

Section II

Performance Information by Strategic Goal/ Objective

Overview

This section provides to the President, the Congress, and the public a clear picture of how the Department of Justice (DOJ or the Department) is working toward accomplishing its mission. The *Annual Performance Report (APR)* provides a summary discussion of the Department's three strategic goals. It also reports on the 30 key performance measures for these goals by detailing program objectives and FY 2013 targets and actual performance, as well as whether targets were or were not achieved. Each key performance measure also includes information related to data collection and storage, data validation and verification, and data limitations.

At the Department, performance planning and reporting is a companion to the budget process. We recognize that performance information is vital to making resource allocation decisions and should be an integral part of the budget.

In FY 2013, the Department continued to demonstrate clear management commitment to timely and accurate financial and budget information through the use of Department-wide quarterly status reporting. Quarterly status reporting has provided the Department the ability to identify problems early, take necessary corrective actions, develop more effective strategies, and allocate necessary resources.

Measuring Departmental Impact

The Department developed a new set of key performance measures that track the progress of the long-term performance goals. Our long-term performance goals continue to reflect results, not just workload or processes. For example, we have focused law enforcement efforts on disrupting and dismantling targeted criminal groups, such as major drug trafficking organizations. In areas such as litigation, where results-oriented measurement is particularly difficult, we continue to reevaluate our long-term targets to ensure that we are being aggressive enough in our goals for case resolutions for all of our litigating divisions.

Measuring law enforcement performance presents unique challenges. Success for the Department is highlighted when justice is served fairly and impartially and the public is protected. In many areas, our efforts cannot be reduced to numerical counts of activities. Additionally, isolating the effects of our work from other factors that affect outcomes over which the Department has little or no control presents a formidable challenge. Many factors contribute to the rise and fall of crime rates, including federal, state, local, and tribal law enforcement activities and sociological, economic, and other factors. As a result, we have focused on more targeted measures of programmatic performance such as those described above.

Measure Refinement, Data Revisions, and Subsequent Year Reporting

The *FY 2013 Annual Performance Report* highlights the key goals and performance measures reflected in the FY 2014-2018 Strategic Plan with 30 key performance measures that fully align to the Plan's priorities and goals. The APR also provides details on the Department's success in meeting its performance measure targets in FY 2013. Additional programmatic and performance information can be found in individual components' budget submissions, specifically within the Performance and Resources Tables (<http://www.justice.gov/about/bpp.htm>).

The *FY 2013 Annual Performance Report* presents the highest-level outcome-oriented measures available and fully reports on the accomplishments achieved during the reporting period. In many instances, some of the new performance measures will be baselined in FY 2014, and therefore will not be reporting FY 2013 targets or actuals. For this report, 7 years of data will be presented unless the performance outcome goal has less than 7 years, in which case all information is presented.

I

STRATEGIC GOAL 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law

Terrorism is the most significant national security threat that faces our Nation. The Department's focus is protecting the Nation from future terrorist attacks. To ensure attainment of this goal, prevention is our highest priority. The Department has taken, and will continue to take, assertive actions to prevent, disrupt, and defeat terrorist operations before they occur; investigate and prosecute those who commit or intend to commit terrorist acts; and strengthen partnerships to prevent, deter and respond to terrorist incidents. In order to have the needed information to keep our Nation safe, we continue to strengthen and expand our counterintelligence capabilities and ensure that the people that intend to do us harm come to justice.

| Summary of Goal 1 Performance Results | | | | | |
|--|--|--------------------|-----------------------|-----------------------|--------------------|
| Strategic Objective | Performance Measure Name | Page Number | FY 2013 Target | FY 2013 Actual | Met/Not Met |
| 1.1 | Number of terrorism disruptions [FBI] | II-4 | N/A* | N/A* | N/A |
| 1.2 | Percentage of counterterrorism defendants whose cases were favorably resolved [NSD] | II-5 | 90% | 90% | Met |
| 1.3 | Percentage of counterespionage actions and disruptions against national counterintelligence priorities that result from FBI outreach [FBI] | II-7 | N/A* | N/A* | N/A |
| | Percentage of counterespionage defendants whose cases were favorably resolved [NSD] | II-8 | 90% | 100% | Met |
| 1.4 | Number of computer intrusion program disruptions and dismantlements [FBI] | II-10 | N/A* | N/A* | N/A |
| | Percentage of cyber defendants whose cases were favorably resolved [NSD] | II-11 | N/A* | N/A* | N/A |

*These are new measures that will be baselined in FY 2014.

Strategic Objective 1.1: Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats

Combating terrorism is DOJ’s top priority. The Attorney General, acting primarily through the FBI, has principal investigative responsibility for all criminal acts of terrorism (18 U.S.C. § 2332b(f)). A key tenet of this objective is to ensure that intelligence and law enforcement agencies are able to use all available tools to investigate vigorously and prevent acts of terrorism in a manner consistent with law.

Measure Name: Number of terrorism disruptions [FBI]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | - | - | - | - | - | 50 | 75 |
| Actual | - | - | - | - | - | N/A | N/A |

Discussion of FY 2013 Results: This is a new measure that will be baselined in FY 2014.

Planned Future Performance: To facilitate its mission of defeating terrorism, the Department will focus its resources on targeting and disrupting terrorist threats and groups, leveraging its workforce, as well as developing and using the latest technology to counter emerging trends. The Department will inform and educate members of the U.S. Intelligence Community (IC), Law Enforcement, and the public to increase the ability to protect Americans from terrorism and other threats to national security – both at home and abroad. To provide transparency regarding its work in the area of counterterrorism, the Department will disclose a key statistic: the number of terrorism disruptions.

Definition: To provide transparency to its work in the area of counterterrorism, the Department will disclose a key statistic: the number of terrorism disruptions. A disruption is defined as interrupting or inhibiting a threat actor from engaging in criminal or national security related activity. A disruption is the result of direct actions and may include but is not limited to the arrest; seizure of assets; or impairing the operational capabilities of key threat actors.

Data Validation, Verification, and Limitations: The FBI Counterterrorism Division’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lacks significant detail. Data is collected routinely and stored on a classified enterprise platform. Data will be validated and verified manually. In the future, changes to prior year data may occur due to factors beyond the control of the FBI’s data collection system.

Strategic Objective 1.2: Prosecute those involved in terrorist acts

Vigorously investigating and prosecuting terrorism offenses is a critical tool in the effort to incapacitate terrorists, gather valuable intelligence, and deter future acts of terrorism. Since September 11, 2001, DOJ's counterterrorism successes include achieving numerous criminal convictions of high-profile terrorists, defeating would-be terrorists, and protecting the Nation through prevention efforts. The investigation, disruption, and prosecution of terrorism will continue to be the top priority for the Department.

Measure Name: Percentage of counterterrorism defendants whose cases were favorably resolved [NSD]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | 90% | 90% | 90% | 90% | 90% | 90% | 90% |
| Actual | 100% | 100% | 98% | 98% | 90% | N/A | N/A |

Discussion of FY 2013 Results: The Department exceeded its target for FY 2013. The following are highlights from recent counterterrorism cases.

In the U.S. Attorney's Office (USAO) for the Eastern District of New York, a Queens, N.Y., resident who joined al-Qaeda and plotted to commit a suicide terrorist attack, was convicted of multiple federal terrorism offenses on May 2, 2012. Evidence at trial demonstrated that the defendant and his accomplices traveled to Afghanistan and Pakistan in 2008, where they met senior al-Qaeda leaders and received al Qaeda training. Upon their return to the United States, two of the men came within days of executing a plot to conduct coordinated suicide bombings in the New York City subway system in September 2009, as directed by senior al Qaeda leaders in Pakistan. When the plot was foiled, the third terrorist attempted to commit a terrorist attack by crashing his car on the Whitestone Expressway in New York in an effort to kill himself and others. To date, seven defendants have been convicted in connection with the New York City bombing plot and related charges. One was sentenced to life imprisonment and another was sentenced to 40 months' imprisonment with a judicial order of removal to Pakistan upon completion of his sentence. Two, who each face a maximum sentence of life imprisonment, are scheduled to be sentenced later this year. On January 3, 2013, a man was extradited from the United Kingdom to the United States to become the eighth defendant to face charges related to this plot in Brooklyn federal court. He faces a maximum sentence of life imprisonment if convicted of all counts.

On May 30, 2013, Manssor Arbabsiar was sentenced by a U.S. District Judge to 25 years' imprisonment for participating in a plot to murder the Saudi Arabian Ambassador to the United States. Arbabsiar was arrested at John F. Kennedy International Airport in Queens, New York, and the grand jury in the USAO for the Southern District of New York returned an indictment against him and Gholam Shakuri charging them with: (1) conspiracy to murder a foreign official; (2) conspiracy to engage in foreign travel and use of interstate and foreign commerce facilities in the commission of murder-for-hire; (3) conspiracy to use a weapon of mass destruction (explosives); and (4) conspiracy to commit an act of international terrorism transcending national

boundaries. Arbabsiar was further charged with an additional count of foreign travel and use of interstate and foreign commerce facilities in the commission of murder-for-hire. Shakuri remains at large.

In May 2013, in Minneapolis, Minnesota, the district court sentenced seven defendants for their roles in providing material support to terrorists or to the Foreign Terrorist Organization, al Shabaab, or for obstructing the FBI's investigation, "Operation Rhino," a long-running, international investigation into a pipeline that supplies men from Minneapolis to the Somalia-based al Shabaab. Upon reaching Somalia, the men were trained by, and fought with, al Shabaab against both the internationally-supported Transitional Federal Government of Somalia and the Ethiopian Army and African Union soldiers supporting the fledgling government. Of the seven defendants, one was sentenced to 20 years in prison after a conviction on charges of material support and conspiracy to kill or maim overseas for providing money and assistance to al Shabaab. Another was sentenced to 10 years in prison after pleading guilty to charges of providing material support to terrorists and a foreign terrorist organization (al Shabaab), for traveling to Somalia, graduating from an al Shabaab training camp, and participating in an al Shabaab ambush of Ethiopian soldiers. Three were sentenced to 3 years in prison. Another to 10 years in prison, and the seventh to 2 years in prison for committing perjury when testifying before a federal grand jury.

Planned Future Performance: Among the strategies that the Department will pursue in this area are: promoting and overseeing a coordinated national counterterrorism enforcement program, through close collaboration with Department leadership, the National Security Branch of the FBI, the Intelligence Community, and the 94 USAOs; developing national strategies for combating emerging and evolving terrorism threats, including the threat of cyber-based terrorism; consulting, advising, and collaborating with prosecutors nationwide on international and domestic terrorism investigations, prosecutions, and appeals, including the use of classified evidence through the application of the Classified Information Procedures Act (CIPA); sharing information with, and providing advice to, international prosecutors, agents, and investigating magistrates to assist in addressing international threat information and litigation initiatives; and managing DOJ's work on counter-terrorist financing programs, including supporting the process for designating Foreign Terrorist Organizations and Specially Designated Global Terrorists as well as staffing U.S. Government efforts on the Financial Action Task Force.

Definition: Defendants whose cases were favorably resolved include those defendants whose cases resulted in court judgments favorable to the government.

Data Validation, Verification, and Limitations: Data validation and verification is accomplished via quarterly reviews by the Counterterrorism Section Chief. There are no identified data limitations at this time.

Strategic Objective 1.3: Investigate and prosecute espionage activity against the United States, strengthen partnerships with potential targets of intelligence intrusions, and proactively prevent insider threats

Foreign espionage strikes at the heart of U.S. national security, impacting political, military and economic arenas. The foreign intelligence threat to the United States is expanding, becoming more complex and less predictable. While traditional threats to national defense, military operations and policy, and intelligence, and science and technology remain, many intelligence threats are expanding their targets to include the burgeoning population of cleared defense contractors and other sectors affecting U.S. security, most notably sensitive economic information and emerging proprietary technology. Concurrently, foreign threats now have sophisticated networks of governmental and non-governmental entities using a wide array of intelligence collection platforms and engaging in long-term efforts to obtain sensitive information and threaten the security of the United States.

Measure Name: Percent of counterespionage actions against national counterintelligence priorities resulting from FBI outreach [FBI]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | - | - | - | - | - | 10% | 10% |
| Actual | - | - | - | - | - | N/A | N/A |

Discussion of FY 2013 Results: This is a new measure that will be baselined in FY 2014.

Planned Future Performance: To facilitate its counter-espionage mission, the Department will focus its resources on protecting the nation from foreign espionage attempts by leveraging the Strategic Partnership Coordination Program and targeting the highest priority threats as determined by the National Intelligence Priority Framework (NIPF).

Definition: The intent of this measure is to evaluate the impact of counterintelligence outreach initiatives against the FBI’s counterespionage strategic objectives. The measure is calculated as a percentage: the numerator is the number of FBI counterintelligence espionage-related actions and disruptions that are both against an NIPF priority and result from FBI outreach initiative referrals. “Actions” are FBI law enforcement actions and disruptions; “priorities” are defined by the NIPF; and “outreach initiatives” are activities arising from the FBI’s Strategic Partnership Coordination Program and may include referrals from alliances, strategic partnerships, task forces, and working groups with public, private, and not-for-profit entities. The denominator is the total number of FBI counterintelligence actions and disruptions.

Data Validation, Verification, and Limitations: The FBI Counterintelligence Division’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lacks significant detail. Data is collected routinely and stored on a classified enterprise platform. Data will be validated and verified manually. In the future, changes to prior year data may occur due to factors beyond the control of the FBI’s data collection system.

