

Section II

Performance Section – FY 2012 Performance Report (Unaudited)

Overview

This section of the PAR presents 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 Performance Report provides a summary discussion of the Department's three strategic goals. It also reports on the 12 key performance measures for these goals by detailing program objectives and FY 2012 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. In addition, this section includes information regarding the Department's progress toward achieving the FY 2016 long-term outcome goals set forth in its FYs 2012-2016 Strategic Plan.

At the Department, performance planning and reporting is 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. The Department provides detailed component-specific annual performance plans within individual budget submissions, which also serve as the Department's annual performance plan.

In FY 2012, 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. As the Department continues to develop its capacity to gather and use performance information, we will continue to communicate performance information. 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

For FY 2012, the Department introduced 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 2012 Performance and Accountability Report* presents the highest-level outcome-oriented measures available and fully reports on the accomplishments achieved during the reporting period. Occasionally, however, data for an entire year are not available at the time of publication. Also, the Department is unable to report on a limited number of performance measures due to calendar year reporting or other limitations. In those instances, performance for those measures will be reported in the subsequent year's *Performance and Accountability Report*. For this report, ten years of data will be presented unless the performance outcome goal has less than ten years, in which case all information is then presented.

For purposes of this report, the Department's new FY 2012-2016 Strategic Plan is used with key performance measures fully aligning to the Plan's priorities and goals. Therefore, the *FY 2012 Performance and Accountability Report* highlights the key goals and performance measures reflected in the FY 2012-2016 Strategic Plan. The Report also provides details on the Department's success in meeting its performance measure targets in FY 2012. Additional programmatic and performance information can be found in individual components' budget submissions, specifically within the Performance and Resources Tables (<http://www.justice.gov/jmd/strategic2012-2016/index.html>).

I

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

14% of the Department's Net Costs supports this Goal.

Terrorism is the most significant national security threat that faces our Nation. The Department's focus is protecting the Homeland 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 information we need to keep our Nation safe, we are continuing to strengthen and expand our counterintelligence capabilities and to ensure that the people that intend to do us harm come to justice.

FY 2016 Outcome Goal: Increase by 15 percent the number of counterterrorism intelligence products shared with the U.S. Intelligence Community (IC), state and local Law Enforcement Community partners, and foreign government agencies in order to protect Americans from terrorism (baseline = 13,231)

FY 2012 Progress: FY 2012 target was not met. However, the Department is on target to achieve this long-term outcome goal.

Background/Program Objectives: The FBI is committed to disrupting and preventing terrorism, from thwarting those intending to conduct a terrorist act, to investigating the financiers of terrorist operations. All counterterrorism investigations are managed at FBI Headquarters by the Counterterrorism Division (CTD). The CTD provides a centralized, comprehensive, and intelligence-driven approach to addressing both international and domestic terrorism-related matters.

Only through broad and timely sharing of relevant information among all agencies of government with national security responsibilities, as well as our state and local and foreign partners, can we effectively identify and work to prevent terrorist plots and other threats before they occur. As a result, the FBI disseminates intelligence products to numerous partners and stakeholders in the U.S. Intelligence Community, federal, state, municipal and tribal law enforcement community, and foreign government agencies.

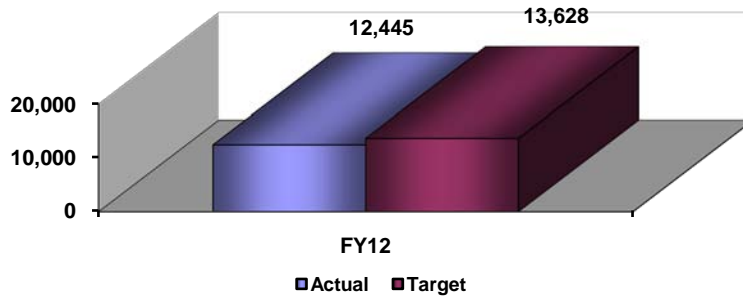
Performance Measure: NEW MEASURE: Number of Counterterrorism Intelligence Products Shared with the U.S. Intelligence Community, state and local law enforcement community partners, and Foreign Government Agencies

FY 2012 Target: 13,628

FY 2012 Actual: 12,445

Discussion of FY 2012 Results: The FBI missed its target for this measure in FY 2012. Based on feedback received from Other Government Agency (OGA), IC, and law enforcement partners, CTD emphasized the production of high-value Intelligence Information Reports (IIRs) which addressed priority intelligence gaps or provided actionable intelligence to IC and law enforcement partners over low-value IIRs which served only to flood the system with non-actionable intelligence or information of little-to-no intelligence value. Although the emphasis on high-value IIRs resulted in missing the FY 2012 target, the change has been well-received by OGA, IC, and law enforcement partners. CTD executive management will continue to focus on increased intelligence sharing in the effort to combat the terrorist threat.

Number of Counterterrorism Intelligence Products Shared with the U.S. Intelligence Community, State and Local Law Enforcement Community Partners, and Foreign Government Agencies



Data Definition: Data represents the number of intelligence products shared with domestic partners. Intelligence products for domestic partners include: White Papers, Intelligence Information Reports, Intelligence Bulletins, Intelligence Assessments, National Threat Bulletins, Current Intelligence Reports, Intel Studies, Intel Notes, meetings, and briefings.

Data Collection and Storage: Data are stored on multiple platforms and collected routinely. Some data are calculated manually.

Data Validation and Verification: Data are validated and verified through FBI reports and communications.

Data Limitations: Some data are calculated manually.

II

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

50% of the Department's Net Costs supports this Goal.

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 Justice Department 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.

FY 2016 Outcome Goal: Dismantle a cumulative total of 1,861 criminal enterprises engaging in white-collar crime (FY 2012-2016)

FY 2012 Progress: Department is on target to achieve this long-term outcome goal.

Background/Program Objectives: Through the White-Collar Crime Program, the FBI investigates criminals and criminal enterprises that seek illicit gains through fraud and guile. Illegal activities investigated include corporate, health care, securities and commodities, financial institution, mortgage, government (defense procurement and other areas), insurance, mass marketing, and bankruptcy fraud; environmental crimes; and money laundering. U.S. citizens and businesses lose billions of dollars each year to criminals engaged in non-violent fraudulent enterprises. The globalization of economic and financial systems, technological advances, declining corporate and individual ethics, and the sophistication of criminal organizations have resulted in annual increases in the number of illegal acts characterized by deceit, concealment, or violations of trust. These crimes contribute to a loss of confidence in financial institutions, public institutions, and industry.

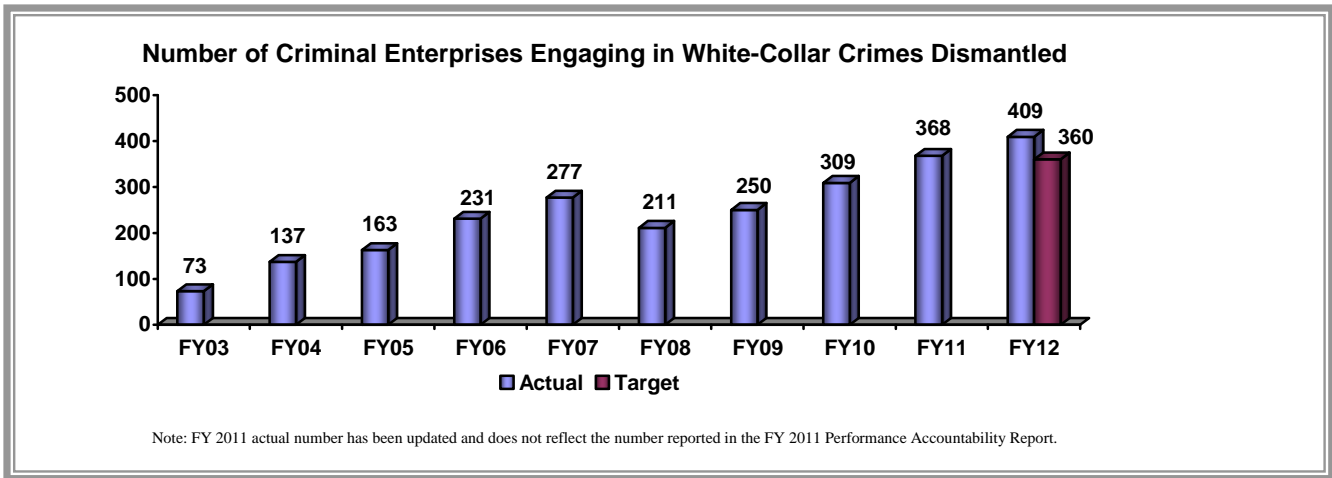
Performance Measure: Number of Organized Criminal Enterprises Engaging in White-Collar Crimes Dismantled

FY 2011 Revised Actual: 368 (Previous Actual: 340)

FY 2012 Target: 360

FY 2012 Actual: 409

Discussion of FY 2012 Results: The FBI met and exceeded its target for this measure in FY 2012 through proactive investigative techniques and technological advances. Increased use of Group I Undercover Operations, Title IIIs, and other advanced techniques not commonly used in past white-collar crime (WCC) cases enabled significant investigative achievements against WCC threat actors. It should be noted that there is a potential lag in the reporting of the data for this measure, meaning that the final result may ultimately vary from this report. FY 2012 final results will be reflected in the FY 2014 President's budget detailed congressional justifications.



