

VII

STRATEGIC GOAL SEVEN:

Protect the Federal Judiciary and Provide Critical Support to the Federal Justice System to Ensure it Operates Effectively

The Department is responsible for ensuring the federal justice system operates in an effective, efficient and secure operation of the federal justice system. It does so by protecting judicial proceedings; ensuring the safe and secure environment of the federal courts; apprehending fugitives from justice; promoting the participation of victims at every stage of criminal and juvenile proceedings; and administering the nation's bankruptcy laws.

- The *United States Marshals Service's (USMS)* primary role and mission is to provide for the security and to obey, execute, and enforce all orders of the United States District Courts, the United States Courts of Appeals, and the Court of International Trade. The USMS provides the necessary services and expertise to maintain a high level of security for the federal judiciary, takes steps to upgrade physical security at federal courthouses, and ensures that new courthouses open with appropriate security measures in place. In addition, the USMS monitors, assesses, and investigates threats made against judicial personnel, witnesses and victims in order to ensure their safety. Other USMS responsibilities include: producing of prisoners for court appearances, serving court ordered process, managing assets that have been seized and forfeited, and apprehending federal fugitives.
- Through the *Executive Office for U.S. Attorneys (EOUSA)*, DOJ has placed high priority on increasing the participation of victims and witnesses in the judicial process. Specifically, DOJ requires training for law enforcement officers and prosecutors in victim/witness responsibilities and notification procedures.
- The *U.S. Trustee Program (USTP)* enforces the nation's bankruptcy laws and regulations. The USTP addresses the bankruptcy systems' overall caseload, particularly older cases, by

providing administrative support to help move cases expeditiously through the bankruptcy process. The agency informs law enforcement agencies of possible violations of bankruptcy laws and participates in task forces designed to identify and prosecute individuals or organizations engaged in fraud.

STRATEGIC OBJECTIVE & ANNUAL GOAL 7.1: PROTECTING THE JUDICIARY

Ensure the integrity and the safe and secure operation of the federal judicial system by protecting judges, witnesses, and other participants in federal proceedings

DOJ will continue to deter and investigate threats made against federal judges, court personnel, witnesses and other participants in federal judicial proceedings. The USMS' primary goal is to ensure that no judge, court participant, or witness is assaulted as a result of involvement in a federal court proceeding. Specifically, the USMS will identify, assess, and respond to threats against court personnel and property, enhance the physical security of new and renovated federal courthouse facilities, and provide for the long-term security of protected federal witnesses and their family members.

**STRATEGIC OBJECTIVE &
ANNUAL GOAL 7.2: VICTIMS' RIGHTS**

Protect the rights of crime victims and assist them in moving through the processes of the federal justice system.

Victims and witnesses play a central role in the federal criminal justice system. Often, their participation makes the difference between a conviction and an acquittal. Yet being a victim or witness can be an overwhelming and traumatic experience. Prior to recent federal and state legislation making improvements in how victims and witnesses are treated, some felt re-victimized by a criminal justice system they perceived as insensitive to their needs.

The Attorney General's Guidelines for Victim and Witness Assistance set forth DOJ requirements and policies regarding the treatment of victims and witnesses. They recognize that federal criminal justice personnel, including investigators, prosecutors and correctional officers, have a special responsibility to treat victims and witnesses of federal crimes fairly by enforcing their rights, properly including them in criminal justice system processes, and referring them to the appropriate services.

DOJ, through the United States Attorneys, employs victim-witness coordinators in each of the 94 federal judicial districts. Victim-witness coordinators play a crucial role in increasing the participation and cooperation of victims and witnesses. They help implement the guidelines, ensure that those involved in working with victims and witnesses are properly trained, and help victims and witnesses from a wide range of socioeconomic backgrounds, cultures, and ethnic groups understand their rights and their role as key participants in the federal criminal justice process.

**STRATEGIC OBJECTIVE &
ANNUAL GOAL 7.3: DEFENDANTS AND
FUGITIVES**

Ensure the appearance of criminal defendants for judicial proceedings or confinement through secure transportation, and ensure the apprehension of fugitives from justice

DOJ will continue to focus on the USMS' "15 Most Wanted", Major Case, violent and terrorist-related fugitives. The Presidential Threat Protection Act of 2000 (P.L. 106-544), directed the Attorney General, "upon consultation with appropriate Department of Justice and Department of the Treasury law enforcement components, establish permanent Fugitive Apprehension Task Forces consisting of Federal, State, and local law enforcement authorities in designated regions of the United States, to be directed and coordinated by the United States Marshals Service, for the purpose of locating and apprehending fugitives." The purpose of these Fugitive Apprehension Task Forces is to combine efforts with other federal, state, and local law enforcement agencies to locate and apprehend the most dangerous fugitives.

In FY 2002, the USMS received 24 positions and \$5.882 million to establish task forces in New York and Los Angeles to locate and apprehend the most dangerous fugitives along the Eastern and Western seaboard. These task forces became operational in May 2002. In addition to working with other agencies to locate dangerous fugitives, Deputy U.S. Marshals will assist the U.S. Attorney's Anti-Terrorism Task Forces (ATTF) and the INS locate and apprehend alien absconders to support the Attorney General's Absconder Apprehensive Initiative. Upon request, task force personnel will prioritize, locate and apprehend fugitives of investigative interest to ATTFs and the FBI's Joint Terrorism Task Forces (JTTF), including terrorism suspects, fugitives with ties and/or affiliations with terrorist groups, and fugitives suspected of engaging in narcotics trafficking and money laundering for terrorist groups.