Measure Name: Percentage of counterespionage defendants whose cases were favorably resolved [NSD]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | 90% | 90% | 90% | 90% | 90% | 90% | 90% |
| Actual | 98% | 94% | 98% | 100% | 100% | N/A | N/A |

Discussion of FY 2013 Results: The Department exceeded its target for FY 2013. The following are highlights from recent counterespionage cases.

On August 21, 2013, a federal jury in the Eastern District of Virginia convicted a former U.S. Navy sailor of attempting to provide classified information to individuals he believed to be representatives of the Russian Federation. While serving in the Navy, the sailor held security clearances that granted him access to classified and national defense information related to programs and operations in which he participated. Even though he repeatedly signed agreements to not disclose that sensitive information, on October 21, 2012, he passed classified information to what he believed to be the Russian Federation. He, in fact, delivered the information to the FBI, which was conducting an undercover operation. The former sailor faces a maximum penalty of life in prison when he is sentenced on February 10, 2014.

In the USAO for the District of Columbia, a former contract guard working at a U.S. Consulate in China pleaded guilty to attempting to communicate national defense information to a foreign government on August 30, 2012. The former contract guard was charged in a superseding indictment with attempting to communicate national defense information to the People’s Republic of China, making false statements, and failing to appear in court pursuant to his conditions of release. On March 5, 2013, the guard was sentenced to 9 years in prison.

On June 26, 2013, Lim Kow Seng a/k/a Eric Lim and Hia Soo Gan a/k/a Benson Hia pleaded guilty to conspiracy to defraud the United States. On September 20, 2013, Lim and Hia were sentenced to imprisonment of 37 months and 34 months, respectively. Lim and Hia were extradited from Singapore to the United States in December 2012. On October 25, 2011, prosecutors in the District of Columbia unsealed an indictment which charged five individuals and four of their companies with various violations, including conspiracy to defraud the United States, smuggling, illegal export of goods to Iran, illegal export of defense articles, false statements, and obstruction of justice. On October 24, 2011, authorities in Singapore arrested four defendants pursuant to a U.S. extradition request. A fifth (Hossein Larijani) remains a fugitive in Iran. The indictment alleges that, between June 2007 and February 2008, the defendants fraudulently purchased and caused 6,000 radio frequency modules to be illegally exported from Minnesota through Singapore to Iran. The alleged recipient of all 6,000 modules in Iran was the at-large defendant. The indictment alleges that Coalition forces found no less than 16 of these 6,000 modules in Iraq where they were being used as part of the remote detonation devices of unexploded improvised explosive devices. The indictment further charged three of these defendants with a separate fraud conspiracy involving the illegal

export of two types of military antenna from the United States. In February 2012, a Singapore court ruled that the four suspects held in Singapore may be extradited to the United States to face prosecution for their alleged roles in conspiracies to defraud the United States. The litigation over extradition continued, after another court in Singapore in August 2012 found that only two of the suspects could be extradited.

Planned Future Performance: Among the strategies that the National Security Division (NSD) will pursue in this area are: supporting and supervising the investigation and prosecution of espionage and related cases through coordinated efforts and close collaboration with Department leadership, the FBI, the IC, and the 94 USAOs; developing national strategies for combating the emerging and evolving threat of cyber-based espionage and state-sponsored cyber intrusions; assisting in and overseeing the expansion of investigations and prosecutions into the unlawful export of military and strategic commodities and technology, including by assisting and providing guidance to USAOs in the establishment of Export Control Proliferation Task Forces; coordinating and providing advice in connection with cases involving the unauthorized disclosure of classified information and supporting resulting prosecutions by providing advice and assistance with the application of CIPA; and enforcing the Foreign Agents Registration Act of 1938 and related disclosure statutes.

Definition: Defendants whose cases were favorably resolved include those defendants whose cases resulted in court judgments favorable to the government.

Data Validation, Verification, and Limitations: Quarterly review of database records and data updates from Counter Espionage Section attorneys in order to ensure that records are current and accurate. Reporting lags may be an issue for this performance measure.

Strategic Objective 1.4: Combat cyber-based threats and attacks through the use of all available tools, strong private-public partnerships, and the investigation and prosecution of cyber threat actors

A range of cyber activities can diminish our security and siphon off valuable economic assets. A growing number of sophisticated state and non-state actors have both the desire and the capability to steal sensitive data, trade secrets, and intellectual property for military and competitive advantage. The other major national security threat in cyberspace is cyber-enabled terrorism. The Department believes that it is a question of when, not if, there will be attempts to do so. The cyber threat demands ready and fluid means of sharing information and coordinating actions. To successfully investigate and disrupt cyber threats, the Department must be creative and forward-looking in its approach, considering what kinds of tools, investigations, and outreach can be launched now to lay the groundwork for future cyber efforts.

Measure Name: Number of computer intrusion program disruptions and dismantlements [FBI]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | - | - | - | - | - | 100 | 100 |
| Actual | - | - | - | - | - | N/A | N/A |

Discussion of FY 2013 Results: This is a new measure that will be baselined in FY 2014.

Planned Future Performance: Protecting the United States from cyber attacks is a top priority of the Department. One of the principal goals and objectives is to disrupt and dismantle cyber threat actors effectively. A cyber threat actor is any nation-state, organized group, or individual who engages in unauthorized computer (or computer network) access or attacks in violation of U.S. law. To provide transparency regarding its work in the area of combating cyber threats, the Department will disclose a key statistic: the number of computer intrusion program disruptions and dismantlements. Disruptions are milestones in the process of dismantling a group or organized criminal enterprise. Disruptions force an organization to adopt unfamiliar patterns or use less experienced personnel. These missteps create opportunities for additional disruptions, building momentum for the ultimate goal of dismantling dangerous organizations. For example, in June 2013, the FBI and private sector leaders successfully disrupted more than 1,000 botnets built on Citadel malware in a massive global cybercrime operation that is estimated by the financial services industry to have been responsible for over half a billion dollars in financial fraud. To disrupt and dismantle cyber threat actors, the Department will continue to leverage its workforce and develop and employ the latest technology to counter emerging trends.

Definition: To provide transparency regarding its work in the area of combating cyber threats, the Department will disclose a key statistic: the number of computer intrusion program disruptions and dismantlements. A disruption is defined as interrupting or inhibiting a threat actor from engaging in criminal or national security related activity. A disruption is the result of direct actions and may include but is not limited to the arrest; seizure of assets; or impairing the operational capabilities of key threat actors. A dismantlement means that the targeted organization’s leadership, financial base

and supply network has been destroyed, such that the organization is incapable of operating and/or reconstituting itself.

Data Validation, Verification, and Limitations: The FBI Cyber Division’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lacks significant detail. Data is collected routinely and stored on a classified enterprise platform. Data will be validated and verified manually. In the future, changes to prior year data may occur due to factors beyond the control of the FBI’s data collection system.

Measure Name: Percentage of cyber defendants whose cases were favorably resolved [NSD]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | - | - | - | - | - | 90% | 90% |
| Actual | - | - | - | - | - | N/A | N/A |

Discussion of FY 2013 Results: This is a new measure that will be baselined in FY 2014.

Planned Future Performance: Among the strategies that NSD will pursue in this area are: recruit, hire, and train additional cyber-skilled professionals; prioritize disruption of cyber threats to the national security through the use of the U.S. Government’s full range of tools, both law enforcement and intelligence; promote legislative priorities that adequately safeguard national security interests; and invest in information technology that will address cyber vulnerabilities while also keeping the Department at the cutting edge of technology.

Definition: Defendants whose cases were favorably resolved include those defendants whose cases resulted in court judgments favorable to the government.

Data Validation, Verification, and Limitations: Data validation and verification is accomplished via quarterly reviews done by the Counterterrorism Section and the Counterespionage Section. There are no identified data limitations at this time.

II

STRATEGIC GOAL 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law

The heart of the Department of Justice’s mission is to enforce federal laws and represent the rights and interests of the American people. Preventing and controlling crime is critical to ensuring the strength and vitality of the democratic principles, rule of law, and the administration of justice. The enforcement of federal laws keeps society safe by combating economic crime and reducing the threat, trafficking, and use of illegal drugs and related violence. The strengthening of partnerships between federal, state, local, and tribal law enforcement will enhance our ability to prevent, solve, and control crime. Through the enforcement of our laws, we protect the rights of the vulnerable by reducing the threat, incidence, and prevalence of violent crime, including crimes against children, and upholding the civil and constitutional rights of all Americans. The Department of Justice enforces federal civil and criminal statutes, including those protecting rights, safeguarding the environment, preserving a competitive market structure, defending the public fisc against unwarranted claims, and preserving the integrity of the Nation’s bankruptcy system. In addition, the Department combats public and corporate corruption, fraud, economic crime and cybercrime.

| Summary of Goal 2 Performance Results | | | | | |
|---------------------------------------|---|-------------|----------------|----------------|-------------|
| Strategic Objective | Measure Name | Page Number | FY 2013 Target | FY 2013 Actual | Met/Not Met |
| 2.1 | Number of gangs/criminal enterprise dismantlements (non-CPOT) [FBI] | II-14 | 99 | 251 | Met |
| | Percent of criminal cases favorably resolved [USA, CRM] | II-15 | 90% | 92% | Met |
| 2.2 | Number of communities with improved capacity for a coordinated response to domestic violence, dating violence, sexual assault, and stalking [OVW] | II-18 | 4,275 | 5,035 | Met |
| | Percent of children recovered within 72 hours of an issuance of an AMBER alert [OJP] | II-19 | 90% | 94.9% | Met |
| 2.3 | Consolidated Priority Organization Target-linked drug trafficking organizations [DEA, FBI, OCDETF] -dismantled -disrupted | II-21 | 145 340 | 219 500 | Met |

| Strategic Objective | Measure Name | Page Number | FY 2013 Target | FY 2013 Actual | Met/Not Met |
|----------------------------|---|--------------------|-----------------------|-----------------------|--------------------|
| 2.4 | Number of criminal enterprises engaging in white-collar crimes dismantled [FBI] | II-24 | 385 | 421 | Met |
| | Percentage of dollar amounts sought by the government recovered [CIV] | II-25 | 85% | 85% | Met |
| 2.5 | Percent of civil rights cases favorably resolved: criminal cases [CRT] | II-27 | 85% | 100% | Met |
| | Percent of civil rights cases favorably resolved: civil cases [CRT] | II-27 | 85% | 93% | Met |
| 2.6 | Case resolution for DOJ litigating divisions – percent of criminal cases favorably resolved [ATR, CIV, CRM, ENRD, TAX, USA] | II-30 | 90% | 92% | Met |
| | Case resolution for DOJ litigating divisions – percent of civil cases favorably resolved [ATR, CIV, CRM, ENRD, TAX, USA] | II-30 | 80% | 85% | Met |

Strategic Objective 2.1: Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers

Violent crime remains a serious problem in many rural and urban areas and throughout much of Indian Country. It continues to inflict a heavy toll on communities across America, limiting the quality of life for U.S. citizens, paralyzing neighborhoods, and stretching state and local law enforcement resources to their limits. The Department will combat violent crime through vigorous investigation and prosecution of those who engage in violent criminal acts. It will work with its law enforcement partners at the federal, state, local, tribal, and international level to combat all types of violence, from the neighborhood-based street gangs, to increasingly brutal and prevalent violence along the Southwest Border, to the transnational gangs operating throughout the United States and abroad, to violent criminals seeking haven in the United States. It will also employ a comprehensive strategy that focuses on investigation, prosecution, and prevention efforts to address violence in America.

Measure Name: Number of gangs/criminal enterprise dismantlements (non-CPOT) [FBI]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | 99 | 99 | 99 | 99 | 99 | 99 | 99 |
| Actual | 135 | 124 | 165 | 163 | 251 | N/A | N/A |

Discussion of FY 2013 Results: Since establishing the target for this measure, the FBI has reorganized its efforts and instituted a Southwest Border Threat Strategy, which has allowed the FBI to focus more resources on the Southwest Border, where many criminal enterprises operate.

Planned Future Performance: The FBI will evaluate its FY 2014 and future targets for this measure based on the final FY 2014 appropriation.

Definition: Dismantlement means destroying the organization’s leadership, financial base, and supply network such that the organization is incapable of operating and/or reconstituting itself.

Data Validation, Verification, and Limitations: Accomplishment and caseload data are obtained from the FBI’s Resource Management Information System (RMIS), which houses the Integrated Statistical Reporting and Analysis Application (ISRAA) and Monthly Administrative Report (MAR) applications that report these data. Data are verified by an FBI field manager before being entered into that system and are subsequently verified through the FBI’s Inspection process. Other non-standardized data are maintained in files by their respective FBI Headquarter programs. FBI field personnel are required to enter accomplishment data within 30 days of the accomplishment or a change in the status of an accomplishment, such as those resulting from appeals.

Measure Name: Percent of criminal cases favorably resolved [USAO, CRM]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | 90% | 90% | 90% | 90% | 90% | 90% | 90% |
| Actual | 92% | 93% | 93% | 92% | 92% | N/A | N/A |

Discussion of FY 2013 Results: In FY 2013, violent crime criminal cases involving 12,614 defendants were favorably resolved by the USAOs, resulting in a 92 percent success rate. A small selection of cases below from FY 2013 illustrates the efforts of the USAOs in prosecuting large-scale violent crime cases.