Data 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 Collection and Storage: The data source is the FBI's Integrated Statistical Reporting and Analysis Application database that tracks accomplishments from inception to closure.

Data Validation and Verification: Data are reviewed and approved by an FBI field manager and subsequently verified through inspection. Inspections occur at least once annually, tracing sampled data to source documents contained in FBI files.

Data Limitations: FBI field personnel are required to enter accomplishment data within 30 days of the accomplishment or a change in the status, such as those resulting from appeals. Data are compiled less than 30 days after the end of the fiscal year, and thus may not fully represent the accomplishments during the reporting period.

FY 2016 Outcome Goal: Increase by 8 percent gang arrests resulting from coordination of gang investigations (baseline = 9,305)

FY 2012 Progress: FY 2012 target was not met. However, the Department is on target to achieve this long-term outcome goal.

Background/Program Objectives: Gangs and gun violence pose a serious threat to public safety in many communities throughout the United States. Too many youth are exposed to violence and gangs. Too many families continue to face substantial challenges in keeping their children safe and free from the conditions that can lead to violence. Many communities continue to experience high levels of gun violence and gang-related crimes. Gang members are increasingly migrating from urban to suburban, rural, and tribal communities and are responsible for a growing percentage of crime and violence in many communities. The Department's efforts to protect our citizens from violence will be carried out through collaboration with our state, local, and tribal partners. Through the United States Attorneys and our violent crime task forces, the Department will work with individual jurisdictions to address the impact of gang-related crimes on communities. The federal, state, local, and tribal efforts will be enhanced through increased coordinated enforcement efforts and intelligence sharing. Additionally, prevention of gang violence and gang membership is a necessary element of our strategy to address violent crime. The Department will utilize evidence-based, data driven prevention programs, which are designed to prevent increases in gang membership and to deter youth violence, to assist state, local, and tribal governments in their efforts to deter youths from participation in gangs.

Performance Measure: NEW MEASURE: Percent increase in Gang Arrests Resulting from Coordination of Gang Investigations

FY 2012 Target: 2%

FY 2012 Actual: - 16%

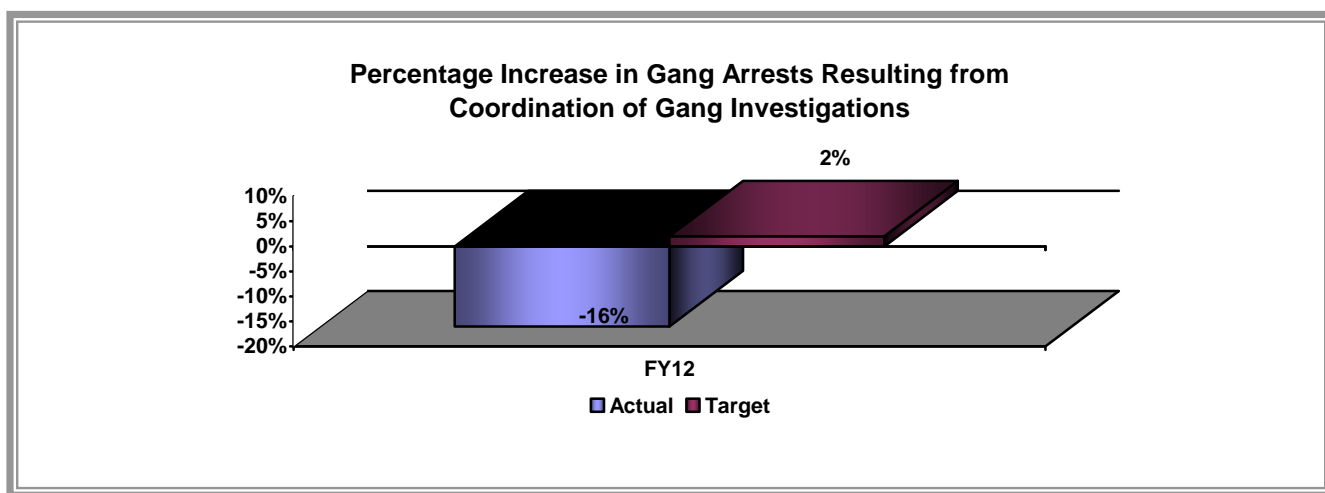
Discussion of FY 2012 Results: There are 3 contributing DOJ components for this measure, namely, ATF, DEA, and FBI. The overall target for this measure was not met for FY 2012. While DEA met its target for the year, ATF numbers declined from FY 2011 baseline, and FBI has yet to finalize its FY 2012 data.

Addressing violent crime is one of the Attorney General's FY 2012 Priority Goals, and the National Gang Targeting, Enforcement & Coordination Center (GangTECC) section /Operational Section for Gangs (OSG) at DEA's Special Operations Division (SOD) has been fulfilling this priority goal. Since merging under the operational direction of SOD in FY 2010, the GangTECC section within SOD has been successfully coordinating several high impact gang operations. After supporting only approximately 100 cases in three years prior to the SOD merger, under the operational direction of SOD, the GangTECC/OSG supported over 800 cases in just its first full year at SOD. Further, in FY 2012 with a target of 2% increase in gang arrests resulting from coordination, SOD-supported gang cases (DEA) accounted for 891 arrests which represented a 4.4% increase from the previous year. In addition, as part of the GangTECC/OSG mission of coordinating significant local impact cases, the section also conducts outreach to state and locals, bringing them into the operations and providing support. During FY 2012, OSG conducted 34 outreach meetings throughout the country with federal, state and local law enforcement counterparts.

The FBI has yet to finalize its FY 2012 actual number. FBI expects an additional increase in the final results for this measure once field personnel submit their statistics into the FBI's Integrated Statistical Reporting and Analysis Application later in the calendar year. The final end of year performance data for this measure will be reflected in DOJ's FY 2012 Violent Crime Priority Goal reporting process. In comparison to FY 2011, the FBI has exceeded many statistical accomplishments for FY 2012. While the FBI's Violent Gang Safe Streets Task Forces (VGSSTFs) fell short of their target of 8,531 arrests for FY 2012, VGSSTFs dismantled 123 criminal organizations – the second highest dismantlement total of the past 13 fiscal years. In addition, FBI Special Agents and task force officers posted a greater number of indictments/information, convictions, and disruptions. The FBI views indictments, convictions, disruptions, and dismantlements as relevant measures as these statistical accomplishments show a greater impact on combating violent gangs. As of September 30,

2012, the VGSSTFs arrested 7,758 individuals; filed indictments/information against 4,292 subjects; convicted 3,149 defendants; and disrupted the activities of 1,557 criminal enterprises. The FBI recognizes that violent gangs are one of the biggest threats in the United States as 52 out of 56 FBI field offices have ranked violent gangs as a priority criminal threat. VGSSTFs are examples of the FBI's longstanding and continued commitment to address violent gang activity across the U.S. As of September 30, 2012, the FBI's safe streets and gang unit administered 164 VGSSTFs nationwide.

The ATF did not meet its target for this measure in FY 2012. ATF's contribution to this measure, which is also one of DOJ's Violent Crime Priority Goal indicators, is 74 arrests in FY 2012, which is a 16 percent decrease from the FY 2011 baseline figure of 88 arrests. However, while the number of arrests is down, the total number of ATF cases coordinated through GangTECC has increased from 22 in FY 2011 to 108 in FY 2012. Approximately 70 percent of these cases were initiated during the 3rd and 4th quarters of FY 2012, and will result in arrests and referrals for prosecution during FY 2013. Inclusive of the cases coordinated through GangTECC, in FY 2012, 1,889 gang-related and 1,500 trafficking-related defendants in ATF cases were convicted. The following case highlights ATF's FY 2012 efforts: In September 2008, the President of the San Francisco Chapter of the Hells Angels was murdered in a gang related incident in the Mission District of San Francisco. Pursuant to an extensive ATF investigation, in February 2012, a member of the Mongols Motorcycle Club was found guilty of murder in aid of racketeering, assault with a deadly weapon (in aid of racketeering), use of firearm during/in relation to a crime of violence, and using a firearm causing murder during a crime of violence. The jury found that he had murdered the President of the Hells Angels Chapter to maintain or increase his position in the Mongols Motorcycle Club. In May 2012, he was sentenced to four life terms of imprisonment.



