “The trick,” according to Benedetti, “is not *doing* something, rather, it is *not doing* whatever it is that distorts your natural wholeness and responsiveness” (1999:34). So, as the Haymses, Gina and her brother Gregg Hill practiced the background story they would tell new schoolmates to ensure it was consistent: “It should have been a cinch because all we had to do was take our lives from Long Island and transfer them to Stamford—and then hope to hell we never met anyone from Stamford” (Hill and Hill 2004:94–97). Likewise, Joe Polisi joined a tennis club, excelling in a sport he had enjoyed before relocation, and began to feel better in his new surroundings, but worried that a winning record would make him traceable. His brother, Sal Polisi (Jr.), excelled in football, and when his

15. Noncompliance can be fatal. In a celebrated case, Brenda Paz—a 17-year-old Honduran-born runaway who testified against members of the Mara Salvatrucha gang, which she had joined five years earlier—was relocated to Kansas City. Isolation produced loneliness, and she left her new home twice to reconnect with gang members. Less than a year into the program, Paz invited gang affiliates to her hotel room in St. Paul, Minnesota. Her body was found a few days later, stabbed and bloated on the banks of the Shenandoah River (see Briscoe 2005:56; Markon and Glod 2003:A1; and Moore 2005).

photo appeared in the local paper, the family feared this could make them all traceable (Taylor 1989:405–06).

Publicness measures the difference in risk as a hermeneutic horizon. As Goffman observes about many social interactions, a person “must keep within the spirit or ethos of the situation; he must not be *de trop* [excessive] or out of place” (1963a:11). Playing tennis, Joe Polisi was in his new place, yet through this activity his old place could too easily encroach on the new. At Godfather’s restaurant, Henry Hill was too authentic to pass unnoticed: he risked becoming a spectacle rather than eschewing notoriety. This is not just a matter of matching the norms of the new locale, but as Goffman explains, also learning (or intuiting) a “negatively eventful” act that “give[s] rise to specific negative sanctions if not performed, but which, if it is performed, passes unperceived as an event” (1963a:7). In Omaha, the Hill/Haymes children found it easier to fit in than their father did; they were also more aware than their parents of when an identity performance was discordant and might compromise or even endanger the pretense that dictated the acting norms of their new situation. Witsec participants seek to act in approved ways—for example, not behaving like the stereotype of an East Coast wiseguy when in the American Bible Belt—and for the most part they somehow get clued into acts that are approved and acts that are improper (4).

It is assumed that Witsec participants are capable of claiming different historicity than their real (or former) identities. They are physically relocated, but it is not the bodies of Witsec participants that are recreated, renewed, rewritten, regendered, re-ethnicized, or relocalized when they settle into new communities. Alcoff explores how race and gender are “fundamental not peripheral to selfhood”: they are forms of identity judged by visible markers that are context dependent, complex, fluid, and difficult or impossible to dissolve (2006:5). A witness’s fear that the body will be recognized through the new persona is acute, but the persona is selected, remade, and overlaid on the corporeal base. This is why there must be safe distance between Witsec participants and anyone capable of recognizing them by sight or sound. Repeated acts that constitute one’s style can be subverted and redirected by the new narrative identity. Even so, passing as the invented persona involves dissonance between an internal experience of identity and the one that is projected (Kroeger 2003:7–9).

Unlike transgendered individuals or émigrés, Witsec participants are aided by the state to achieve the legitimating markers of new identity and the opportunities afforded by a fresh start as they head into internal exile. In queer strategies of passing, individuals can find social outlets where their past, present, and future aspirations can be openly aired. Likewise, émigrés may seek and find solidarity with compatriots who share their political views, intricate knowledge of place, and patois. But the Witsec participant must shun all such contacts. To approach the equivalent of a familiar subculture would jeopardize their cover, for there is no way to adjust a lie that backfires and replay a scene that goes awry. This form of culturally relocated passing is what Goffman calls “disappearance” (1963b:79) and espionage communities call “deep swimming” (Thompson 2010). It resembles what Anna Camaiti Hostert terms passing in that it is “unseen and invisible,” a subversion of reality through a bluff that keeps the subaltern culture from which the witness came illegible (Hostert 2007:87, 80). Far easier would be a kind of sub-cultural substitution. Switching allegiance from the Mets to the Green Bay Packers, for example, refocuses fan behavior from baseball to football and enhances fitting into somewhere like Racine, Wisconsin. Watching games in neighborhood bars rather than stadia mobilizes the new identity and its franchise logo regalia in common with the selected community. Collective assent of the spectators gives the new persona social grounding through rituals of interaction; for the protected witness this is what Goffman calls “playful knowingness” (1974:136). This reduces the imperative for the protected witness to obscure the contours of the performative as an ontological imperative not to be discovered (see Boal 1995:184–85).