The USAO for the District of Massachusetts successfully brought justice to James J. “Whitey” Bulger, a notorious mob boss whose Winter Hill Gang terrorized South Boston and its surrounding areas during the 1970s and ‘80s. After a two-month trial, on August 23, 2013, a jury found Bulger guilty of racketeering conspiracy and numerous racketeering acts of murder, extortion, narcotics distribution, money laundering, and possession of firearms including machineguns. At his sentencing on November 14, 2013, Bulger was sentenced to two consecutive life terms plus five years, and \$19.5 million in restitution.

In December 2013, three Mexican nationals were provided varying sentences ranging from 6 to 10 and one-half years in prison for their role in a hostage taking and human smuggling case. All three had been indicted June 12, 2013, on charges of hostage taking, conspiracy to commit hostage taking, and using, carrying and brandishing a firearm during and in relation to a crime of violence.

Regarding Indian Country prosecutions, in just the last three and a half years, the USAOs have seen their caseload of prosecutions for crimes committed on tribal lands increase by more than 54 percent. This increase was reported to Congress in our Indian Country Investigation and Prosecution Report (www.justice.gov/tribal/tloa-report-cy-2011-2012.pdf), and it shows the fruits of our labor. The districts focused on fully leveraging vital partnerships with tribal, local, and state agencies to address violent crime and victimization in tribal communities. The notable increase in prosecutions of Indian Country crime is the direct result of the many initiatives led by USAOs across the country, including strategies that place federal prosecutors on the reservations on a frequent basis to enhance criminal investigations and communication.

In a Northern District of Iowa domestic violence case, the evidence presented at trial established that the defendant tracked his estranged wife’s movements with a GPS application that he had secretly placed in her car while she was at work. When her car stopped at her new residence, the defendant armed himself with a handgun, drove from Iowa to Nebraska, entered her home without permission, punched, kicked, and pistol-whipped one of the people at the house at the time, and took his estranged wife to his house in Iowa where he further assaulted her. He was convicted of interstate stalking and possession of a firearm by a felon and sentenced to 57 months’ imprisonment.

The Criminal Division prosecuted and achieved favorable dispositions in FY 2013 in cases covering a wide range of complex case law concerning violent crime. For example, the Division's Organized Crime and Gang Section took the lead role in identifying, investigating, and prosecuting the leadership and "worst of the worst" of the prison/street gang known as the Aryan Brotherhood of Texas (ABT). To date, 56 ABT members, associates and leaders have been prosecuted throughout Texas and Western District of Oklahoma, with 36 indicted in Southern District of Texas (SDTX) for Racketeer Influenced and Corrupt Organizations, Violent Crimes in Aid of Racketeering, firearms, and drug trafficking offenses. Nearly half of the defendants in the SDTX prosecution have pleaded guilty, and many have received substantial sentences. Another example, the Division's Capital Case Section assisted in prosecuting *U.S. v. Savage et al.* and on May 31, 2013, a jury voted in favor of death for Kaboni Savage who was the first defendant in the Eastern District of Pennsylvania to receive the death penalty in federal court. Savage was convicted of 12 counts of murder in aid of racketeering, one count of retaliating against a witness by murder, conspiracy to commit murder in aid of racketeering, and one count of conspiracy to participate in a racketeering enterprise.

Planned Future Performance: The USAOs will continue to work closely and collaboratively with our law enforcement partners to ensure that the investigation and prosecution of violent offenders and criminal organizations comports with our Constitutional and ethical obligations. The USAOs will continue to focus on the most serious violent offenders—the “worst of the worst”—as targets for federal prosecution. Each and every case will be evaluated on its individual merits consistent with the Department's prosecution guidelines. Cases accepted for federal prosecution will be thoroughly reviewed prior to indictment, to ensure that there is sufficient evidence to support a criminal conviction. All relevant evidence will be carefully assessed by federal prosecutors. Any potential evidentiary issues will be analyzed to ensure that each criminal prosecution supports the Department's efforts to apprehend violent offenders and improve public safety.

The U.S. Attorneys and the Criminal Division are adjusting to the increased use of technology in the practice of law. As criminal cases are increasingly “electronic” – meaning that technology plays a major role in areas such as electronic case filing and e-discovery - technical training of employees to provide the appropriate skill sets are critical to the successful furtherance of our mission.

Other management strategies include regular reviews and monitoring of case and workload data; leveraging technology to improve efficiency and enhance information flow organization-wide and with our partners; continue to look at operational efficiencies in order to preserve human capital which is our most valuable resource; and continue to address emerging training needs through the Office of Legal Education.

Definition: Cases favorably resolved for USAO include those cases that resulted in court judgments favorable to the government, as well as settlements. Favorable resolution for CRM is measured at the defendant level and reported at the conviction stage of the case. Only defendants in violent crime cases in the Criminal Division will be included. For the purpose of measuring these cases, the Criminal Division will use a set of program categories to identify violent crime cases.

Data Validation, Verification, and Limitations: USAOs performs “data scrubs” (routine examination of current and historical data sets, as well as looking toward the future for trends) to

ensure the data are as accurate and reliable as possible and targets are ambitious enough given the resources provided. USAOs also maintain the accuracy and integrity of the statistical data maintained in the Legal Information Online Network System, which contains information on matters, cases, and appeals handled by the USAOs, and our companion USA-5 reporting system, which tracks how USAO personnel spend their time. The data is reviewed by knowledgeable personnel such as supervisory attorneys and legal clerks in each district. Attorneys and support personnel are responsible for ensuring the local procedures are followed for maintaining the integrity of the data in the system. CRM captures all litigation data in its Automated Case Tracking System (ACTS). Data in ACTS is validated on a quarterly basis by the Section Chief in each of the litigating sections. There are no known data limitations at this time.

Strategic Objective 2.2: Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to, America's crime victims

The Department must continue to be vigilant in supporting and protecting the most vulnerable segments of our population that may fall victim to crime. Children are the most vulnerable and most exploited members of our society. The criminal victimization of children impacts not only the children, but also their families, community, and society at large. Unfortunately, children are but one segment of society that is at risk. In the United States and across the globe, domestic violence, dating violence, sexual assault, human trafficking, and stalking occur in all ages, races, socioeconomic classes, genders, and sexual orientations. Research shows that these crimes are overwhelmingly committed against women. In addition, elder abuse, neglect, and exploitation is an area that has been overlooked but research suggests it is an ongoing problem in the United States. Further, victims of crime committed on tribal lands is also an area that has been overlooked for far too long. Research suggests violent crime rates on tribal lands may be two, four, and in some cases, 10 times the national average.

All victims deserve to be treated with respect and support. The Department will address the needs of victims by investigating and prosecuting matters impacting vulnerable groups while leading the way in providing innovative training, resources, and support to victims of crime.

Measure Name: Number of communities with improved capacity for a coordinated response to domestic violence, dating violence, sexual assault, and stalking [OVW]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | 3,798 | 3,912 | 4,230 | 4,261 | 4,275 | 5,008 | 5,158 |
| Actual | 4,303 | 4,388 | 4,546 | 4,950 | 5,035 | N/A | N/A |

Discussion of FY 2013 Results: In FY 2013 the Department exceeded its target. The increase in the number of collaborative community responses to domestic violence, dating violence, sexual assault, and stalking was the result of an increase in the number of grantees and subgrantees during this time.

Planned Future Performance: The Office of Violence Against Women's (OVW) Sexual Assault Services Program data was added to the measure's target for FY 2014. OVW plans to increase performance each year by increasing outreach to grant programs about the importance of meaningful community collaborations.

Definition: Over the course of the past 40 years, as communities across the country identified domestic and sexual violence as significant social and legal problems, women's centers and criminal justice agencies have collaborated to devise strategies to stop the violence and protect victims/survivors. A coordinated community response fosters communication, improves

understanding, and creates changes in practices and policies that may bring immediate benefits to victims/survivors.

Data Validation, Verification, and Limitations: OVW has undertaken a significant effort to implement a system for measuring the effectiveness of projects supported by the Violence Against Women Act (VAWA) grant monies. The VAWA Measuring Effectiveness Initiative is an intensive effort to improve how OVW measures and monitors the work of grantees. In 2001, OVW entered into a cooperative agreement with the Muskie School of Public Service’s Catherine E. Cutler Institute for Child and Family Policy (the Muskie School) to develop and implement state-of-the-art reporting tools to capture the effectiveness of VAWA grant funding. Since that time, the VAWA Measuring Effectiveness Initiative has developed, revised, and refined computerized progress report forms for grantees to collect this information and report online through the Grants Management System. OVW issued a competitive solicitation to continue the Measuring Effectiveness Initiative in 2012 and received eight qualified applications. The Muskie School was the successful applicant. OVW and the Measuring Effectiveness Initiative tailored each grant program’s form to reflect the different statutorily authorized activities that grantees perform, as well as to collect uniform information on victims served, demographics, and common activities that occur across several programs. These progress report forms provide OVW with extraordinarily comprehensive and consistent data regarding grantee activities.

Measure Name: Percent of children recovered within 72 hours of an issuance of an AMBER alert [OJP]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | 75% | 75% | 76% | 77% | 86% | 90% | 90% |
| Actual | 81.7% | 87% | 89% | 91.5% | 94.9% | N/A | N/A |

Discussion of FY 2013 Results: In FY 2013, the Department exceeded its target of 86% for recovering children within 72 hours of an issuance of an AMBER Alert, reaching a recovery rate of 94.9%. This is attributable to coordination and training at all levels, increased public awareness, technological advances, and cooperation among law enforcement, transportation officials, and broadcasters. In addition to its successful website (www.amberalert.gov), the AMBER Alert program’s strategy focuses on: (1) strengthening the existing AMBER Alert system; (2) expanding the scope of the AMBER Alert program; and (3) enhancing communication and coordination.

Planned Future Performance: For FYs 2014 and 2015, DOJ has increased the target of recoveries, within 72 hours, from 86% to 90%. DOJ will meet its FY 2014 and 2015 targets by continuing to promote and strengthen relationships among federal, state, local, tribal, and international law enforcement agencies.

Definition: The number and percent of children that are recovered within 72 hours of an issuance of an AMBER Alert (America’s Missing: Broadcast Emergency Response Alert). Over 90 percent

of the total number of successful recoveries of abducted children to date has occurred since October 2002, when AMBER Alerts became a coordinated national effort.

Data Validation, Verification, and Limitations: The Office of Justice Programs (OJP) has great confidence in the data that are collected as well as the verification process in place. OJP's Office of Juvenile Justice and Delinquency Prevention (OJJDP) works closely with the National Center for Missing and Exploited Children (NCMEC) and Fox Valley Technical Center to provide in-depth training on OJJDP performance measure requirements. The grantee subsequently spends time training law enforcement agencies on how to accurately report information to the clearinghouse. All data are collected by the AMBER Coordinator who authorizes AMBER actions and related data collection activities. The recovery times are verified by a combination of the investigative law enforcement agency and the Amber Coordinator's AMBER activation logs. When law enforcement determines that the case is a hoax or unfounded, data are removed from the performance measure data set to ensure accurate reporting.

In addition to the internal processes noted above, the NCMEC AMBER Coordinator works in close concert with the OJJDP Program Manager to review actual data history to guide programmatic decisions. The OJJDP Program Manager and AMBER Coordinator routinely discuss the performance measures data and means to ensure accurate data collection techniques are consistently implemented.

Strategic Objective 2.3: Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs

The Department focuses its drug law enforcement efforts on reducing the availability of drugs by disrupting and dismantling the largest drug trafficking organizations and related money laundering networks operating internationally and domestically, including those on the Attorney General’s Consolidated Priority Organization Target (CPOT) List. The first CPOT List was issued in September 2002 and is reviewed and updated semi-annually. The List identifies the most significant international drug trafficking and money laundering organizations and those primarily responsible for the nation’s illegal drug supply. The Attorney General has designated the Organized Crime Drug Enforcement Task Forces (OCDETF) Program as the centerpiece of DOJ’s illegal drug supply reduction strategy. The Program coordinates multi-agency and multi-jurisdictional investigations targeting the most serious drug trafficking threats. The OCDETF Program is responsible for coordinating the annual formulation of the CPOT list. The OCDETF Program functions through the efforts of the USAs; elements of CRM; the investigative, intelligence, and support staffs of DEA, FBI, ATF, and USMS; Immigration and Customs Enforcement; the U.S. Coast Guard; and the Internal Revenue Service. The OCDETF agencies also partner with numerous state and local law enforcement agencies.

The goal of each OCDETF investigation is to determine connections among related investigations nationwide in order to identify and dismantle the entire structure of the drug trafficking organizations, from international supply and national transportation cells, to regional and local distribution networks. A major emphasis of the Department’s drug strategy is to disrupt the traffickers’ financial dealings and to dismantle the financial infrastructure that supports these organizations. The OCDETF Program has the greatest impact upon the flow of drugs through this country when it successfully incapacitates the entire drug network by targeting and prosecuting its leadership and seizing the profits that fund continued operations.

Measure Name: CPOT-linked drug trafficking organizations dismantled and disrupted [DEA, FBI, and OCDETF]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|---------------------|---------|---------|---------|---------|---------|---------|---------|
| Target (dismantled) | 137 | 149 | 157 | 145 | 145 | 150 | 150 |
| Actual (dismantled) | 143 | 182 | 198 | 171 | 219 | N/A | N/A |
| Target (disrupted) | 263 | 281 | 318 | 340 | 340 | 350 | 350 |
| Actual (disrupted) | 276 | 367 | 414 | 446 | 500 | N/A | N/A |

Discussion of FY 2013 Results: The Department exceeded its target in FY 2013 for dismantling and disrupting CPOT-linked drug trafficking organizations. The Department successfully

dismantled 219 CPOT-linked organizations in FY 2013, exceeding the target for dismantlements by 51%. The Department disrupted 500 CPOT-linked organizations in FY 2013, exceeding the target for disruptions by 47%.