Data Definition: ATF's data reflect the number of gang-related cases and arrests resulting from coordination with state and local law enforcement and supported by the Gang Targeting, Enforcement, and Coordination Center/Operational Section for Gangs. DEA's Defendant Statistical System (DSS) is designated as the database of record for all arrest statistics and data. The Case Status System (CAST) is an automated on-line record-keeping system for entering, updating, and retrieving information on all DEA case files and general files. Every file opened since October 1, 1986 must have a CAST record. CAST also provides authorized users with file status statistics and case review scheduling. FBI data represent the number of gang investigations that were reported in the Integrated Statistical Reporting and Analysis Application.

Data Collection and Storage: ATF's data source is their National Field Office Case Information System, an integrated and centralized data management solution allowing real time monitoring and oversight of all criminal enforcement activities in the field. Statistics associated with DEA's GangTECC activities are

gathered and tracked by SOD using DEA DSS and CAST systems. FBI data are collected and stored in the Integrated Statistical Reporting and Analysis Application.

Data Validation and Verification: ATF data are verified through an inspection process which occurs on a four-year cycle and is performed at each ATF field office and division. DEA data are reviewed by quarters. DEA systems of record are also dynamic and data are regularly updated automatically. FBI data are validated and verified through its Integrated Statistical Reporting and Analysis Application.

Data Limitations: ATF investigations often span multiple years from initiation through closure; case-related data are calculated based on the date investigations are closed, and therefore likely to include investigations that have spanned previous time periods. FBI data are collected manually. FBI field personnel are required to enter accomplishment data within 30 days of the accomplishment or a change in the status, such as those resulting from appeals. Data are compiled less than 30 days after the end of the fiscal year, and thus may not fully represent the accomplishments during the reporting period.

FY 2016 Outcome Goal: Increase by 14 percent intelligence products produced in support of federal, state, and local investigations that are focused on gangs posing a significant threat to communities (baseline = 45)

FY 2012 Progress: Department is on target to achieve this long-term outcome goal.

Background/Program Objectives: The mission of the FBI's Gangs/Criminal Enterprise Program is to address violent gang threats in the U.S. by aggressively identifying, prioritizing, and targeting the most violent street and prison gangs whose activities constitute criminal enterprises. The FBI established the Safe Streets Violent Crime Initiative to attack gang and drug-related violence through the establishment of long-term, proactive, and coordinated teams of federal, state, and local law enforcement officers and prosecutors. The teams are manifested in Violent Gang Safe Streets Task Forces (VGSSTFs), which are composed of approximately 839 FBI Special Agents, 1,411 state and local law enforcement personnel, and 92 other federal law enforcement agents. Through VGSSTFs, the FBI pursues violent gangs through sustained, proactive, and coordinated investigations and prosecutes gang members for a number of violations that include, but are not limited to, racketeering, drug conspiracy, and firearms violations. The Safe Streets Task Forces (SSTFs) concept expands cooperation and communication amongst federal, state, and local law enforcement agencies, increasing productivity and avoiding duplication of investigative efforts. SSTFs combine short term, street-level enforcement activity with sophisticated investigative techniques like undercover operations and Title III wire taps to root out, prosecute, and disrupt and dismantle the entire gang, from the street-level enforcers and dealers to crew leaders and gang's command structure.

The National Gang Intelligence Center (NGIC) integrates intelligence from across federal, state, and local law enforcement communities on the growth, migration, criminal activity, and association of violent gangs. NGIC supports law enforcement by sharing timely and accurate information and by providing strategic, tactical, and analytical intelligence products. Products are defined as intelligence products that have a nexus to gang matters. These intelligence products include Intelligence Bulletins, Intelligence Assessments, Intelligence Reports, Situational Awareness Bulletins, and Gang Information Reports.

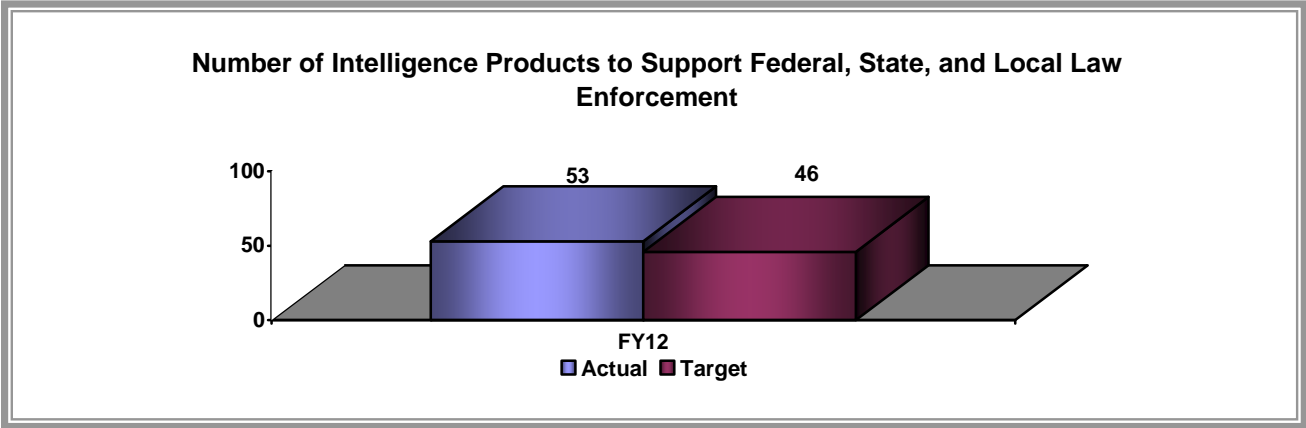
Performance Measure: NEW MEASURE: Number of Intelligence Products to Support Federal, State, and Local Law Enforcement

FY 2012 Target: 46

FY 2012 Actual: 53

Discussion of FY 2012 Results: The FBI met and exceeded its target for this measure in FY 2012 for the number of intelligence products produced in support of federal, state, and local investigations that are focused on gangs posing a significant threat to the U.S. NGIC projected it would produce and disseminate 46 intelligence products in FY 2012. However, NGIC surpassed this goal by producing 53 intelligence products.

In order to accomplish the target set for this measure, NGIC conducted outreach to law enforcement organizations to promote the existence and use of NGIC Online. Through NGIC Online, investigators throughout the country can submit requests for intelligence and analytical support electronically and receive the resulting analytical products electronically. NGIC Online also allows the requestor to check the status of the request online. As a result of the successful implementation of NGIC Online, law enforcement officers can obtain gang intelligence more quickly and effectively. NGIC Online thus represents, and promotes, the efficient use of law enforcement resources.



Data Definitions: Intelligence products such as Intelligence Reports, Bulletins, Assessments, and Notes are produced and disseminated to Federal, state, and local law enforcement agencies. These intelligence products aid law enforcement agencies in their efforts to address violent gangs as they focus on criminal activity, trends, growth, and migration of gangs domestically and internationally.

Data Collection and Storage: All disseminated intelligence products are uploaded into NGIC Online. Reports are generated through NGIC Online to track the type and number of products disseminated.

Data Validation and Verification: The Violent Criminal Threat Section management has the ability to run reports to verify the number of reports produced and disseminated.

Data Limitations: None known at this time.

FY 2016 Outcome Goal: Increase by 8 percent the matters/investigations resolved concerning sexual exploitation of children and human trafficking to protect potential victims from abuse and violence (baseline = 4,817)

FY 2012 Progress: Target was not met for FY 2012. However, the Department is on target to achieve this long-term outcome goal.

Background/Program Objectives: The abuse, neglect, exploitation, and trafficking, including sexual abuse, of children, the elderly, and other vulnerable populations, causes irrevocable harm to victims and society. Ensuring that our children, seniors, and all citizens can live without being disturbed by sexual trauma, exploitation, or human trafficking are more than criminal justice issues, they are societal and moral issues. Despite efforts to date, the threat of these crimes remains very real. In the broadest terms, the goal of the Department is to prevent child sexual exploitation, elder abuse, hate crimes, and human trafficking from occurring in the first place, in order to protect every person from the physical and mental traumas associated with these crimes.