Other People

Many people identify strongly with names as indicators of belonging, not only to place but also to clan (Montanino 1987:15–16). Relocated witnesses give that up, and unlike actors who assume an identity for a living but resume their names when they leave their workplaces, protected witnesses trade a real identity for an assumed one, urgently and indefinitely. Unlike actors (or spies), who receive training in these techniques (as well as experimental practice—trying and erring—and the benefits of having expert observers who ensure they do not overstep into unhealthy identification with a character) (see Goffman 1969:25, 79), protected witnesses receive neither training nor apprenticeship. Apart from the marshals, their interactions in the relocated site are with outsiders who are unaware of their past and can neither affirm nor contradict their sense of their “real” selves. Affirmations, when they come, are of the successfulness of their pretense, which may be experienced internally not as a valid role but as a tissue of lies.

In everyday life under Witsec, nothing outwardly demarcates the fictional sustained act as imaginary: it is reality, though reality that involves a sanctioned measure of pretense. Outside Witsec, we have no parallels for such radical identity reassignment, especially in the case of whole nuclear families, yet Witsec’s code of silence is readily accepted as a paradigm. For example, when Sal Polisi confided in his boys’ football coach that the family was in Witsec, the coach accepted the situation and maintained the secret because he approved of their *performed* family values (Taylor and Linedecker 1998:297). The coach understood the structures of the performance even if he could not penetrate to what preceded it. Thus, we do have a commonsense way to separate understanding of the act of performing an identity from the history it masks, but even if knowledge of the discrepancy is intriguing, it is not subversive, for the new assignment is given by the state, as Witsec participants are allocated to a specific community by the DOJ, and their integration is facilitated—at least at first—by the marshals. Witsec participants are not deceiving their new neighbors, workmates, and classmates, they are utilizing performativity among other citizens. This is not theatre that obscures or contests its own hermeneutics of pretense; it is performance where spectators, even in the rare instances when they become conscious of being such, deepen their complicity with the pretense of others enacting roles that cite sanctioned norms.

Spectators “in the know” also perform a rehearsed scenario: collusion in the illusion, asserting illusion as factual when they know it to be otherwise. They recognize the fluidity of identity markers and so accept new personae. People from the “old life,” however, from whom Witsec participants hide, do not sanction the reiteration of assumed norms (see Evanier 2008). As Goffman put it, “the first point about biographies is that we assume that an individual can really have only one of them” (1963a:62). One Mafia informant, relocated to South Dakota, recognized a mover who arrived with his household goods. The witness and his family were relocated again, to Oklahoma (Smith 1984:B1).¹⁶ In another case, “two unrelated program participants were relocated to the same city” and “encountered and recognized each other at a convenience store” (US DOJ 2004:2). They too had to be relocated. Former associates represent an ongoing belief in the original context; for them, the (old) self is constituted in this social discourse, solely, and cannot be gamed into another set of expectations. The (old) self and the (new) stigmatized role are incommensurable. The new persona is constituted inseparably from the new location, emergent, not entirely chosen, agentially created yet also casually determined by interactions in an unfolding process of becoming. This process will succeed provided that the new role is not publicly juxtaposed to any remnant of the old—the proceeds of a bank account, a too-successful athletic profile, a mover, or a former associate—in the new place.

16. To avoid such coincidences, the program no longer moves household furniture but provides an allowance for purchasing it anew (Fitzgerald 2007:272).

Inconsistent behavior can also rupture the protected witness's new world. Sal Polisi's (Sr.) impulsive purchase of a Camaro sports car led to the necessity for his sons Sal (Jr.) and Joe to explain the car to their new high school friends. But it was not the presence of the flashy car *per se* that made the boys' friends suspicious, but Sal Jr.'s casual admission that the car was bought with cash. "One of the kids said, 'I never heard of that.'" Their friends joked that, what with Sal Sr.'s frequent short trips back to New Jersey, the boys' dad was not in the "jewelry" business at all but the Mafia. "Everybody laughed, but sort of waited too." Sal Jr. and Joe were on the brink of "leakage."