In addition to making important gains against CPOT-linked organizations in FY 2013, OCDETF agencies continued to achieve significant successes against the CPOTs themselves. Over the course of the last year, three CPOT targets were dismantled and three CPOT targets were disrupted. Furthermore, five CPOTs were extradited to the United States, seven others were arrested, and one was killed. The CPOT targets dismantled in FY 2013 had a combined capability of producing, importing, and distributing over 400 tons of cocaine annually. Additionally, their activities included: providing material support to known terrorist organizations to ensure safe passage of illegal drugs destined for the United States; engaging in narco-terrorism; conspiring with terrorist organizations to import thousands of tons of cocaine into the United States; and processing over 30,000 kilograms of raw cocaine base into cocaine powder each month. The indictment for one of the organizations alone seeks the criminal forfeiture of up to \$1 billion in assets. The reach of these transnational drug trafficking organizations extended globally. Law enforcement activity targeting these CPOTs involved complex and coordinated intelligence driven investigations, with cooperation between U.S. law enforcement agencies and international partners.

The Department's FY 2013 successes against dismantling CPOT-linked drug trafficking organizations as well as the significant enforcement actions against CPOTs themselves have resulted in keeping multi-ton quantities of illegal drugs from ever entering the United States.

Planned Future Performance: The Department will continue to work to disrupt and dismantle the most significant drug trafficking organizations. The Department has designated the dismantlement and disruption of CPOT-linked drug trafficking organizations as a priority, and will continue to maintain its system of review to ensure accountability for the reporting of this measure.

Definition: An organization is considered linked to a CPOT if credible evidence exists of a nexus between the primary investigative target and a CPOT target, verified associate, or component of the CPOT organization. Disrupted means impeding the normal and effective operation of the targeted organization, as indicated by changes in the organizational leadership and/or changes in methods of operation. Dismantled means destroying the organization's leadership, financial base, and supply network such that the organization is incapable of reconstituting itself.

Data Validation, Verification, and Limitations: The CPOT List is updated semi-annually. Each OCDETF agency has an opportunity to nominate targets for addition to or deletion from the List. Nominations are considered by the CPOT Working Group (made up of mid-level managers from the participating agencies). Based upon the Working Group's recommendations, the OCDETF Operations Chiefs decide which organizations will be added to or deleted from the CPOT List. Once a CPOT is added to the List, OCDETF investigations can be linked to that organization. The links are reviewed and confirmed by OCDETF field managers using the OCDETF Fusion Center, agency databases, and intelligence information. Field recommendations are reviewed by the OCDETF Executive Office. In instances where a link is not fully substantiated, the sponsoring agency is given the opportunity to follow-up. Ultimately, the OCDETF Executive Office "un-links" any investigation for which sufficient justification has not been provided. When evaluating

disruptions/dismantlements of CPOT-linked organizations, OCDETF verifies reported information with the investigating agency's headquarters.

Investigations of CPOT-level organizations are complex and time-consuming, and the impact of disrupting/dismantling such a network may not be apparent immediately. In fact, data may lag behind enforcement activity. For example, a CPOT-linked organization may be disrupted in one FY and subsequently dismantled in a later year when law enforcement permanently destroys the organization's ability to operate.

Strategic Objective 2.4: Investigate and prosecute corruption, economic crimes, and transnational organized crime

The Nation's recent economic crisis has had significant and devastating effects on mortgage markets, credit markets, and the banking system. The Department will protect Americans from the financial fraud and corruption that devastates consumers, siphons taxpayer dollars, weakens our markets, and impedes our ongoing economic recovery. The impact of financial crime is not confined to Wall Street – and many times the victims of fraud have worked hard and played by established investment rules, only to see their retirement and life savings vanish at the hands of white-collar criminals. Additionally, the rapid expansion of Internet use throughout the Nation, including business and government, creates a continually growing risk of unlawful acts. The Department will focus its white collar enforcement resources on these areas of potential fraud and associated corruption.

Additionally, transnational crime has expanded dramatically in size, scope, and influence, and transnational criminal networks pose a significant threat to national and international security. In response, the Department will implement actions to support the Administration's *Strategy to Combat Transnational Organized Crime*, which seeks to build, balance, and integrate the tools of American power to combat transnational organized crime and related threats to national security and urge America's foreign partners to do the same.

Finally, the Department will pursue fraud and corruption committed against the Federal Government and state and local governments and their programs and will protect consumers through vigorous investigations and civil and criminal enforcement of federal laws. These efforts will return significant amounts to the Treasury, Medicare, and other entitlement programs every year and provide deterrence to those contemplating defrauding federal programs, businesses, and individual citizens.

Measure Name: Number of criminal enterprises engaging in white-collar crimes dismantled [FBI]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | 160 | 160 | 250 | 360 | 385 | 385 | 385 |
| Actual | 250 | 236 | 368 | 409 | 421 | N/A | N/A |

Discussion of FY 2013 Results: In FY 2013, the FBI increased its use of certain investigative and technical capabilities techniques like Group I Undercover Operations and Title IIIs, which were previously not commonly used in White Collar Crime cases. As a result of the use of these tools, the FBI was able to exceed the target for this measure.

Planned Future Performance: The FBI will evaluate its FY 2014 and future targets for this measure based on the final FY 2014 appropriation.

Definition: Dismantlement means destroying the organization’s leadership, financial base, and supply network such that the organization is incapable of operating and/or reconstituting itself.

Data Validation, Verification, and Limitations: Accomplishment and caseload data are obtained from FBI RMIS, which houses ISRAA and MAR applications that report these data. Data are verified by an FBI field manager before being entered into that system and are subsequently verified through the FBI’s Inspection process. Other non-standardized data are maintained in files by their respective FBI Headquarter programs. FBI field personnel are required to enter accomplishment data within 30 days of the accomplishment or a change in the status of an accomplishment, such as those resulting from appeals.

Measure Name: Percentage of dollar amounts sought by the government recovered [CIV]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | - | - | - | - | 85% | 85% | 85% |
| Actual | - | - | - | - | 85% | N/A | N/A |

Discussion of FY 2013 Results: The Department met the target for FY 2013. In recent years the scale of affirmative monetary cases has increased, especially billion dollar health care and financial fraud cases. The Civil Division (CIV) is making more ambitious claims, therefore making it more difficult to recover the full amount claimed. Thus, the increasing difficulty of CIV affirmative monetary cases, coupled with restrained budgets and fewer personnel, make it more difficult to recover 85 percent of the original claim amounts.

Planned Future Performance: Achieving favorable outcomes in some of the Government’s most complex cases requires high caliber attorney and non-attorney personnel, as well as cutting edge litigation support services. CIV will continue to aggressively represent the Federal Government and its agencies in affirmative monetary cases. The President and Attorney General have stated that combatting fraud is top priority, and CIV will continue to efficiently and effectively recover funds for the U.S. treasury by targeting cases that have the highest possible return for the Government or are causing significant public health and safety issues.

Definition: Affirmative monetary cases are civil matters in which the Government seeks to recover a sum of money from a defendant. These cases typically involve waste, fraud, and abuse of federal funds. This measure shows the portion of CIV cases (60 percent) in which the Government received at least 85 percent of the money it sought in affirmative monetary cases. The data includes cases handled only by the Civil Division and cases handled jointly with offices of United States Attorneys.

Data Validation, Verification, and Limitations: CIV regularly reviews case listings and interviews attorneys concerning the status of each case. Case data is added to an internal database and quality is checked by technical staff. Attorney managers review monthly reports for data completeness and accuracy. Contractors and CIV analysts verify representative samples of data.

However, the scope of the data is limited because when a case is completed, it is not automatically entered into the electronic database, and incomplete data can cause the system to under-report case closures. In addition, CIV software is designed to report data in limited ways, and analysts sometimes need to make manual adjustments to comply with reporting requirements. Some data limitations exist despite the existence of quality control and quality assurance procedures to accurately and timely gather the data. Most significantly, incomplete data can cause the system to under-report case terminations. Case terminations are recorded in an electronic database, but if there is a lag in filling out the forms and entering the information into the database, the number of terminations or cases resolved reported may be low at any point in time.

Strategic Objective 2.5: Promote and protect American civil rights by preventing and prosecuting discriminatory practices

The Department is committed to upholding the civil and constitutional rights of all Americans, including the most vulnerable members of society. Federal civil rights statutes reflect some of America’s highest ideals and aspirations – equal treatment and equal justice under law. These statutes not only aim to protect the civil rights of racial and ethnic minorities, but also of members of religious minorities, women, persons with disabilities, service members, individuals housed in public institutions, and individuals who come from other nations and speak other languages. The Department will enforce, defend, and advance civil rights through a multi-faceted approach of litigation, prevention efforts, outreach initiatives, and technical assistance. The Department will work with the Congress, other federal agencies and partnerships, as well as through legislative, regulatory, and policy development. The Department addresses discrimination and promotes equal opportunity in a broad range of areas, including the workplace, schools and higher education institutions, housing, courts, prisons and detention facilities, police departments, and mental health facilities; in voting and immigration-related practices; and in institutions receiving federal financial assistance. The Department also ensures that private institutions of public accommodation comport with applicable federal civil rights laws.

Measure Name: Percent of civil rights cases favorably resolved: criminal cases [CRT]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | 85% | 85% | 85% | 85% | 85% | 85% | 85% |
| Actual | 88% | 89% | 84% | 94% | 100% | N/A | N/A |

Measure Name: Percent of civil rights cases favorably resolved: civil cases [CRT]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | 85% | 85% | 85% | 85% | 85% | 85% | 85% |
| Actual | 100% | 95% | 97% | 98% | 93% | N/A | N/A |

Discussion of FY 2013 Results: The Department exceeded its target for this performance measure. The following are highlights of the accomplishments achieved by the Civil Rights Division (CRT) in FY 2013.

The CRT aggressively defended victims of civil rights crimes in FY 2013, filing 141 criminal cases – more than in any previous year in the Division’s history, including 22 cases involving federal hate crimes charges and 53 cases involving sex trafficking – a 55 percent increase over the previous year. 166 defendants were convicted, including 23 individuals for bias crimes and 90 individuals for human trafficking crimes. The Division also trained thousands of law enforcement officials in assessing and responding to hate crimes.

In Rhode Island, CRT partnered with the Department of Labor in a first-of-its-kind agreement with the State to address the rights of people with disabilities to receive state- and city-funded employment and daytime services in the broader community, rather than in segregated sheltered workshops and facility-based day programs exclusively with other people with disabilities.

The CRT vigorously enforced the anti-discrimination provision of the Immigration and Nationality Act in FY 2013, maintaining its commitment to protect the right of all authorized individuals to work and collecting more money in civil penalties and back pay than in any year in the past 10 years.

In Mississippi, the Division entered into a first of its kind settlement with the Meridian school system to prevent and address racial discrimination in school discipline. Under the consent decree, the district will establish clear guidelines for when law enforcement intervention is appropriate, provide students with supports and interventions before excluding them from school, and ensure that discipline consequences are fair and consistent. Through agreements like these, CRT attempts to make certain that students are not unlawfully channeled out of their classrooms and into the juvenile justice system.

In Shelby County, Tenn., a Justice Department investigation found that the juvenile court systemically violated the Due Process rights of youth, and that violations of the Equal Protection rights of minority youth put them at significantly higher risk to be removed to the adult system than their white counterparts. In response to these findings, CRT entered into a comprehensive settlement agreement which has already led to significant improvements, including the hiring of a juvenile defender, all of which will help make Shelby County a model for juvenile courts across the country. Moreover, data collected from this settlement will help us better understand what intervention works to keep children in the community and out of detention.

Planned Future Performance: In FYs 2014 and 2015, CRT is committed to furthering the Department's historic role in protecting civil rights and to ensuring that CRT is positioned to tackle both existing and emerging challenges for civil rights in the 21st Century. The Division will achieve the targets set for FY 2014 and FY 2015 by enforcing each of the laws within the scope of its responsibility fairly and evenhandedly, and by focusing resources on ensuring equal opportunity for all through litigation, prevention efforts, outreach initiatives, technical assistance and partnerships, such as, the following:

Placing major emphasis on affirmative voting litigation to ensure voting rights – In FY 2013, the Supreme Court invalidated a core provision of the Voting Rights Act by removing the requirement for states and localities to seek permission before changing their voting rules and practices. In the wake of the decision, CRT will continue to shift to greater affirmative efforts to detect and investigate voting practices that violate federal law, to more affirmative litigation to enjoin such practices, and to additional monitoring of elections throughout the country each year.

Continuing to target unprofessional law enforcement conduct – Unprofessional law enforcement conduct undermines trust in the Country's public institutions, reduces community confidence in the Nation's police forces, and impacts public safety.

Ensuring equality in America's schools and interrupting the school-to-prison pipeline - CRT will enforce states' and schools' obligations under the Equal Educational Opportunities Act to overcome language barriers faced by English Language Learners; address discrimination in schools, based on race, sex, national origin, disability, and religion, including student harassment such as sex stereotyping of lesbian, gay, bisexual, and transgender students; and improve educational equity for students with disabilities who are often subject to multiple forms of discrimination, through investigations, intervention, in private lawsuits, amicus briefs, or statements of interest.