Performance Measure: NEW MEASURE: Number of Matters/Investigations of Child Sexual Exploitation and Human Trafficking Resolved

FY 2012 Target: 4,938

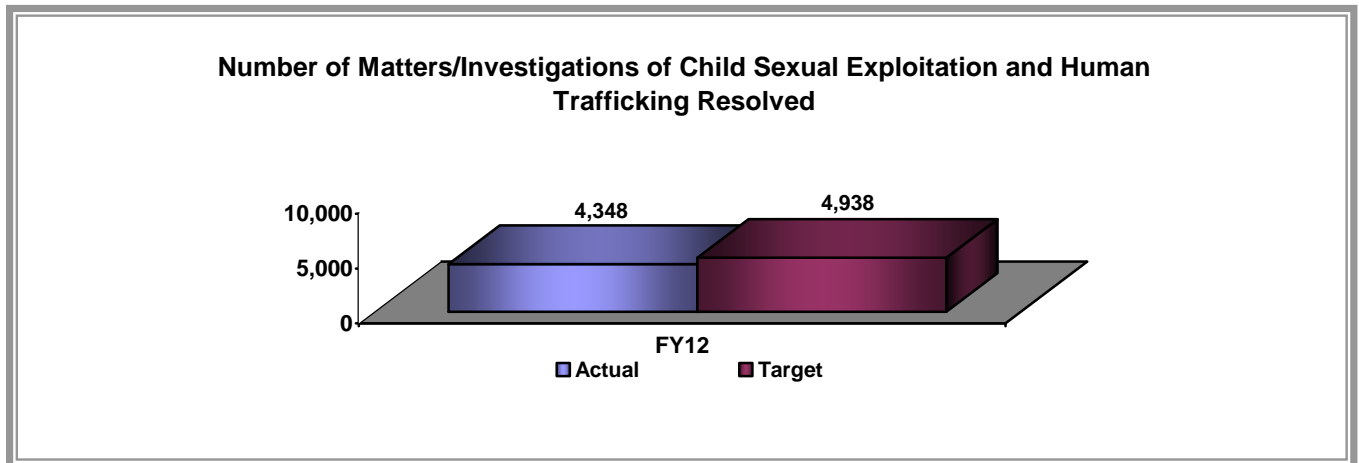
FY 2012 Actual: 4,348

Discussion of FY 2012 Results: The Department did not meet the target for FY 2012. However, the following are highlights of some of the accomplishments in FY 2012.

In the U.S. Attorney Office Eastern District of Pennsylvania, Omelyan Botsvynyuk was sentenced to life plus 20 years for operating a human trafficking organization that smuggled young Ukrainian immigrants into the United States forcing them to work in a cleaning business he ran with his brother Stepan, who was also convicted. Both defendants, along with three other brothers (two awaiting extradition from Canada and one a fugitive), illegally smuggled Ukrainian workers into the country and promised them jobs with good pay. However, once here, the brothers controlled the workers through physical force, threats of force, sexual assault, control of the workers' documents, debt bondage, and extortion of their families in the Ukraine in order to keep them in involuntary servitude. On September 6, 2012, in the Western District of Louisiana, John Wyss, aka "Bones," 55, of Monroe, Wisconsin, was sentenced to life in prison for his participation in an international criminal network known as Dreamboard, a private, members-only, online bulletin board that was created and operated to promote pedophilia, encourage the sexual abuse of very young children, and promote the creation and dissemination of graphic images and videos of child sexual abuse throughout the world. Wyss was convicted at trial of one count of engaging in a child exploitation enterprise, one count of conspiracy to advertise child pornography, and one count of conspiracy to distribute child pornography. A total of 72 individuals, including Wyss, have been charged for their participation in Dreamboard. On June 27, 2012, in the District of Connecticut, Jesse Osmun, 32, of Milford, Connecticut, pleaded guilty to one count of traveling from the United States to South Africa and engaging in illicit sexual conduct with children. Osmun sexually abused four minor girls while he was a volunteer with the U.S. Peace Corps in South Africa. On October 10, 2012, Osmun was sentenced to 15 years imprisonment, followed by 10 years of supervised release.

The CRM announced in May 2012 that Michael Wayne Wooten, a former security officer in the Birmingham City School System and a substitute bus driver for Shelby County Schools, was sentenced to 30 years in prison for producing child pornography. Wooten was also ordered to remain on supervised release for the rest of his life after completing his prison term. The court noted during the hearing that Wooten had numerous child victims. Also, in August 2012, eight more defendants were sentenced for their involvement in an international criminal network organized to sexually exploit children in connection with their participation in the Dreamboard Child Exploitation bulletin board. Altogether, these eight defendants received a collective total of 169 years in prison.

The CRT has spearheaded a number of initiatives aimed at aggressively combating human trafficking, including outreach to the public concerning potential trafficking situations, training for and collaboration with law enforcement officers, and implementing programs to address the needs of trafficking victims. CRT led the creation of a specialized Human Trafficking Prosecution Unit that is a global leader in trafficking prosecutions, and its representatives train foreign investigators and prosecutors at the United Nations and across the globe. CRT established a national, toll-free telephone complaint line to enable victims and others to report possible trafficking and worker exploitation abuses. CRT has been instrumental in developing a national human trafficking training curriculum for state and local law enforcement and in drafting model legislation for states to implement their own anti-trafficking laws. CRT filed the second-highest number of human trafficking cases in the history of the Division, exceeded only by the number of cases charged in FY 2010.



Data Definition: A matter or investigation is defined as “open” once it is assigned a number. The definition of resolved means the matter/investigation is closed. Matter/investigation can be closed for a variety of reasons, such as plea bargain, dismissal, declination, and trial. Open investigations pertaining to sexual exploitation of children encompass domestic sexual child abuse, child pornography, child abuse in Indian country, and child enticement cases. Human trafficking open investigations pertain to adult and child human trafficking.

Data Collection and Storage: Data are currently captured within each component’s automated case management system and companion interface systems. Currently, matters and investigations worked on by more than one component are included in the totals from CRM, CRT, and the Executive Office of the U.S. Attorneys (EOUSA). Also, the court’s disposition date is used for reporting purposes for CRM and CRT; however, EOUSA uses the date entered into their current case management system. Additionally CRM and EOUSA count matters and investigations at the defendant level; CRT count civil and criminal matters/investigations.

Data Validation and Verification: Each component implements their individual methodology for verifying data; however, in general, matter/investigation 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 Limitations: Data quality suffers from the lack of a single DOJ case management system and a standardized methodology for capturing matters/investigations related data. Due to reporting lags, matter/investigation closures for any given year may be under or over-reported.

FY 2016 Outcome Goal: Dismantle 725 Consolidated Priority Organization Target (CPOT)-linked drug trafficking organizations (FY 2012-2016). Disrupt 1,700 CPOT-linked drug trafficking organizations (FY 2012-2016)

FY 2012 Progress: Department is on target to achieve this long-term outcome goal.

Background/Program Objectives: 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 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 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.

Performance Measure: CPOT-Linked Drug Trafficking Organizations Disrupted and Dismantled

FY 2011 Revised Actual:

Dismantled: 198 (Previous Actual: 195)

Disrupted: 414 (Previous Actual: 408)

FY 2012 Target:

Dismantled; 145

Disrupted: 340

FY 2012 Actual:

Dismantled: 171

Disrupted: 446

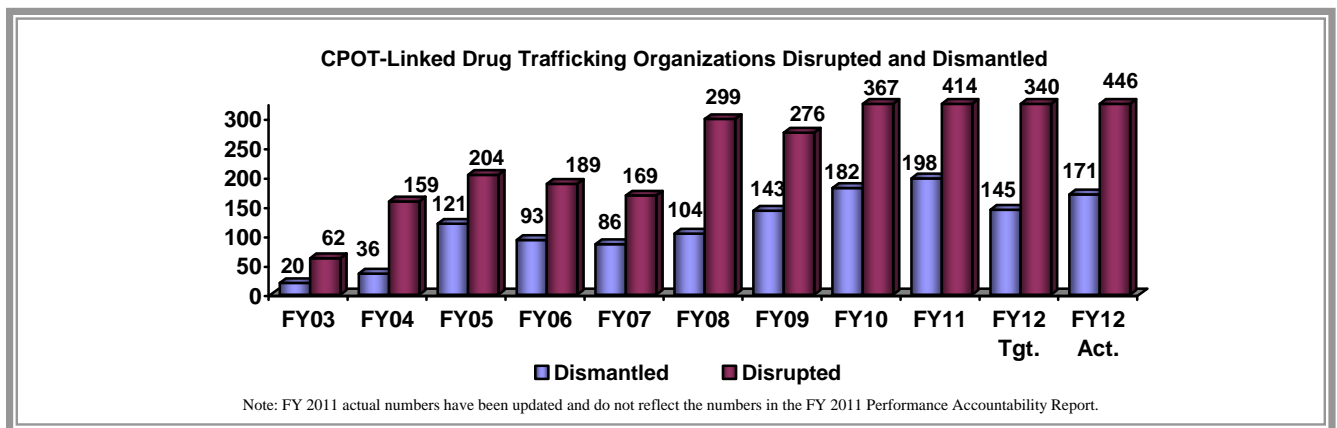
Discussion of FY 2012 Results: The Department achieved impressive results during FY 2012 in dismantling and disrupting CPOT-linked drug trafficking organizations. The Department dismantled 171 CPOT-linked organizations in FY 2012, exceeding its target by 18%. The Department disrupted 446 CPOT-linked organizations in FY 2012, exceeding its target by 31%. This is an 8% increase over the 414 reported for FY 2011.