[Then] Sal [Jr.] remembered something his dad had said. "You can't change your past, but you can laugh about it." He said, "Yeah, okay. [...] He goes back all the time to see the Columbuses and the Gambidinis. [...]"

Joe picked it up, remembering scraps of talk from Sal [Sr.]. "That's right. Our dad's a big criminal. He's wanted in New York for felonious haberdashery."

"In the third degree," Sal [Jr.] added. "And don't forget malicious moperly." (Taylor and Linedecker 1998:294–95)

In this incident, the boys figured out how to cover the leakage, providing a feint and a witty redirection as "noise" for impression management (Goffman 1969:14–16). They covered a lie with the truth, but in the classic guise of a joke, made the truth preposterous. This clowning is the dramaturgical tactic of reversal and it deflected the other boys' attention from the social discrepancy traceable to the way the Camaro was purchased, and other holes in the Polisis' cover story.

Navigating the Relocation Matrix

Arguably, once protected witnesses are placed in the community, they are precluded from undertaking the empirical testing-out afforded by rehearsal, for every venture into the public



Figure 4. Advertisement for Chevrolet HHR ("Heritage High Roof"), Real Simple Magazine, December–January 2006. (Collection of Tracy C. Davis)

has the consequentiality of performance and the exposure that entails. Their need for impression management is acute: every facet of citationality in behavior, appearance, and backstory must sustain plausibility. Yet the premise of Witsec is that no one can wholly succeed in suppressing recognition of the old identity if the witness encounters someone from their original matrix. No wonder popular culture thrives on this plot: leakage through outlandish *de trop* behavior, ironic double entendre, and pursuit narratives collide with the basic idea of the self-made American individualist. In a nation with infinite regional variation in self-styling, the difference from one neighborhood to another, never mind between regions, presents tremendous complexities for becoming anyone whose continued existence depends upon being unremarkable.

Henry Hill spent about a dozen years in Witsec. He was expelled in the early 1990s for drug possession and experienced several subsequent prison sentences. He published his memoirs, became a celebrated anti-hero, and was immortalized by Ray Liotta in *Goodfellas*. Given that his testimony convicted 50 mobsters it is impressive that in 2012, at the age of 69, he died peacefully of natural causes in a Los Angeles hospital. His manner with the press suggested a man who completely bought into his own mythos, yet was also canny about survival. He told one reporter “I’m not going to go into a restaurant where there’s 14 wiseguys—you know whadda mean? And half of them packing. I mean I’m not a f***in’ idiot, right?” (Kelly 2012). As a gangster, he knew gangsters’ ways and haunts, and even though he reveled in dialing into Howard Stern’s radio show, he strove to keep his whereabouts quiet. He lived a long life because he knew where he could go in public and how to be passed by. He told another interviewer, “If I go to the racetrack, I put a hat and glasses on, and I take my teeth out. [...] you can’t recognize me, trust me.” When in the program, he was notably incorrigible and admitted difficulty in fitting in with other dwellers of Yakima, WA, Butte, MO, or Independence, KY (Fox 2012), so it is not surprising that later in life he gloried in the attention garnered by his website GoodFellaHenry.com, subtitled “the only real hit on the web” and selling autographed screenplays on the speculative premise “Get yours before I get whacked” (GoodFellaHenry 2014; Kelly 2012). In these two avowals, however, he affirms knowing how to successfully avoid any remaining compatriots and gives an instance of his practiced performance of anonymity within the relocation matrix.

Protected witnesses’ survival relies not upon silence and disappearance in the classic sense but rather calibrated reemergence within the public realm. Successful performances obscure semiotic markers between former and current identities, but they cannot expunge markers per se. Longevity depends upon the undeconstructibility of identity scaffolding (sustained through documentation of textual bona fides), suppression of recognizability (lack of intertextuality between identities), and emergent becoming (through dynamic diversification of repertoires) to make relocation survivable and psychically sustainable. Popular culture’s fascination with the Witsec apparatus, which has no other direct sociological parallels and is a genuine invention of late-20th-century culture, stems from the challenges of how to manage change, particularly when materiality, corporeality, and performativity must add up to cohesive plausibility in the “discursively differentiated becoming” of the new identity (Barad 2003:820). Rather than thinking of this as a radical retreat from the public; or a thorough separation of identification between a repressed secret identity and a public rehearsed persona; or a demonstration of acting pretenses that aggregate just as credibly as anyone else’s, Witsec puts individuals into a state of becoming-imperceptible that constitutes this form of exceptionality.

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