Protecting the rights of persons with disabilities - CRT will continue its innovative and multi-faceted approach toward achieving compliance with the Americans with Disabilities Act and the Supreme Court's Olmstead decision, which requires that people with disabilities receive state services and treatment in the most integrated setting appropriate.

Enhancing The Civil Rights Institutionalized Persons Act enforcement efforts – The Civil Rights Institutional Persons Act combats abuse and neglect in institutions, protect the rights of nursing home residents and youth in juvenile detention and correctional facilities, and address the mental health needs of individuals in correctional and health care facilities. The Division will enhance significantly its law enforcement efforts by increasing the number of investigations, settlements, and cases and by strengthening its monitoring of settlements to ensure compliance.

Definition: Cases favorably resolved include those cases that resulted in court judgments favorable to the government, as well as settlements.

Data Validation, Verification and Limitations: The data source for this measure is the Civil Rights Division's Interactive Case Management System (ICM). The ICM is the official workload system of record for the Division and is used to generate key data for both internal and external inquiries. The ICM captures and reports on the level of effort that attorneys and professionals dedicate to matters and case-related tasks. Senior managers of the Division are responsible for ensuring the accuracy of data contained in the ICM. Ad Hoc reviews are also conducted. Due to reporting lags, case closures for any given year may be under or over-reported.

Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States

The Department of Justice is the Nation’s largest law office and chief litigator. The Department is involved in both defending and representing hundreds of United States’ agencies, offices, and employees; in defending against myriad challenges to federal laws, programs, and policies; and in protecting the integrity of the Nation’s antitrust laws and bankruptcy system. This work is critical to protecting the federal fisc against unwarranted monetary claims and to ensuring the United States can continue to protect the Nation’s security, maintain civil law and order, and ensure public safety. Accordingly, the Department will continue to fulfill these responsibilities by defending the Federal Government against monetary claims and challenges to its jurisdiction and authority, including the constitutionality of statutes passed by Congress.

Defensive litigation impacts virtually every aspect of the Federal Government’s operations. The Department represents over 200 federal agencies, the U.S. Congress, and the federal treasury in litigation arising from a broad range of monetary claims against the government, including legal action related to domestic and foreign operations, American Indian litigation, commercial activities, entitlement programs, internal revenue activities, and environmental and conservation laws. The potential cost to the government and federal tax payers from these matters could be substantial, but through rigorous and fair representation, DOJ will continue to mitigate any potential losses and protect federal monies.

Measure Name: Case resolution for DOJ litigating divisions – percent of criminal cases favorably resolved [ATR, CIV, ENRD, TAX, and USAO]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | 90% | 90% | 90% | 90% | 90% | 90% | 90% |
| Actual | 92% | 94% | 93% | 92% | 92% | N/A | N/A |

Measure Name: Case resolution for DOJ litigating divisions – percent of civil cases favorably resolved [ATR, CIV, ENRD, TAX, and USAO]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | 80% | 80% | 80% | 80% | 80% | 80% | 80% |
| Actual | 83% | 85% | 85% | 81% | 85% | N/A | N/A |

Discussion of FY 2013 Results: The Department exceeded its target for this performance measure. The following are highlights of the accomplishments achieved by relevant components in FY 2013.

The United States Attorneys’ successes in civil litigation preserve taxpayer dollars and uphold the requirements and intent of federal laws and programs. Affirmative civil cases can return substantial monies to the federal Treasury. In FY 2013, USAOs collected \$6.1 billion in civil debts, which is

more than three times the United States Attorneys' budget. The following cases are just a few examples of the United States Attorneys' civil successes.

In civil defensive cases, medical malpractice cases arise out of care and treatment rendered by federal employees in Department of Veterans Affairs medical centers and clinics, Department of Defense medical facilities, Bureau of Prisons and other correctional medical facilities, as well as Indian Health Center facilities. In FY 2013, the USAOs were involved in the resolution of 456 medical malpractice cases which resulted in a total of \$207.9 million awarded to plaintiffs. This represents only 5.6% of the total amounts claimed. The USAOs thus saved the public fisc more than \$3.48 billion in FY 2013 in medical malpractice cases alone.

Also in 2013, the USAOs were involved in the single largest criminal and civil False Claims Act settlement involving a biotechnology company in United States history. Amgen Inc. pleaded guilty to illegally introducing a misbranded drug into interstate commerce. The plea was part of a global settlement with the United States in which Amgen agreed to pay \$762 million to resolve criminal and civil liability arising from its sale and promotion of certain drugs. As part of the settlement, Amgen agreed to pay \$612 million to resolve claims that it caused false claims to be submitted to Medicare, Medicaid and other government insurance programs.

Regarding healthcare fraud cases, Johnson & Johnson (J&J) and its subsidiaries will pay more than \$2.2 billion to resolve criminal and civil liability arising from allegations relating to the prescription drugs Risperdal, Invega and Natrecor, including promotion for uses not approved as safe and effective by the Food and Drug Administration and payment of kickbacks to physicians and to the nation's largest long-term care pharmacy provider. The global resolution is one of the largest health care fraud settlements in U.S. history, including criminal fines and forfeiture totaling \$485 million and civil settlements with the federal government and states totaling \$1.72 billion. In addition to imposing substantial monetary sanctions, the resolution will subject J&J to stringent requirements under a Corporate Integrity Agreement with the Department of Health and Human Services Office of Inspector General. This agreement is designed to increase accountability and transparency and prevent future fraud and abuse.

Concerning mortgage fraud cases, a landmark settlement with JPMorgan was reached representing the largest settlement with a single entity in American history. The settlement resolves federal and state civil claims arising out of the packaging, marketing, sale and issuance of residential mortgage-backed securities by JPMorgan, Bear Stearns and Washington Mutual prior to Jan. 1, 2009. As part of the settlement, JPMorgan acknowledged it made serious misrepresentations to the public - including the investing public - about numerous residential mortgage-backed securities transactions. The resolution also requires JPMorgan to provide much needed relief to underwater homeowners and potential homebuyers, including those in distressed areas of the country.

The ATR experienced key criminal wins in real estate foreclosure auctions, automotive parts, liquid crystal displays, and freight shipping. Favorable resolution in ATR's civil program included positive outcomes in matters involving the E-books industry and the merger of Anheuser-Busch InBev with Grupo Modelo.

The ENRD, over the past decade, and working in conjunction with the U.S. Coast Guard, has built a successful vessel pollution prosecution practice, focusing on the prosecution of individuals and corporations involved in pollution from ships and the deliberate falsification of official ship records designed to conceal illegal pollution. The Vessel Pollution Program is an ongoing, concentrated effort to detect, deter, and prosecute those who illegally discharge pollutants from ships into the oceans, coastal waters and inland waterways. Over the past 10 years, the criminal penalties imposed in such cases have totaled more than \$200 million, and responsible shipboard officers and shore-side officials have been sentenced to more than 17 years of incarceration. The initiative has resulted in a number of important criminal prosecutions of key segments of the commercial maritime industry, including cruise ships, container ships, tank vessels, and bulk cargo vessels. For example, in July 2013, two shipping firms based in Germany and Cyprus were sentenced to pay a \$10.4 million penalty for felony obstruction of justice charges and violating the Act to Prevent Pollution from Ships related to the deliberate concealment of vessel pollution from four ships that visited ports in New Jersey, Delaware and Northern California. Regarding civil-related cases, in February 2013, the Department, the Environmental Protection Agency, and the State of Indiana reached an agreement with CountryMark Refining and Logistics LLC (CountryMark) for the company to pay a \$167,000 civil penalty, perform environmental projects totaling more than \$180,000, and spend \$18 million on new pollution controls to resolve Clean Air Act violations at its refinery in Mount Vernon, Indiana.

The Tax Division's top litigation priorities continues to be the concerted civil and criminal effort to combat the serious problem of non-compliance with our tax laws by U.S. taxpayers using secret offshore accounts – a problem that a 2008 Senate report concluded costs the U.S. Treasury at least \$100 billion annually. As part of the deferred prosecution agreement the Tax Division negotiated in 2009 with UBS, Switzerland's largest bank, as well as a 2009 agreement negotiated among the U.S., UBS, and the Swiss government to settle a civil summons enforcement proceeding brought by the Tax Division, the IRS continues to receive account information about thousands of the most significant tax cheats among the US taxpayers who maintain secret Swiss bank accounts. The prosecution results so far have been encouraging: To date, approximately 150 grand jury investigations of offshore-banking clients have been initiated, of which 71 cases have been charged, with 59 guilty pleas having been entered, seven convicted after trial (two of whom were sentenced to 10-year prison sentences), and five awaiting trial. A number of facilitators who helped clients hide assets offshore have been indicted, resulting in 20 bankers, 12 advisors, and three attorneys being charged and awaiting trial; two bankers, one financial advisor and one lawyer have been convicted. One Swiss bank, Wegelin and Co., has been convicted and sentenced. The other banks implicated include not only UBS, but another international Swiss bank, regional and private Swiss banks, Israeli banks and HSBC India. In addition, grand jury investigations have been opened into additional offshore banks across the world. The Division also obtained orders from district courts authorizing the IRS to summon information about U.S. taxpayers who hold or held interests in offshore financial accounts. According to the IRS, its offshore voluntary disclosure programs have resulted in the collection of more than \$6 billion in back taxes, interest and penalties from more than 40,000 voluntary disclosures.

Planned Future Performance: In FYs 2014 and 2015, the United States Attorneys will continue to pursue prosecution of redress for fraud, waste, and abuse in federal programs and ensure that the

government is fully compensated for the losses and damages caused by those who have enriched themselves at the government's expense.

The current economic climate requires that the United States Attorney community continue to focus attention on financial fraud, including corporate fraud, securities fraud, and mortgage fraud. Technological developments and criminal behavior are factors that broadly impact law enforcement practices and pose challenges that demand attention. Financial industry fraud has shaken the world's confidence in the United States financial system. Losses in financial fraud cases have ranged from millions of dollars to billions of dollars. Mortgage fraud and foreclosure rescue scams routinely involve millions of dollars in losses and multiple defendants, including mortgage brokers, real estate agents, appraisers, closing agents, and false buyers and sellers who receive kickbacks. In recent years, the United States Attorneys have seen a dramatic increase in the number of financial and mortgage fraud cases filed, with a record number of cases and defendants charged in FY 2010. Since then, the number of financial and mortgage fraud cases filed and pending has remained high. These complex cases are resource intensive and often take years to resolve. Efforts to combat financial and mortgage fraud will continue to play a key role not only in ensuring that those who have engaged in fraudulent activities will be held accountable for their illegal conduct, but in deterring future fraudulent conduct and in recovering funds for fraud victims.

In FYs 2014 and 2015, ATR expects to continue to meet or exceed favorable resolution targets for cases in its civil and criminal programs. In FY 2013 the Division concluded a successful reorganization of operations for its field offices and Washington DC headquarters, including consolidation of field office structure to more efficiently support global cartel investigations. This realignment has poised the Antitrust Division to directly address critical antitrust matters in the U.S. economy including investigations into financial fraud and related investigations in the foreign currency exchange market, municipal bond market and real estate foreclosure auctions; intellectual property; transportation systems, including domestic and international airline alliances, automobile parts manufacturing, and ocean shipping; and technology-related industries including telecommunications, hardware manufacturing and software applications.

The Tax Division will continue with its long-standing coordinated approach to tax enforcement which is a particularly effective component to the Administration's goal to reduce the Tax Gap. Because the Division's work already encompasses the elements of an effective tax enforcement program, the organization is well suited to expand existing programs with greater benefits in return. The Division's primary civil strategy to achieve its goals is to litigate federal civil tax cases filed by and against taxpayers in the federal courts. Through this litigation, the Division ensures the tax laws are properly enforced, by targeting particularly acute tax enforcement problems that threaten tax administration. In carrying out its mission, TAX conducts in each civil tax case an independent review of the IRS's views and administrative determinations to help ensure that the Government's position is consistent with applicable law and policy. This independence, backed by a willingness to engage in aggressive litigation where appropriate, promotes the effective collection of taxes owed, while also serving as a check against potential abuses in tax administration.

Definition: Cases favorably resolved include those cases that resulted in court judgments favorable to the government, as well as settlements. For antitrust-related merger cases, favorably resolved data includes: abandoned mergers, mergers "fixed," or mergers with consent decrees. Non-merger cases favorably resolved include instances where practices changed after the investigation and

complaints filed with consent decrees. The data set includes non-appellate cases closed during the fiscal year.

Data Validation, Verification, and Limitations: Each component implements their individual methodology for verifying data; however, in general, case listings and reports are reviewed by attorney managers for data completeness and accuracy on a routine basis. Batch data analysis and ad hoc reviews are also conducted. Data quality suffers from the lack of a single DOJ case management system and a standardized methodology for capturing case related data. Due to the inherent variances in data collection and management, cases may refer to cases or individuals. In addition, due to reporting lags, case closures for any given year may be under or over-reported.