During FY 2012, in addition to making important gains against CPOT-linked organizations, the Department continued to achieve significant successes against the CPOTs themselves. Over the course of the last year, four CPOT targets were dismantled and seven CPOT targets were disrupted. Through these dismantlements and disruptions, the Department made significant impacts against the Sinaloa Cartel, the North Valley Cartel and other significant cartels operating out of Mexico and South America. All four of the dismantled CPOT

targets were arrested and either deported or extradited to the United States for prosecution; three disrupted targets have been extradited to the United States as well; and another disrupted target is pending extradition.

These eleven disrupted and dismantled CPOTs had a significant impact on the illegal drug supply in the United States. It is estimated that their activities included using the internet to sell various drugs and controlled substances to customers worldwide; the combined capability of importing and distributing over 150 metric tons of cocaine into the United States, Mexico, and Europe; shipping truckloads containing more than 2 tons of cocaine to New York alone; and using a multitude of companies to distribute a variety of drugs and launder money. Approximately \$2.1 million in drug proceeds bound for Mexico was seized from just one of these organizations and many front companies have been identified in several countries and on the internet. The reach of these transnational drug trafficking organizations extended across multiple continents. Law enforcement activity targeting these CPOTs involved complex and coordinated intelligence driven investigations, with exceptional cooperation between U.S. law enforcement agencies and international partners.

The Department’s FY 2012 successes dismantling or disrupting 617 CPOT-linked drug trafficking organizations, an increase over the previous high of 612 dismantled or disrupted in FY 2011, as well as the significant enforcement actions against CPOTs themselves have resulted in keeping multi-ton quantities of illegal drugs such as cocaine, heroin, marijuana and methamphetamine from ever entering the United States.



Data 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 Collection and Storage: For this measure, OCDETF reviews all of the cases worked by the FBI and the DEA. When there are cases that both agencies work, they are counted as one case in the consolidated numbers reported in the Department’s *Performance and Accountability Report*. This procedure is in place to prevent double counting in Department-level reports.

Investigations may be linked to a CPOT organization at any time during the investigation. Once the link is verified, a specific code or other identifier is assigned to the investigation. Accordingly, data on this performance measure may lag behind actual identification of the link by the investigative agency. The investigation is tracked as “CPOT-linked” by the agency and within the OCDETF Management Information System.

Data Validation and Verification: 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.

Data Limitations: 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.

FY 2016 Outcome Goal: Favorably resolve 90% of Criminal Cases (litigating divisions)
FY 2016 Outcome Goal: Favorably resolve 80% of Civil Cases (litigating divisions)
FY 2012 Progress: Department is on target to achieve this long-term outcome goal.

Background/Program Objectives: Representing the rights and interests of the American people is a top priority for the Department of Justice. Among the DOJ components sharing responsibilities to achieve this goal are the Executive Office of the U.S. Attorneys, the Antitrust, Civil, Civil Rights, Criminal, Environment and Natural Resources, and Tax Divisions.

There are 94 U.S. Attorney Offices located throughout the United States and its territories. Each U.S. Attorney serves as the chief federal law enforcement officer within his or her judicial district and, as such, is responsible for the prosecution of criminal cases brought by the federal government; the litigation and defense of civil cases in which the United States is a party; the handling of criminal and civil appellate cases before United States Courts of Appeal; and the collection of civil and criminal debts and restitutions owed the federal government which are administratively uncollectable.

Additionally, the Department has litigators that specialize in the areas of: preserving a competitive market structure; defending the public fisc against unwarranted claims; protecting civil rights; enforcing federal civil and criminal statutes; safeguarding the environment; and administering internal revenue laws.

The Antitrust Division (ATR) promotes and protects the competitive process – and the American economy – through the enforcement of antitrust laws. These laws apply to virtually all industries and to every level of business, including manufacturing, transportation, distribution, and marketing.

The Civil Division (CIV) defends challenges to Congressional statutes, Presidential actions, national security issues, health care programs, vaccine injury claims, and energy policies; pursues violators of immigration and consumer protection laws; and handles thousands of affirmative and defensive cases with billions of dollars at issue related to accident and liability claims, natural disasters and other unprecedented events. CIV also handles commercial issues such as bankruptcy, contract disputes, banking, insurance, patents, fraud, and debt collection and administers the Radiation Exposure Compensation Program and the newly re-opened September 11th Victim Compensation Fund.

The Civil Rights Division (CRT) enforces federal statutes prohibiting discrimination in education, religion, employment, credit, housing fair lending, public accommodations and facilities, conditions of confinement in state and locally operated institutions, national origin, voting, retaliation based on military service, and certain federally funded and conducted programs. Additionally, CRT enforces criminal civil rights responsibilities for human trafficking and involuntary servitude statutes, acts of racial, ethnic, sexual orientation, gender identity, disability or religious violence, “color of law” offenses by local and federal law enforcement officials, and conspiracies to interfere with federally protected rights. CRT also enforces the criminal and civil provisions to protect the rights of people to use the services of reproductive health clinics free from interference.

The Criminal Division (CRM) develops, enforces, and supervises the application of all federal criminal laws (except those specifically assigned to other divisions). The mission of the CRM is to identify and respond to critical and emerging national and international criminal threats, and to lead the enforcement, regulatory, and intelligence communities in a coordinated, nationwide response to reduce those threats. The Division engages in several functions vital to achieving its mission: investigating and prosecuting significant criminal cases and matters; providing expert legal advice and training; providing critical law enforcement tools (e.g., Title III wiretaps); and forging global law enforcement partnerships.

The Environment and Natural Resources Division (ENRD) brings cases against those who violate the nation's civil and criminal pollution-control and wildlife protection laws. Additionally, ENRD defends environmental

challenges to government programs and activities and represents the U.S. in matters concerning the stewardship of the nation's natural resources and public lands. In addition, ENRD litigates cases concerning Indian rights and claims.

The Tax Division's (TAX) mission is to enforce the nation's tax laws fully, fairly, and consistently, through both criminal and civil litigation, in order to promote voluntary compliance with the tax laws, maintain public confidence in the integrity of the tax system, and promote the sound development of the law.

Performance Measure: Percent of Cases Favorably Resolved

FY 2012 Target:

Criminal Cases: 90%

Civil Cases: 80 %

FY 2012 Actual:

Criminal Cases: 92%

Civil Cases: 81%

Discussion of FY 2012 Results: The Department exceeded its target for this performance measure. The following are highlights of the accomplishments achieved by relevant components in FY 2012.

The U.S. Attorneys continued its efforts combating fraud with its Financial Fraud Enforcement Task Force and 94 regional mortgage fraud task forces and working groups, together with targeted financial fraud training provided at the National Advocacy Center including seminars in the areas of mortgage fraud, bank fraud, health care fraud, and securities fraud. Some highlights of these efforts include the following: On February 1, 2012, David Higgs, Managing Director at Credit Suisse Group, and Salmaan Siddiqui, Vice President in the Investment Banking Division, plead guilty in the Southern District of New York to failing to mark to market the fair value of Residential Mortgage backed Securities and Commercial Mortgage backed Securities assets, which contributed to a \$2.65 billion write down in Credit Suisse's reported net income, approximately \$540 million of which was attributable to defendants' conduct. On June 4, 2012, in the District of New Jersey, Matthew Kluger, a lawyer who fed inside information to a professional stock trader in a 17-year scheme that netted millions, was sentenced to 12 years in prison. This is the longest sentence ever handed down in an insider trading case. Stock trader Garrett D. Bauer was sentenced to 108 months in prison for his role in the scheme. On July 2, 2012, GlaxoSmithKline (GSK) agreed to plead guilty and to pay \$3 billion to resolve its criminal and civil liability arising from the company's unlawful promotion of certain prescription drugs. The resolution is the largest health care fraud settlement in U.S. history and the largest payment ever by a drug company. GSK agreed to plead guilty to a three-count criminal information, including two counts of introducing misbranded drugs, Paxil and Wellbutrin, into interstate commerce and one count of failing to report safety data about the drug Avandia to the Food and Drug Administration. Under the terms of the plea agreement, GSK will pay a total of \$1 billion, including a criminal fine of \$956,814,400 and forfeiture in the amount of \$43,185,600. GSK will also pay \$2 billion to resolve its civil liabilities with the federal government under the False Claims Act, as well as the states. In May 2012, Global Health Care Company Abbott Laboratories Inc. plead guilty and agreed to pay \$1.5 billion to resolve its criminal and civil liability arising from the company's unlawful promotion of the prescription drug Depakote for uses not approved as safe and effective by the Food and Drug Administration. The resolution – the second largest payment by a drug company – includes a criminal fine and forfeiture totaling \$700 million and civil settlements with the federal government and the states totaling \$800 million. Abbott also will be subject to court-supervised probation and reporting obligations for Abbott's Chief Executive Officer and Board of Directors.