III

STRATEGIC GOAL 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels

An integral role of the Department of Justice is to help in the administration of our federal justice system. To ensure the goal of the fair and efficient operation of our federal system, the Department must provide for a proper federal court proceeding by protecting judges, witnesses, and other participants; ensure the appearance of criminal defendants for judicial proceedings or confinement; and ensure the apprehension of fugitives from justice. The Department also provides safe, secure, and humane confinement of defendants awaiting trial or sentencing and those convicted and sentenced to prison. In order to improve our society and reduce the burden on our justice system, the Department provides services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards. The Department strives to adjudicate all immigration cases promptly and impartially in accordance with due process. Additionally, the Department works to promote and strengthen innovative strategies in the administration of state and local justice systems and uphold the rights and improve services to victims of crime.

| Summary of Goal 3 Performance Results | | | | | |
|--|--|--------------------|-----------------------|-----------------------|--------------------|
| Strategic Objective | Measure Name | Page Number | FY 2013 Target | FY 2013 Actual | Met/Not Met |
| 3.1 | Percent of grantees implementing one or more evidence-based programs [OJP/OJJDP] | II-37 | 53% | TBD | N/A |
| 3.2 | Assaults against protected court members [USMS] | II-40 | 0 | 0 | Met |
| 3.3 | Percent of system-wide crowding in federal prisons [BOP] | II-41 | 38% | 36% | Met |
| 3.4 | Number of inmate participants in the Residential Drug Abuse Treatment Program [BOP] | II-43 | 16,044 | 15,891 | Not Met |
| | Percent of youths who exhibit a desired change in the targeted behavior [OJP] | II-44 | 71% | TBD | N/A |
| 3.5 | Percent and number of USMS federal fugitives apprehended or cleared [USMS] | II-46 | 58% / 31,388 | 64% / 32,811 | Met |
| | Number of red and green notices published on U.S. fugitives and sex offenders [IPOL] | II-47 | N/A* | 473 / 570 | N/A |

| Strategic Objective | Measure Name | Page Number | FY 2013 Target | FY 2013 Actual | Met/Not Met |
|---------------------|---|-------------|----------------|----------------|-------------|
| 3.6 | Number of training sessions or presentations given with the goal of building the capacity of foreign law enforcement, prosecutors, and judicial systems regarding the investigation and prosecution of serious criminal offenses, including genocide and mass atrocities [CRM] | II-49 | N/A* | N/A* | N/A |
| 3.7 | Percent of Institutional Hearing Program cases completed before release [EOIR] | II-50 | 85% | 83% | Not Met |
| | Percent of detained cases completed within 60 days [EOIR] | II-51 | 85% | 73% | Not Met |
| | Percent of detained appeals completed within 150 days [EOIR] | II-52 | 90% | 97% | Met |
| 3.8 | Number of meetings conducted with the Tribal Nations Leadership Council and the OTJ to further the government-to-government relationship between tribes and the Department, obtain perspective on the Department's activities in Indian Country, and raise issues that have tribal implications [OTJ] | II-54 | N/A* | N/A* | N/A |
| | Number of individuals in Indian Country that are receiving substance abuse treatment services (in-patient or out-patient), including Healing-to-Wellness Court [OJP] | II-55 | N/A* | N/A* | N/A |

*These are new measures that will be baselined in FY 2014.

Strategic Objective 3.1: Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders through innovative leadership and programs

Preventing and controlling crime is critical to ensure the strength and vitality of democratic principles, the rule of law, and the fair administration of justice. Domestically, since state and local law enforcement are responsible for most crime control, prevention, and response in the United States, the Federal Government is most effective in these areas when it develops and maintains partnerships with the officers and officials who work in the Nation’s states, cities, and neighborhoods. By partnering with key stakeholders at the state and local levels, the Department is able to build a cohesive and comprehensive body of knowledge on issues from innovative programs for inmates to the apprehension of fugitives and other criminal elements. By also forging state, local, and tribal partnerships among police, prosecutors, victim advocates, health care providers, and others, the Department’s grant and knowledge-sharing programs provide victims with the protection and services they need to pursue safe and healthy lives, while simultaneously empowering communities and local law enforcement to hold offenders accountable and implement effective crime prevention strategies.

Crimes committed in the United States often have ties to networks or operations in other countries. To address these threats, the Department is committed to expanding the scope and depth of international partnerships by enhancing collaboration; helping to establish rule of law through international treaties and training and assistance; and using international working groups to foster communication to enhance investigations, intelligence sharing, and threat awareness.

Measure Name: Percent of grantees implementing one or more evidence-based program [OJP/OJJDP]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | 49% | 50% | 51% | 52% | 53% | 53% | 53% |
| Actual | 46% | 54% | 43% | 45% | TBD | N/A | N/A |

Discussion of FY 2013 Results: FY 2013 data will be available in Spring 2014. Over the past few years, efforts have grown to carefully take the evidence into consideration when developing programs aimed at preventing or reducing juvenile delinquency and related risk factors. For FY 2014 and FY 2015, OJP has maintained the target of 53%.

Planned Future Performance: Ambitious targets and timeframes have been established for this measure. These targets were formulated using an analysis of performance measure data collected from OJJDP’s various grant programs that report in the Data Collection and Technical Assistance Tool (DCTAT). Strategies to reach this target include requiring the use of evidence-based practices in some key upcoming competitive solicitations (such as mentoring and drug courts), as well as using stronger language in OJJDP’s Formula and Block Grant solicitations encouraging the use of evidence-based practices. In addition, OJJDP will relaunch its Model Programs Guide in 2014, with a more user-friendly navigation, updated and expanded literature reviews, and information

regarding an array of evidence-based strategies and programs. In addition, OJJDP continues to support the development of new evidence through ongoing evaluation activities. As results are shared, it is expected that more localities will adopt the most effective practices. Finally, OJJDP is aware that many states have recently passed legislation that encourages or requires the use of evidence-based programs.

Definition: Number and percent of grantees that implement an evidence-based program or practice. Evidence-based programs and practices include program models that have been shown, through rigorous evaluation and replication, to be effective at preventing or reducing juvenile delinquency or related risk factors, such as substance abuse. Model programs can come from many valid sources (e.g., Blueprints, OJJDP's Model Programs Guide, Substance Abuse and Mental Health Services Administration's Model Programs, State Model Program resources).

Data Validation, Verification, and Limitations: OJJDP data represent multiple grant programs that report data covering a full calendar year. This is consistent with OJP's progress reporting schedule (January-June and July-December). OJJDP has a high degree of confidence in the validity and verification of the data submitted in support of this measure. Once a grant award is made, OJJDP provides comprehensive training to grant recipients regarding how to collect and report data in support of this measure. In addition, DCTAT uses several "error checks" to ensure the accuracy of the information being submitted. For this measure specifically, if a grantee indicates that they are using an "evidence-based" program, a series of follow up questions must be answered which help to identify the specific program or strategy, as well as the source that indicates it is evidence-based (e.g., OJJDP's Model Programs Guide). Data entry cannot proceed without answering these questions. The responses are reviewed periodically by OJJDP's contractor and follow up is conducted, if needed. In addition, the DCTAT system performs arithmetic error checks and identifies other outliers (such as extremely high numbers of youth served) for further inquiry.

Since January 2012, OJJDP has also conducted a data validation and verification review of the reported data. The purpose of the review is to determine the quality of the data collected by the grantees (and reported to OJJDP), to verify that data are accurately collected, and that records are available and can be verified. OJJDP grant programs are reviewed on a rolling basis and actual verification is conducted by OJJDP program managers as part of their monitoring activities. OJJDP uses a stratified sampling technique to select grants for review, ensuring that at least 10% of grant funds are represented in the review of data validity and verification.

The data validation and verification review is done using an online tool developed with the contractor, CSR Incorporated. Once actual grants are selected, the grantee and program staff are notified. Staff has been trained on how to conduct the review and use the tool.

Data validation and verification is done on OJJDP performance measures in six assessment areas: data definitions; standards and procedures; data reporting; data entry and transfer; data quality and limitations; and data security and integrity.

Once the data validation and verification review is complete, the data are analyzed to understand the availability, accuracy, and quality of the data collected for the program. The analysis is used by OJJDP program staff to make recommendations for training and technical assistance for grantees to

help in future data collection or in providing support to grantees. To date, results from the validation and verification reviews have indicated that, for the most part, grantees understand the goals of performance measures data collection and they have appropriate source data for the measures. Some improvements have been made to the DCTAT system and training to ensure that grantees are familiar with the necessary data definitions.

Strategic Objective 3.2: Protect judges, witnesses, and other participants in federal proceedings by anticipating, deterring, and investigating threats of violence

The U.S. Marshals (USMS) is the Federal Government’s primary organization for protecting judges, witnesses, and other participants in federal proceedings. Protection is accomplished by anticipating and deterring threats to the judiciary and the continuous development and employment of innovative protective techniques. In addition, the greater focus to apprehend and prosecute suspected terrorists will increase the demand for high-level security required for many violent criminal and terrorist-related court proceedings. USMS will continue to develop and employ innovative techniques to protect federal judges, jurors, other participants, and members of the federal judiciary.

Measure Name: Assaults against protected court members [USMS]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | - | - | - | 0 | 0 | 0 | 0 |
| Actual | - | - | - | 0 | 0 | N/A | N/A |

Discussion of FY 2013 Results: Protection is accomplished by anticipating and deterring threats to the judiciary and the continuous development and employment of innovative protective techniques. In addition, the greater focus to apprehend and prosecute suspected terrorists will increase the demand for high-level security required for many violent criminal and terrorist related court proceedings. USMS will continue to develop and employ innovative techniques to protect federal judges, jurors, other participants, and members of the federal judiciary. The program met its target of zero assaults.

Planned Future Performance: Investigating threats of violence planned against court officials – judges, attorneys, victims, witnesses, and court support staff – is a critical aspect of providing security. With the help of other federal, state, and local law enforcement agencies, the Department will carefully assess each potential threat based on the best intelligence available and respond in a timely and appropriate way. The USMS will continue to work closely with U.S. Courts, U.S. Attorneys, and federal law enforcement agencies to ensure security for court personnel, witnesses, and victims, and make certain court sessions are not disrupted.

Definition: Assaults against protected court members are any criminal assaults motivated by the protectee’s status within the court. Note: this measure was first reported using this data and definition in FY 2012.

Data Validation, Verification, and Limitations: Numbers are calculated based on case reporting from Justice Detainee Information System (JDIS) and are validated against Judicial Security Division/Office of Protective Intelligence case tracking records. This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

Strategic Objective 3.3: Provide safe, secure, humane, and cost-effective confinement and transportation of federal detainees and inmates

The Department of Justice is responsible for detaining persons charged with violating federal criminal statutes, provided they have not been released on bond or personal recognizance pending disposition of their cases. The USMS assumes custody of individuals arrested by all federal law enforcement agencies and is responsible for the housing and transportation of prisoners from the time they are remanded into custody until they are either released or incarcerated. The Bureau of Prisons (BOP) is responsible for the custody and care of federal offenders and ensures that they serve their sentences of imprisonment in facilities that are safe, humane, cost-efficient, and appropriately secure. In addition, BOP is responsible for the District of Columbia’s sentenced felon inmate population. USMS establishes detention policy and oversees the federal detention management system. USMS is responsible for managing DOJ detention resources, implementing business process improvements, and identifying areas where operational efficiencies and cost savings can be realized.

Measure Name: Percent of system-wide crowding in federal prisons [BOP]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | 37% | 40% | 38% | 37% | 38% | 33% | 31% |
| Actual | 37% | 37% | 39% | 38% | 36% | N/A | N/A |

Discussion of FY 2013 Results: During FY 2013, the overall BOP population increased by 611 inmates. The BOP achieved its target for FY 2013 by increasing capacity (1,367 beds) to achieve a 2 percent reduction in system-wide crowding from FY 2012. Reducing crowding remains a high priority for both BOP and DOJ.

Planned Future Performance: To keep pace with inmate population growth, the BOP continues to rely on a combination of contracts with private, state, and local vendors; increasing use of residential reentry centers and home confinement; expansions of existing facilities where infrastructure permits; acquisition and renovation of existing structures; and new prison construction, as funding permits.

Definition: The crowding levels are based on a mathematical ratio of the number of inmates divided by the rated capacity of the institutions at each of the specific security levels. The percent of crowding represents the rate of crowding that is over rated capacity. For example, if an institution had a number of inmates that equaled the rated capacity, this would represent 100 percent occupancy, which equals 0 percent crowding. Any occupancy above 100 percent represents a percentage of crowding. System-wide: represents all inmates in BOP facilities and all rated capacity, including secure and non-secure facilities, low, medium, and high security levels, as well as administrative maximum, detention, medical, holdover, and other special housing unit categories. Minimum security facilities: non-secure facilities that generally house non-violent, low risk offenders with shorter sentences. These facilities have limited or no perimeter security fences or

armed posts. Low security facilities: double-fenced perimeters, mostly dormitory housing, and strong work/program components. Medium security facilities: strengthened perimeters, mostly cell-type housing, work and treatment programs and a lower inmate-to-staff ratio than low security facilities. High security facilities: also known as U.S. Penitentiaries, highly secure perimeters, multiple and single cell housing, lowest inmate-to-staff ratio, close control of inmate movement.

Data Validation, Verification, and Limitations: Subject matter experts review and analyze population and capacity levels daily, both overall and by security level. BOP institutions print a SENTRY report, which provides the count of inmates within every institution cell house. The report further subdivides the cell houses into counting groups, based on the layout of the institution. Using this report, institution staff conduct an official inmate count five times per day to confirm the inmate count within SENTRY. The BOP Capacity Planning Committee (CPC), comprised of top BOP officials, meets quarterly to review, verify, and update population projections and capacity needs for the BOP. Offender data are collected regularly from the Administrative Office of the U.S. Courts by the BOP Office of Research and Evaluation in order to project population trends. The CPC reconciles bed space needs and crowding trends to ensure that all available prison space is fully utilized, both in federal prisons and in contract care.