The ATR obtained \$1.1 billion in criminal fines in FY 2012 against antitrust violators. The Division's investigations into the liquid crystal displays (LCDs) and auto parts industries yielded significant restitution and fines which helped fund the Department's Crime Victims Fund. In addition, the Division continued its work with the Financial Fraud Enforcement Task Force and its efforts to wage an aggressive, coordinated and proactive effort to investigate and prosecute financial crimes. On the civil side, the Division was successful in

protecting competition and U.S. consumers by challenging proposed mergers and agreements in areas as diverse as telecommunications, health care and tax preparation software.

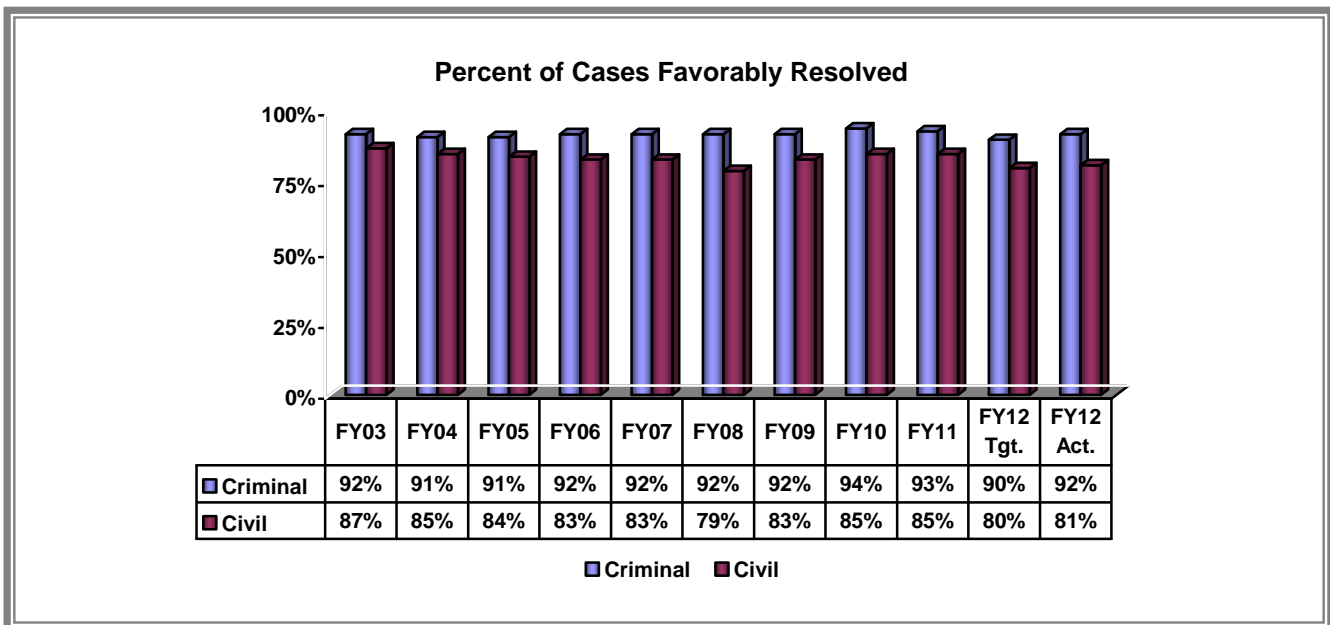
In FY 2012, CIV defeated billions of dollars in unmeritorious claims, in addition to the successful defense of suits filed against the government as a result of federal policies, laws, and involvement in commercial activities, domestic and foreign operations, entitlement programs, law enforcement initiatives, military actions, and counterterrorism efforts. CIV also pursued affirmative litigation, bringing suits on behalf of the United States, which resulted in the return of billions of dollars to the Treasury, Medicare, and other entitlement programs. This year alone, the Division, working with the U.S. Attorneys, recovered a record-high amount of over \$4.8 billion as a result of its aggressive efforts in fighting health care, mortgage, and procurement fraud.

The CRT reached the Nation's largest-ever fair lending settlement on behalf of minorities who were steered discriminatorily towards subprime loans, and negotiated \$25 billion in settlements with the Nation's five largest mortgage servicers as part of the enforcement of mortgage protections for U.S. service members. CRT achieved both a record monetary recovery by the United States in a disability-based housing discrimination case, and a record monetary recovery for sexual harassment in a suit brought under the Fair Housing Act. As part of its work to protect vulnerable populations, CRT has convicted the most persons on hate crimes in over a decade, and charged the most defendants on human trafficking offenses in the history of the Division. CRT has also filed record numbers of criminal police misconduct cases. In New Orleans, CRT conducted one of the most extensive reviews ever of a law enforcement agency, and is now working to develop a comprehensive blueprint for sustainable reform of the police department. A similarly extensive review has been completed in Puerto Rico. CRT is committed to investigating voting irregularities and monitoring voter registration requirements to ensure that the vote of every American is counted, including military personnel, their families, and civilian personnel working overseas. CRT's determined enforcement of the Supreme Court's decision in *Olmstead v L.C.*, led to landmark settlements with Virginia, Delaware, and Georgia, that will allow thousands of disabled citizens to receive community-based services.

The CRM prosecuted and achieved favorable dispositions in FY 2012 in cases covering a wide range of complex case law. For example, in a shared case with the U.S. Attorney's Office for the Southern District of Texas, the Division successfully prosecuted Robert Allen Stanford for a twenty year, \$7.2 billion Ponzi scheme centering around an offshore bank, which Stanford owned and operated in Antigua and Barbuda. Stanford was convicted and received a 110-year sentence. The Division was also instrumental in prosecuting the New England La Cosa Nostra (LCN) leadership in Providence, RI, which resulted in ten defendants being charged with racketeering conspiracy and extortion offenses. A total of ten defendants pleaded guilty, including two successive LCN bosses. Lastly, the Barclays Bank PLC, a financial institution headquartered in London, has entered into an agreement with the Division to pay a \$160 million penalty to resolve violations arising from Barclays's submissions for the London InterBank Offered Rate (LIBOR) and the Euro Interbank Offered Rate (EURIBOR), which are benchmark interest rates used in financial markets around the world.

The ENRD continued to enforce the Clean Air Act. ENRD and the Environmental Protection Agency (EPA) reached an innovative agreement in April 2012 with Ohio-based Marathon Petroleum Company that already has significantly reduced air pollution from all six of the company's petroleum refineries. In a first for the refining industry, Marathon has agreed to install state-of-the-art controls on waste combustion devices known as flares and to cap the volume of waste gas sent to flares. The settlement is part of EPA's national effort to reduce air pollution from refinery, petrochemical, and chemical flares. When fully implemented, the agreement is expected to reduce harmful air pollution by approximately 5,400 tons per year and result in future cost savings for the company. The agreement, accompanied by a \$460,000 civil penalty, resolves Marathon's alleged violations of the Clean Air Act. Marathon also will spend an as yet undetermined sum to comply with the flaring caps required in the consent decree. Under the agreement, Marathon will also implement a project at its Detroit, Michigan refinery to remove another 15 tons per year of VOCs and another one ton per year of benzene from the air. At an estimated cost of \$2.2 million, Marathon will install controls on numerous sludge handling tanks and equipment. Marathon's six refineries, which are located in Robinson, Illinois; Catlettsburg, Kentucky; Garyville, Louisiana; Detroit, Michigan; Canton, Ohio; and Texas City, Texas, have a capacity of more than 1.15 million barrels per day.