Strategic Objective 3.4: Reform and strengthen America’s criminal justice system by targeting the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society

Even as most crime rates decline, the Department needs to examine new law enforcement strategies and better allocate its resources to keep pace with today’s continuing threats as violence spikes in some of our greatest cities. Although illegal drug use has been reduced to the lowest levels in three decades, a vicious cycle of poverty, criminality, and incarceration traps too many Americans and weakens too many communities. While the population of the United States has grown by about one third since 1980, the federal prison population has grown by more than 800 percent in the same time period. Incarceration should be used to punish, deter, and rehabilitate – not merely to warehouse and forget. Additionally, federal detention and prison spending is on an unsustainable track and has increasingly displaced other important Department public safety investments – including resources for investigation, prosecution, prevention, intervention, prisoner reentry, and assistance to state and local law enforcement. The Department must keep taking steps to make sure that people feel safe and secure in their homes and communities and that public safety is protected in the most efficient and effective way.

Measure Name: Number of inmate participants in the Residential Drug Abuse Treatment Program (RDAP) [BOP]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | - | - | - | 18,500 | 16,044 | 16,812 | 16,908 |
| Actual | - | - | - | 14,482 | 15,891 | N/A | N/A |

Discussion of FY 2013 Results: The RDAP target was missed due to late enactment of the budget which caused a delay in implementing some of the new programs. New RDAPs are “phased in” over a 9 month period. For this reason, the full impact of the FY 2013 program expansion will not be realized until 2014, which is when all of the new programs will be at 100% of capacity.

Planned Future Performance: The Violent Crime Control and Law Enforcement Act of 1994 requires the BOP, subject to the availability of appropriations, to provide appropriate substance abuse treatment for 100 percent of inmates who have a diagnosis for substance abuse or dependence and who volunteer for treatment. In response to the rapid growth of federal inmates with a diagnoses of a drug use disorder (40 percent of inmates entering the Bureau), the Bureau continues to develop evidence based treatment practices to manage and treat drug-using offenders. The Bureau’s strategy includes early identification through a psychology screening, drug education, non-residential drug abuse treatment, intensive residential drug abuse treatment and community transition treatment, as discussed earlier.

The Department, through its *Smart on Crime* Initiative, will also pursue alternatives to incarceration for nonviolent crimes, improve reentry to reduce repeat offences and recidivism, and focus resources to prevent violence and protect the most vulnerable populations. The Department will

continue to prioritize the most serious cases, reform sentencing to eliminate unfair disparities, and reduce the overburdened prisons.

Definition: RDAP data reported is the actual number of BOP inmates who participated in the RDAP within the Fiscal Year.

Data Validation, Verification, and Limitations: Validation is conducted by the Drug Abuse Program Coordinator through regular treatment meetings, supervision and inmate file and data reviews. Data Verification is conducted through SENTRY data which are monitored by Central Office and the Regional Offices no less than monthly. Also verification is done through routine review of Psychology Data System (PDS) records in the course of daily activities of inmate documentation related to the RDAP. Examples of reviews conducted include, but are not limited to: programs are operating as intended; participant status and progress are documented appropriately; PDS documentation meets the clinical standard as outlined by policy and training; inmates are interviewed for RDAP appropriately; and to ensure all inmates qualified for the RDAP are receiving the RDAP before their release from BOP custody.

Measure Name: Percent of youths who exhibit a desired change in the targeted behavior [OJP]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | 67% | 68% | 69% | 70% | 71% | 71% | 72% |
| Actual | 85% | 85% | 80% | 76% | TBD* | N/A | N/A |

Discussion of FY 2013 Results: FY 2013 data will be available in Spring 2014. For FY 2015, OJP has increased the target to 72%.

Data for this measure come from the following OJJDP grant programs: Juvenile Accountability Block Grants Program, Discretionary Grant Programs, Family Drug Court, Juvenile Drug Court, Juvenile Mentoring, American Recovery and Reinvestment Act, Juvenile Mentoring, Second Chance Act (SCA), Juvenile Mentoring Initiative, SCA Reentry and Co-occurring, and the Tribal Youth Program. However, this percentage also may change once data from the Title II Formula Grants Program, Title V Community Prevention Grants Program, and Tribal Juvenile Accountability Discretionary Grant Program become available.

Planned Future Performance: Ambitious targets and timeframes have been established for this measure. These targets were formulated using an analysis of performance measure data collected from OJJDP’s various grant programs that report in the DCTAT and a review of research literature on delinquency programs that have demonstrated effectiveness (through rigorous evaluation methods) in preventing or reducing juvenile offending and associated risk factors. OJJDP maintains frequent telephone and e-mail contacts with its grantees and conducts conference calls with grantees to monitor performance and other issues. Through such frequent contact with and assistance to grantees, OJJDP is able to make adjustments or take appropriate actions to improve grantee program performance.

Definition: Percent of youths who demonstrate a positive change in behavior. Different behaviors are tracked depending upon the purpose of the program (school attendance, gang involvement, etc.)

Data Validation, Verification, and Limitations: OJJDP data represent multiple grant programs that report data covering a full calendar year. This is consistent with OJP's progress reporting schedule (January-June and July-December). OJJDP has a high degree of confidence in the validity and verification of the data submitted in support of this measure. Once a grant award is made, OJJDP provides comprehensive training to grant recipients regarding how to collect and report data in support of this measure. In addition, the reporting system maintained by OJJDP -- DCTAT uses several "error checks" to ensure the accuracy of the information being submitted. For this measure specifically, grantees are asked to select a behavior indicator from a list of options, with guidance that the indicator must be one that is consistent with the purpose of the grant program itself (e.g., a mentoring program might select "academic achievement" if a primary purpose is to help youth improve their grades). Examples are provided and technical assistance is available to assist grantees with identifying data sources. Data entry cannot proceed without making this selection and answering these questions. The responses are reviewed periodically by OJJDP's contractor and follow up is conducted, if needed, and to ensure that the program goal and behavior indicator are consistent. In addition, the DCTAT system also performs arithmetic error checks and identifies other outliers (such as extremely high numbers of youth served) for further inquiry.

Since January 2012, OJJDP has also conducted a data validation and verification review of the reported data. The purpose of the review is to determine the quality of the data collected by the grantees (and reported to OJJDP), to verify that data are accurately collected and that records are available and can be verified. OJJDP grant programs are reviewed on a rolling basis and actual verification is conducted by OJJDP program managers as part of their monitoring activities. OJJDP uses a stratified sampling technique to select grants for review, ensuring that at least 10% of grant funds are represented in the review of data validity and verification.

The data validation and verification review is done using an online tool developed with the contractor, CSR Incorporated. Once actual grants are selected, the grantee and program staff are notified. Staff members have been trained on how to conduct the review and use the tool. Data validation and verification is done on OJJDP performance measures in six assessment areas: data definitions, standards and procedures, data reporting, data entry and transfer, data quality and limitations, and data security and integrity.

Once the data validation and verification review is complete, the data are analyzed to understand the availability, accuracy and quality of the data collected for the program. The analysis is used by OJJDP program staff to make recommendations for training and technical assistance for grantees to help in future data collection or in providing support to grantees. To date, results from the validation and verification reviews have indicated that for the most part, grantees understand the goals of performance measures data collection, and they have appropriate source data for the measures. Some improvements have been made to the DCTAT system and training to ensure that grantees are familiar with the necessary data definitions.

Strategic Objective 3.5: Apprehend fugitives to ensure their appearance for federal judicial proceedings or confinement

The USMS is the Federal Government's primary organization for apprehending fugitives from justice. USMS conducts investigations involving: escaped federal prisoners; probation, parole and bond default violators; and fugitives based on warrants generated during drug investigations. In addition to these primary responsibilities, USMS task forces investigate and apprehend violent felony fugitives wanted by state and local authorities as well as international and foreign fugitives, gang members, and sex offenders.

Measure Name: Percent and number of USMS federal fugitives apprehended or cleared [USMS]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|--------------|--------------|--------------|
| Target | - | - | - | - | 58% / 31,388 | 58% / 30,711 | 58% / 31,018 |
| Actual | - | - | - | - | 64% / 32,811 | N/A | N/A |

Discussion of FY 2013 Results: USMS conducts investigations involving: escaped federal prisoners; probation, parole and bond default violators; and fugitives based on warrants generated during drug investigations. In addition to these primary responsibilities, USMS task forces investigate and apprehend violent felony fugitives wanted by state and local authorities as well as international and foreign fugitives, gang members, and sex offenders. The USMS met its target for both number and percent cleared.

Planned Future Performance: The USMS will continue our effectiveness in fugitive apprehension through the Violent Offender Task Force network which is comprised of district-managed task forces, Adam Walsh Act apprehension initiatives, and the OCDETF program. Additionally, the USMS will maximize technical operations and capabilities in support of domestic and international fugitive investigations. It will strengthen the use of intelligence gathering and information sharing and increase support for international investigations and sex offender investigations.

Definition: The percent cleared is calculated by taking the number of cleared fugitives divided by the sum of received fugitives (fugitives that had a warrant issued during the fiscal year) and on-hand fugitives (fugitives that had an active warrant at the beginning of the fiscal year). Note: this measure was first reported using this data and definition in FY 2013.

Data Validation, Verification, and Limitations: Warrant and fugitive data is verified by a random sampling of National Crime Information Center records generated by the FBI. The USMS coordinates with district offices to verify that warrants are validated against the signed paper records. The USMS then forwards the validated records back to the National Crime Information Center (NCIC). This data is accessible to all districts and updated as new information is collected.

Closing a subject/warrant in the Justice Detainee Information System can be a lengthy process as reports have to be written and certain checks (NCIC, detainees, etc.) must be completed prior to the subject/warrant being closed, which can lead to a data lag for this measure.

Measure Name: Number of red and green notices published on U.S. fugitives and sex offenders [IPOL]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|----------------|---------|---------|---------|---------|---------|---------|---------|
| Target - Red | - | - | - | - | N/A | 487 | 501 |
| Target - Green | - | - | - | - | N/A | 792 | 816 |
| Actual-Red | - | - | - | - | 473 | N/A | N/A |
| Actual-Green | - | - | - | - | 570 | N/A | N/A |

Discussion of FY 2013 Results: This is a new measure that will be base-lined in FY 2014.

Planned Future Performance: The number of Red and Green Notices published annually on behalf of the U.S. by INTERPOL Washington (IPOL) directly depends on the number of requests received from the U.S. law enforcement community. However, the number of published notices is increasing each year and this trend is expected to continue in light of IPOL’s ongoing efforts to inform U.S. law enforcement authorities about INTERPOL notices and other resources for international criminal investigative assistance. IPOL is developing online educational materials about INTERPOL which will dramatically broaden the scope and effectiveness of this outreach effort. The USNCB is currently testing an online application that will make it easier and quicker for authorized authorities to apply for Red Notices, and eventually for all types of INTERPOL notices. The USNCB is also reworking and reorganizing its internal work processes in order to become more efficient and to increase production of notices.

Definition: IPOL supports federal, state, local, and tribal law enforcement authorities by publishing INTERPOL Red Notices on fugitives believed to have fled the United States, and Green Notices on sex offenders, pedophiles, and other dangerous individuals deemed to be threats to public safety and likely to travel outside the U.S.

Red Notices serve as international wanted bulletins issued to INTERPOL’s 190 member countries for the purpose of locating, arresting, and returning fugitives wanted for serious offenses. IPOL reviews and processes Red Notices for federal, state, local, and tribal jurisdictions in the United States for all types of crimes including sex offenders.

Green Notices are issued to INTERPOL member countries to warn about subjects who are threats to public safety or may commit a criminal offense, based on prior criminal convictions or history. IPOL aggressively pursues the issuance of Green Notices for registered sex offenders traveling abroad, and in conjunction with the Department of Homeland Security, Immigration and Customs Enforcement (ICE), for dangerous aliens deported from the U.S. pursuant to Operations Predator (pedophiles and sex crimes against children) and Community Shield (members of violent gangs).

Data Validation, Verification, and Limitations: IPOL processes all requests from U.S. authorities for INTERPOL notices and reviews each request for accuracy and compliance with U.S. and INTERPOL standards and legal requirements. IPOL also conducts queries of U.S. and international law enforcement databases to verify and augment data contained in U.S. issued notices.

Strategic Objective 3.6: Prevent and respond to genocide and mass atrocities and ensure that perpetrators of such crimes are held accountable in the United States, and, if appropriate, their home countries
 Measure Name: Capacity of foreign law enforcement, prosecutors, and judicial systems

Crimes of mass violence often lead to international instability, which puts the United States’ security and interests at risk. Lack of accountability for past mass human rights violations increases the risk that such crimes will be repeated. For more than 60 years, the U.S. Government has been a worldwide leader in efforts to end impunity for genocide, torture, war crimes, and other egregious human rights violations by holding perpetrators accountable in the United States through prosecutions or other available means. The Department will continue its longstanding efforts to prevent the United States from becoming a safe haven for the perpetrators of mass human rights violations and to support foreign and international efforts to hold such perpetrators accountable. The Department will also coordinate with other U.S. Government agencies to achieve an effective, whole-of-government approach to preventing genocide and mass atrocity.