One of 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 US taxpayers using secret offshore accounts – a problem that a 2008 Senate report concluded costs the US 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 US, 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 47 cases have been charged, with 38 guilty pleas having been entered, 3 convicted after trial (two of whom have been sentenced, with each receiving a 10-year prison sentence), and 6 awaiting trial. A number of facilitators who helped clients hide assets offshore have been indicted, resulting in 19 bankers, 8 advisors, and 2 attorneys being charged and awaiting trial; one advisor and one banker have been convicted and sentenced. One Swiss bank, Wegelin and Co., has been indicted. The other banks implicated include not only UBS, but another international Swiss bank, regional Swiss banks, an Israeli bank and HSBC India. In addition, grand jury investigations have been opened into additional offshore banks across the world, and the Division obtained a court decision allowing the IRS to summon additional account information from HSBC Bank. The Division also ensures that the public is aware of the offshore initiative. Indeed, the IRS credits the publicity surrounding this initiative with prompting a huge increase in the number of taxpayers who have “come in from the cold” and voluntarily disclosed to the IRS their previously hidden foreign accounts. Nearly 18,000 US taxpayers made voluntary disclosures in the 18-month period concluding February, 2011 – in contrast to fewer than 100 in a typical year – and made \$2.2 billion in payments to the IRS. Another 12,000 US taxpayers disclosed their accounts under the 2011 Offshore Voluntary Disclosure Initiative (which ended September 9, 2011) and have made \$500 million in payments to the IRS so far.



Data 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 Collection and Storage: Data are currently captured within each component's automated case management system and companion interface systems. Currently, cases worked on by more than one component are included in the totals from CRM, CRT, ENRD, and the EOUSA. Also, the court's disposition date is used for reporting purposes for ATR, CIV, CRM, CRT, and ENRD; however, EOUSA and TAX use the date entered into their current case management system. Additionally, CIV counts at the party level; CRM, ENRD, and EOUSA count cases at the defendant level; CRT and TAX count Civil and Criminal cases. Lastly, ATR includes Criminal, Civil Merger, and Civil Non-Merger; ENRD includes affirmative, defensive, criminal, and condemnation cases in their totals.

Data Validation and Verification: 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 Limitations: 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

36% of the Department's Net Costs supports this Goal.

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.

Revised FY 2016 Outcome Goal: Reduce system-wide crowding in federal prisons to 30% by 2016
FY 2012 Progress: Department will have difficulty in meeting this long-term outcome goal.

Background/Program Objectives: The BOP constantly monitors and reports weekly on facility capacity, population growth, and prisoner crowding. As federal inmate population levels are projected to increase and continue to exceed the rated capacity of the BOP, every possible action is being taken to protect the community, while keeping institutional crowding at manageable proportions to ensure that federal inmates continue to serve their sentences in a safe and humane environment.

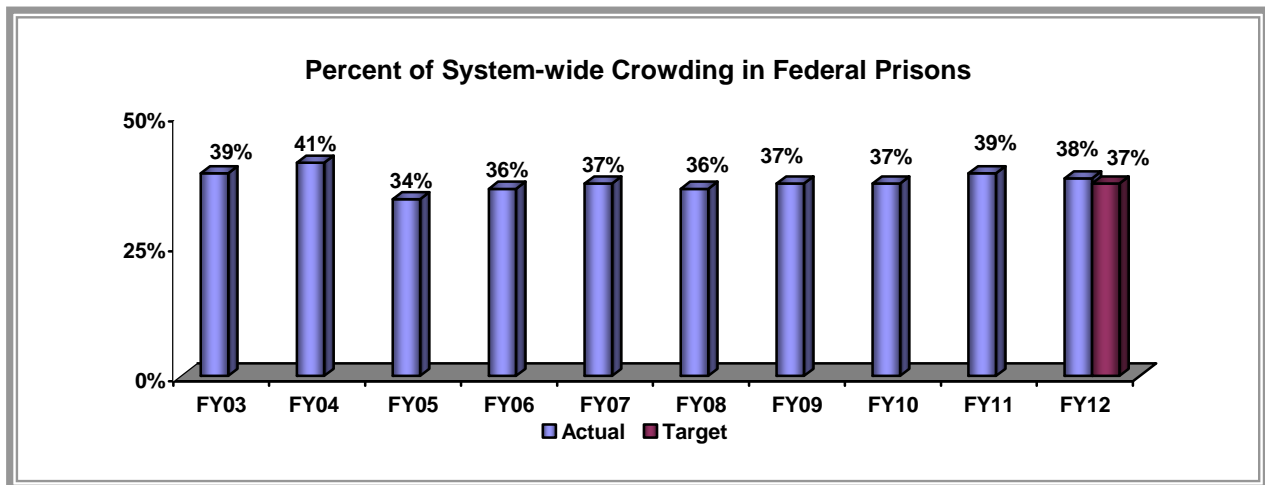
Performance Measure: Percent of System-wide Crowding in Federal Prisons

FY 2012 Target: 37%

FY 2012 Actual: 38%

Discussion of FY 2012 Results: During FY 2012, the overall BOP population increased by 919. Although the BOP did not achieve its target for FY 2012, the institution population decreased by 378 and capacity from activating facilities Federal Correctional Institution (FCI) Mendota, CA and FCI Berlin, NH) increased by 564 beds to achieve a 1 percent reduction in system-wide crowding from FY 2011. Reducing overcrowding remains a high priority for both BOP and DOJ.

The BOP will continue the activation process at FCI Berlin, NH, and the Secure Female FCI Aliceville, AL, in FY 2013, in addition to completing construction of FCI Hazelton, WV, and USP Yazoo City, MS. Dependent on funding, this additional capacity should help alleviate crowding in FY 2013. In addition, the BOP purchased the Thomson Correctional Center at the end of FY 2012. This facility will add needed high-security beds to help alleviate the overcrowding in federal prisons.



Data Definitions: 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 Collection and Storage: Data are gathered from several computer systems. Inmate data are collected on the BOP on-line system (SENTRY). The BOP also utilizes a population forecast model to plan for future contracting and construction requirements to meet capacity needs.

Data Validation and Verification: 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 bi-monthly 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.

Data Limitations: None known at this time.

Revised FY 2016 Outcome Goal: Increase the number of inmate participants in the Residential Drug Abuse Program (RDAP) by 6 percent (from 18,500 to 19,920)

FY 2012 Progress: Department will not meet the current long-term outcome goal target. New methodology has been developed in calculating inmate participants which will alter the long-term outcome goal target.

Background/Program Objectives: In response to the rapid growth of federal inmates with a diagnosis of a drug use disorder (40 percent of inmates entering the BOP), the BOP continues to develop evidence based treatment practices to manage and treat drug-using offenders. More than half of the BOP's facilities operate an RDAP. The RDAP are located in separate units, away from the general population. The RDAP is based on Cognitive Behavioral Therapy (CBT), wrapped into a modified therapeutic community model of treatment. The CBT and therapeutic communities are proven-effective treatment models with inmate populations.

Inmates who participate in RDAP continue with drug abuse treatment when transferred to a Residential Reentry Center in the community while still in BOP custody. The BOP contracts with community-based treatment providers, often the same treatment providers who will continue the offender's course of treatment when released to community supervision. This ensures a continuity of treatment and supervision.

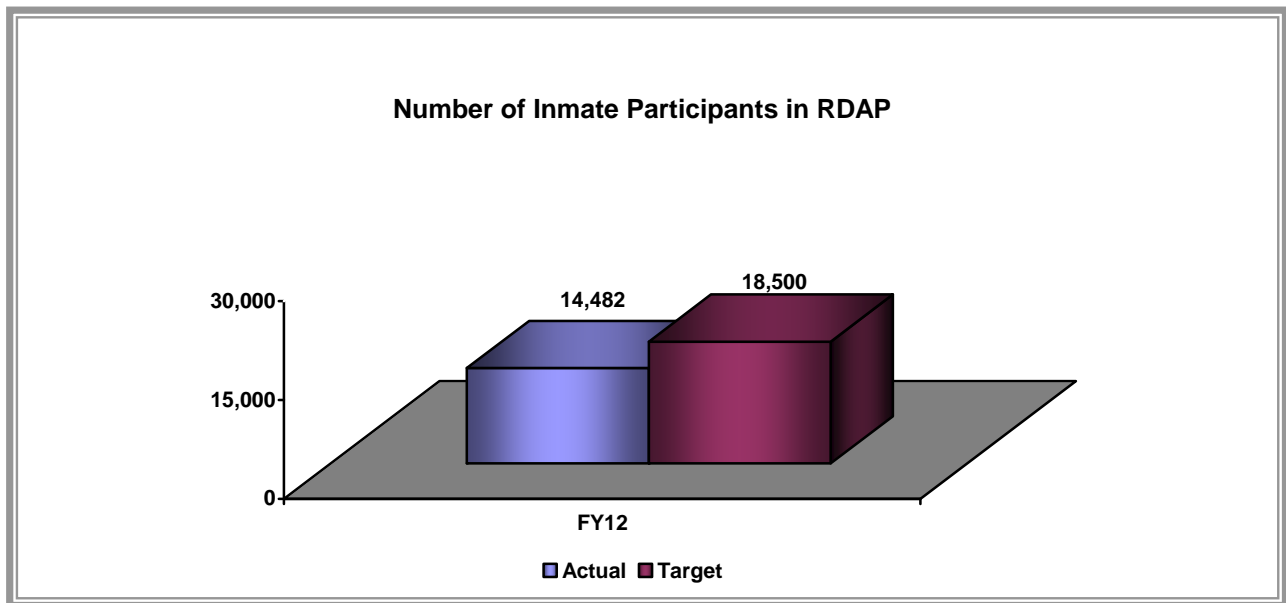
Performance Measure: NEW MEASURE: Number of inmate participants in RDAP

FY 2012 Target: 18,500 (establish baseline)

FY 2012 Actual: 14,482

Discussion of FY 2012 Results: The BOP approved 120 additional RDAP positions to allow an additional 1,616 inmates to participate in the program. BOP opened an RDAP in a United States Penitentiary for the first time in 15 years. A Spanish Language RDAP was approved this year with activation to occur in FY 2013.