Measure Name: Number of training sessions or presentations given with the goal of building the capacity of foreign law enforcement, prosecutors, and judicial systems regarding the investigation and prosecution of serious criminal offenses, including genocide and mass atrocities [CRM]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | -- | -- | -- | -- | N/A | N/A | N/A |
| Actual | -- | -- | -- | -- | N/A | N/A | N/A |

Discussion of FY 2013 Results: This is a new measure that will be baselined in FY 2014. Future year targets will be established based on FY 2014 results.

Planned Future Performance: The majority of trainings conducted concerning genocide and mass atrocities are funded through inter-agency agreements with the State Department. In FY 2014 and FY 2015, CRM will continue to provide these trainings in accordance with those agreements and include discussion and material covering genocide and mass atrocities whenever appropriate.

Definition: This measure includes training and presentations conducted by CRM’s Human Rights and Special Prosecutions Section, International Criminal Investigative Training Assistance Program, and the Office of Overseas Prosecutorial Development, Assistance and Training. Trainings included are not always primarily focused on genocide and mass atrocities, but information concerning those serious criminal offenses are covered as part of the curriculum.

Data Validation, Verification, and Limitations: Each of the CRM Sections and Offices gather performance data internally then submit and validate that data to the Executive Officer of the Division on a quarterly basis.

Strategic Objective 3.7: Adjudicate all immigration cases promptly and impartially in accordance with due process

Advancing the fair, expeditious, and uniform application of the Nation's immigration laws is a priority for the Department. Enforcing these laws is a sensitive and complex process that may involve initiatives and activities of Department of Homeland Security (DHS) or raise fundamental questions regarding the authority of the Executive Branch and the respective roles of Congress and the courts.

Under delegated authority from the Attorney General, the Executive Office for Immigration Review (EOIR) interprets and administers federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. The Department's ability to process cases in a timely fashion directly affects DHS' ability to remove criminal or other removable aliens expeditiously and to efficiently use its detention resources.

Measure Name: Percent of Institutional Hearing Program (IHP) cases completed before release [EOIR]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | 90% | 85% | 85% | 85% | 85% | 85% | 85% |
| Actual | 90% | 87% | 88% | 87% | 83% | N/A | N/A |

Discussion of FY 2013 Results: EOIR changed its statistical methodology at the start of FY 2014 to enhance transparency in its reporting and to comply with the Office of the Inspector General's (OIG) recommendations. To that end, cases that had previously been exempt from the priority caseload goal of completing 85 percent of IHP cases prior to the alien's release because of circumstances beyond the control of the immigration judge (such as a Notice to Appear being filed less than four months from an alien's earliest possible release date from an IHP facility) are now included in EOIR's statistics. In order to show how EOIR would have performed if the new reporting methodology were in place at the time, EOIR calculated the FY 2013 data using the new method. This new method resulted in a report showing that EOIR missed its FY 2013 target by two percent, despite the fact that EOIR exceeded its target by three percent under the original method in place during the performance period.

Planned Future Performance: EOIR has established case completion goals for the various types of cases that the immigration courts adjudicate and will continue to allocate existing resources to the adjudication of priority cases. This includes increasing the frequency of immigration judge details to federal, state, and local correctional facilities as needed to adjudicate Institutional Hearing Program cases, often by video-teleconferencing. Further, EOIR is moving ahead with its plans to transition from paper to electronic records. When fully implemented, this initiative is expected to improve efficiency throughout the adjudication process, and a higher percentage of EOIR's cases will likely be adjudicated within target time frames. For example, data from electronically filed documents will be automatically uploaded to EOIR's database, thus decreasing data entry time; electronic Records of Proceedings (ROPs) will be available for simultaneous access by staff who

need to use them, eliminating the time spent waiting for files; and digitally recorded hearings can already be made available to transcribers instantly rather than mailing audio tapes back and forth.

Definition: EOIR has identified two types of immigration court cases (IHP and detained cases) and one type of Board of Immigration Appeals (BIA) case (detained appeals) as its priority caseload. The IHP is a collaborative effort between EOIR, DHS and various federal, state, and local corrections agencies. The IHP permits immigration judges to hold removal hearings inside correctional institutions prior to the alien completing his or her criminal sentence.

Data Validation, Verification, and Limitations: Data are collected from the Case Access System for EOIR (CASE), a nationwide case-tracking system at the trial and appellate levels. Court staff nationwide enters data, which are electronically transmitted and stored at EOIR headquarters, allowing for timely and complete data collection. Data are verified by on-line edits of data fields. Headquarters and field office staff use routine daily, weekly, and monthly reports that verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases. There are no data limitations known at this time.

At the start of FY 2012 EOIR began analyzing the need to change its external statistical reporting methodology. In October 2012, the OIG issued a report that dovetailed nicely with EOIR’s internal findings regarding the agency’s statistical reporting on the processing of immigration cases and appeals. At the start of FY 2014, EOIR changed the way it calculates the percent of its priority caseload completed within the designated timeframe. The data reported for FY 2009 – FY 2012 is the same as what had been previously reported. The data for FY 2013 is calculated differently to provide clearer data that parties external to EOIR can use more efficiently.

Measure Name: Percent of detained cases completed within 60 days [EOIR]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | N/A | 85% | 85% | 85% | 85% | 85% | 80% |
| Actual | N/A | 89% | 88% | 86% | 73% | N/A | N/A |

Discussion of FY 2013 Results: EOIR changed its statistical methodology at the start of FY 2014 to provide clearer data that parties external to EOIR can use more efficiently as well as to comply with the OIG’s recommendations. To that end, cases that had previously been exempt from the priority caseload goal of completing 85 percent of detained immigration court cases within 60 days because of circumstances beyond the control of the immigration judge (such as a pending background check or application adjudication at DHS) are now included in EOIR’s statistics. In addition, the new methodology counts the days to complete a proceeding from the date the Notice to Appear was filed with EOIR to the date of the initial proceeding completion, excluding changes of venue and transfers. Previously, the interim completions at each court were counted from the date a proceeding was received at that court to the date it was completed at that court. Although this methodology meets EOIR’s internal management needs for workload assessment and court

management, EOIR determined that, for external reporting, the information should show how long a case took from receipt at the agency to initial completion at the immigration judge level.

Planned Future Performance: EOIR has established case completion goals for the various types of cases that the immigration courts adjudicate, and will continue to allocate existing resources to the adjudication of priority cases as needed and where possible. This includes the adjustment of court dockets to increase the amount of immigration judge calendar time devoted to detained cases. In addition, EOIR is taking measures to compensate for the increased complexity of the detained caseload, the near cessation of stipulated removal orders, and the cessation of rapid removal cases in the Southwest. Finally, EOIR is moving ahead with its plans to transition from paper to electronic records. When fully implemented, this initiative is expected to improve efficiency throughout the adjudication process, and a higher percentage of EOIR's cases will likely be adjudicated within target time frames. For example, data from electronically filed documents will be automatically uploaded to EOIR's database, thus decreasing data entry time; electronic ROPs will be available for simultaneous access by staff who need to use them, eliminating the time spent waiting for files; and digitally recorded hearings can already be made available to transcribers instantly rather than mailing audio tapes back and forth.

Definition: EOIR has identified two types of immigration court cases (IHP and detained cases) and one type of Board of Immigration Appeals case (detained appeals) as its priority caseload. Detained aliens are those in the custody of DHS or other entities.

Data Validation, Verification, and Limitations: Data are collected from CASE, a nationwide case-tracking system at the trial and appellate levels. Court staff nationwide enters data, which are electronically transmitted and stored at EOIR headquarters, allowing for timely and complete data collection. Data are verified by on-line edits of data fields. Headquarters and field office staff use routine daily, weekly, and monthly reports that verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases. There are no data limitations known at this time.

At the start of FY 2012, EOIR began analyzing the need to change its external statistical reporting methodology. In October 2012, the OIG issued a report that dovetailed nicely with EOIR's internal findings regarding the agency's statistical reporting on the processing of immigration cases and appeals. At the start of FY 2014, EOIR changed the way it calculates the percent of its priority caseload completed within the designated timeframe. The data reported for FY 2009 – FY 2012 is the same as what had been previously reported. The data for FY 2013 is calculated differently in order to provide clearer data that parties external to EOIR can use more efficiently.

Measure Name: Percent of detained appeals completed within 150 days [EOIR]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | 90% | 90% | 90% | 90% | 90% | 90% | 90% |
| Actual | 96% | 93% | 94% | 97% | 97% | N/A | N/A |

Discussion of FY 2013 Results: The BIA continued to manage its resources carefully to ensure that it exceeded its goal of completing 90 percent of detained appeals within 150 days.

Planned Future Performance: EOIR has established case completion goals for the various types of cases that the BIA adjudicates, and will continue to allocate existing resources to the adjudication of priority cases. EOIR is moving ahead with its plans to transition from paper to electronic records. When fully implemented, this initiative is expected to improve efficiency throughout the adjudication process, and a higher percentage of EOIR's cases will likely be adjudicated within target time frames. For example, data from electronically filed documents will be automatically uploaded to EOIR's database, thus decreasing data entry time; electronic ROPs will be available for simultaneous access by staff who need to use them, eliminating the time spent waiting for files; and digitally recorded hearings can already be made available to transcribers instantly rather than mailing audio tapes back and forth.

Definition: EOIR has identified two types of immigration court cases (IHP and detained cases) and one type of BIA case (detained appeals) as its priority caseload. Detained aliens are those in the custody of DHS or other entities.

Data Validation, Verification, and Limitations: Data are collected from CASE, a nationwide case-tracking system at the trial and appellate levels. All data entered by BIA staff are stored at EOIR headquarters, which allows for timely and complete data. Data are verified by on-line edits of data fields. Headquarters staffs use routine daily, weekly, and monthly reports that verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases. There are no data limitations known at this time.

Strategic Objective 3.8: Strengthen the government-to-government relationship between tribes and the United States; improve public safety in Indian Country; and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation

The Department bears a great responsibility to American Indian and Alaska Native Tribes to help build and sustain safe and secure native communities, to meet our treaty and trust responsibilities to Tribes, and to respect the sovereignty of tribal governments. Tribal communities face immense and urgent challenges to public safety, tribal sovereignty, and cultural preservation. The Department of Justice, alongside other federal agencies working in Indian Country, is charged with helping tribal communities overcome those challenges. The work of the Department, in Indian Country, extends to almost every function of the Department, including law enforcement and prosecution; tax, civil, and civil rights litigation; corrections; legislative and policy development; and grant making and program implementation. Interdepartmental collaboration in the development of policy, review of litigating positions, and support of programs is critical to ensuring a unified federal government presence in Indian Country and promoting progress in ongoing efforts to strengthen native communities.

Measure Name: Number of meetings conducted with the Tribal Nations Leadership Council [OTJ]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|---------|---------|---------|---------|---------|---------|---------|
| Target | - | - | - | - | - | 14 | 14 |
| Actual | - | - | - | - | - | N/A | N/A |

Discussion of FY 2013 Results: This is a new measure that will be baselined in FY 2014.

Planned Future Performance: The Office of Tribal Justice (OTJ), on behalf of the Department, will continue to schedule monthly teleconferences and biannual in-person meetings with the Tribal Nations Leadership Council (TNLC). OTJ has expanded the focus of in-person and telephonic meetings to include other federal agencies as appropriate, and will continue to seek ways to make these regular meetings substantive and meaningful for all participants.

Definition: In January 2010, the Attorney General established the TNLC to facilitate dialogue and coordinate efforts between the Department and tribal governments via meetings with the Attorney General and other senior leaders, and to receive feedback from tribal leaders on the Department’s activities in Indian Country as well as address any issues of importance to tribal leaders. The TNLC has become an important link between the Department and tribal governments, providing direct access to tribal leaders across the country and, conversely, direct access to senior leadership for the Tribes.

Data Validation, Verification, and Limitations: This collection involves a straightforward tally. There are no limitations or concerns related to this collection.

Measure Name: Number of individuals in Indian Country that are receiving substance abuse treatment services from DOJ (in-patient or out-patient), including Healing-to-Wellness Court [OJP]

| | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 |
|--------|------------|------------|------------|------------|------------|------------|------------|
| Target | - | - | - | - | - | N/A | N/A |
| Actual | - | - | - | - | - | N/A | N/A |

Discussion of FY 2013 Results: This is a new measure that will be baselined in FY 2014. Future year targets will be established based on FY 2014 results.

Planned Future Performance: In FY 2013, DOJ funded nearly 200 grant awards, covering nine purpose areas totaling over \$90 million. In FY 2014, the Department will continue to help strengthen government-to-government relationships between tribes and the United States; improve public safety in Indian Country; and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation through the Coordinated Tribal Assistance Solicitation (CTAS). This allows Tribal Nations coordinate grant activities across nine purpose areas in a consistent and coordinated nature. The CTAS coordinates funding across five DOJ components for Tribal governments to apply through one solicitation. DOJ encourages CTAS grantees to use strategic planning to identify priority issues and coordinate appropriate and culturally sensitive responses.

Definition: This measure assesses the number of persons on Indian Country receiving culturally sensitive alcohol and substance abuse treatment programs. Curbing alcohol and substance abuse related crime continues to be a priority in many tribal communities across Indian Country.

Data Validation, Verification, and Limitations: The Bureau of Justice Assistance (BJA)/OJP grantees report performance measurement data in the Performance Measurement Tool, which is an online data collection system. Performance measurement data is validated and verified using a six step process. The data verification procedure consists of the following steps: 1) training, 2) written guidance, 3) real-time data entry validation checks, 4) manual review by an analyst, 5) grantee contact to verify flagged data, and 6) BJA staff review.

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