The target of 18,500 was generated using a calculation of all inmate movement into and out of the RDAP. Through closer review, BOP determined this methodology resulted in the potential for the same inmate to be counted twice within the same fiscal year. ABOP has now developed a more refined methodology to calculate RDAP participation, with significantly less potential for duplication. This more precise methodology will be utilized going forward. Thus, while this change has resulted in the number of participants during the fiscal year being less than the target number, it is a preferred method to report inmate participation in RDAP.



Data Definitions: RDAP - data reported are the actual number of BOP inmates who participated in the RDAP within the fiscal year.

Data Collection and Storage: Data are collected/entered into the BOP's SENTRY data system and the Psychology Data System (PDS). Data are collected/entered primarily by Case Managers, Drug Abuse Treatment Specialists and Drug Abuse Treatment Coordinators in the institutions. SENTRY data tracks the inmate's "basic" status in RDAP as WAIT, PARTICIPANT, COMPLETE, WITHDRAW, EXPELLED, or INCOMPLETE. PDS tracks the inmate's clinical progress, including: treatment plans; 60 day treatment reviews; group contacts; individual contacts; and treatment summaries. Both SENTRY and PDS are stored electronically. Signed documents are inserted in inmate's Central File.

Data Validation and Verification: 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 PDS and SENTRY data which are monitored by Central Office and the Regional Offices no less than monthly. 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.

Data Limitations: None known at this time.

Revised FY 2016 Outcome Goal: Apprehend or clear 33,660 primary fugitives
FY 2012 Progress: Department is on target to achieve this long-term outcome goal.

Background/Program Objectives: The USMS has a long and distinguished history of providing assistance and expertise to other federal, state, and local law enforcement agencies in support of violent crime reduction through fugitive investigations. These partnerships have evolved into the ultimate force multiplier in federal law enforcement, and allow our task forces to focus on the most egregious state and local fugitives and ensure the greatest protection to the public by maximizing the effectiveness of resources. The USMS uses a combination of Regional Fugitive Task Forces (RFTFs) and District Fugitive Task Forces (DFTFs) to form a national network responsible for the apprehension of violent fugitive felons. The Presidential Threat Protection Act of 2000 initially established the USMS RFTF model. It consists of federal, state, and local law enforcement authorities in designated regions of the United States, which are directed and coordinated by the USMS, for the purpose of locating and apprehending fugitives. In addition to domestic activities, the USMS is the lead agency responsible for extraditing (or deporting) U.S. fugitives that have fled to foreign countries back into this country. The USMS also apprehends foreign fugitives within the U.S. who are wanted abroad.

As part of the fugitive apprehension mission, the USMS has been designated by the Attorney General as the lead agency for locating and apprehending non-compliant sex offenders and others who violate the provisions of the Adam Walsh Child Protection and Safety Act. A non-compliant sex offender is any person who fails to comply with federal registration requirements.

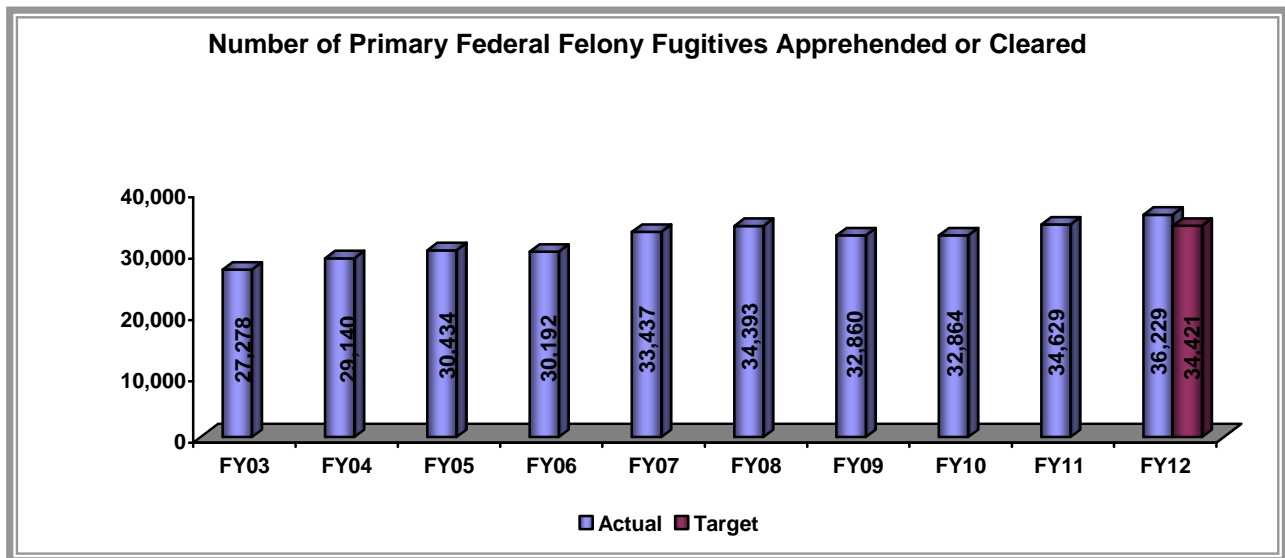
Performance Measure: Number of Primary Federal Felony Fugitives Apprehended or Cleared

FY 2012 Target: 34,421

FY 2012 Actual: 36,229

Discussion of FY 2012 Results: In FY 2012, the USMS apprehended or cleared 36,229 primary Federal felony fugitives, exceeding the target of 34,421. This resulted in 50 percent of total primary Federal felony fugitives apprehended or cleared which is half of the 72,001 warrants on hand or received during FY 2012. Among those arrested, 3,934 (including state/local) were for crimes of homicide, 4,917 (including state/local) were gang members, and 12,976 (including state/local) were sex offenders. In addition, in FY 2012, the USMS had 924 fugitives extradited or deported to the United States from other countries.

The 7 operating RFTF, in addition to the 60 district task forces, are directing their investigative efforts toward reducing the number of violent crimes. These crimes include terrorist activities, organized crime, drugs, and gang violence. The RFTF and DFTF combined led to the arrest of 86,016 state and local fugitive felons in FY 2012. The USMS initiated 3,208 Federal investigations into the failure of sex offenders to meet their registration requirements.



Data Definition: A “primary” federal felony fugitive means that the USMS has the lead apprehension responsibility. The USMS has primary jurisdiction to investigate fugitive matters involving escaped federal prisoners; probation, parole, and bond default violators; warrants generated by DEA and referred to the USMS; any other federal warrant referred by another federal agency without arrest powers; and any warrant referred by state and local agencies. A fugitive is considered apprehended or cleared if the fugitive is arrested, has a detainer issued, or the warrant is dismissed. The percent cleared is calculated by dividing the number of cleared fugitives by the sum of received fugitives (fugitives who had a warrant issued during the fiscal year) and on-hand fugitives (fugitives who had an active warrant at the beginning of the fiscal year).

Data Collection and Storage: The USMS maintains the Justice Detainee Information System (JDIS) to collect warrant information, investigative leads, and other criminal information. Upon receipt of a warrant from a federal judge, Deputy U.S. Marshals query the FBI’s National Crime Information Center (NCIC) and the International Justice and Public Safety Information Network (NLETS) through JDIS to look for previous criminal information.

Data Validation and Verification: Warrant and fugitive data are verified according to NCIC policy and procedures. The USMS coordinates with district offices to verify that warrants are validated against the signed court records. The USMS is able to enhance fugitive investigative efforts by sharing data with other agencies, such as the Social Security Administration, DEA, Department of Agriculture, Department of Defense, Department of State, and a variety of state and local task forces around the country.

Data Limitations: JDIS data are accessible to all USMS district offices and are updated as new information is collected, thus there may be a lag in the reporting of data.

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