The USMS is dedicated to enhancing public safety by locating and apprehending fugitives as quickly and safely as possible. The problems that fugitives pose are numerous, costly, and most importantly,

dangerous. First and foremost, fugitives pose a widespread threat to public safety. Fugitives tend to be mobile and opportunistic, preying on innocent citizens by committing additional crimes in an effort to finance or facilitate their continued flight from justice. By definition, they have been charged and/or convicted of federal crimes and have fled from their sentencing. If fugitives are allowed to remain at large, the integrity of the criminal justice system is challenged. Fugitives become more difficult to locate with the passage of time and crime victims are denied closure and often live in fear and isolation while the criminals who have victimized them remain at large.

STRATEGIC OBJECTIVE & ANNUAL GOAL

7.4: BANKRUPTCY

Protect the integrity and ensure the effective operation of the Nation's bankruptcy system

Through the United States Trustee Program (USTP), DOJ will continue to shift more attention to combating civil and criminal abuse in the bankruptcy system. To that end, USTP will identify, investigate, and civilly prosecute cases in which debtors, creditors, attorneys, or other parties violate the Bankruptcy Code or Rules, especially violations that may be remedied under U.S.C. Sections 110, 329, 707, and 727. In addition, USTP will continue to refer criminal violations arising in bankruptcy cases to the U.S. Attorney and assist in the prosecution of such cases. Finally, USTP will maintain the level of performance regarding the efficient and effective administration of bankruptcy cases through the system and maximize the return of assets and distributions to creditors.

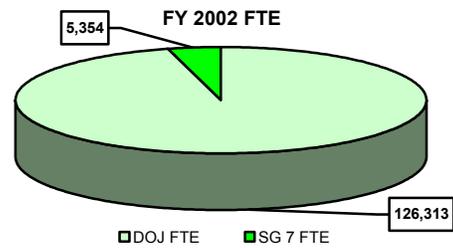
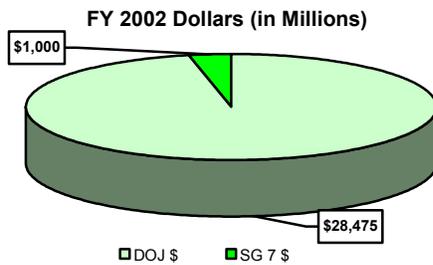
PERFORMANCE SUMMARY

Strategic Objective, Page #	Performance Measure/ Indicator	Was the Target Achieved			FY 2002 Performance		
		Yes	No	N/A	Target	Actual	Performance Improvement From FY 2001
7.1 193	Assaults Against the Judiciary	■			0	0	
7.1 193	Security Status of Courthouse Facilities <ul style="list-style-type: none"> • Meeting Security Standards • Failing Security Standards 	■ ■			26 327	26 327	
7.2 195	Victims Receiving Assistance <ul style="list-style-type: none"> • Notification/Referrals • Emergency Assistance 	■ ■			100% 100%	100% 100%	
7.2 195	Witnesses Receiving Emergency Assistance	■			100%	100%	
7.3 198	DISCONTINUED MEASURE: Warrants Cleared <ul style="list-style-type: none"> • Class I • Class II • Backlog 	■ ■	■		32,712 22,565 11,836	34,655 29,022 10,589	
7.3 198	NEW MEASURE: Fugitives Cleared <ul style="list-style-type: none"> • Active • Cleared II Non-felony • Cleared Class II • Cleared Class I 	■ ■ ■ ■			84,495 15,107 25,452 30,342	85,858 15,237 26,348 31,512	
7.3 199	DISCONTINUED MEASURE: Average Number of Days for Fugitive Arrest <ul style="list-style-type: none"> • Non-Violent Fugitives • Violent Fugitives • Major Cases 	■ ■ ■			152 180 153	151 168 120	
7.4 201	REFINED MEASURE: % of Funds to Creditors for Chapter 7 & Chapter 13 <ul style="list-style-type: none"> • Chapter 7 • Chapter 13 			■ ■	52% 80%	N/A N/A	Reporting for this measure occurs every other year

RESOURCES

Appropriation		FY 2002 FTE	FY 2002 Actual \$ (millions)	FY 2003 FTE	FY 2003 Request \$ (millions)	FY 2004 FTE	FY 2004 Request \$ (millions)
7.1	Fees and Expenses Witnesses	--	154	--	156	--	156
7.1	U.S. Marshals Service	2,759	482	3,213	502	3,364	512
	<i>Subtotal 7.1</i>	<i>2,759</i>	<i>\$636</i>	<i>3,213</i>	<i>\$658</i>	<i>3,364</i>	<i>\$668</i>
7.2	U.S. Attorneys	258	31	279	37	279	37
	<i>Subtotal 7.2</i>	<i>258</i>	<i>\$31</i>	<i>279</i>	<i>\$37</i>	<i>279</i>	<i>\$37</i>
7.3	Justice Prisoner & Alien Trans. System	120	--	149	--	149	--
7.3	U.S. Marshals Service	1,181	187	1,312	205	1,374	209
	<i>Subtotal 7.3</i>	<i>1,301</i>	<i>\$187</i>	<i>1,461</i>	<i>\$205</i>	<i>1,523</i>	<i>\$209</i>
7.4	U.S. Trustees	1,036	146	1,201	168	1,211	175
	<i>Subtotal 7.4</i>	<i>1,036</i>	<i>\$146</i>	<i>1,201</i>	<i>\$168</i>	<i>1,211</i>	<i>\$175</i>
	TOTAL SG 7	5,354	\$1,000	6,154	\$1,068	6,377	\$1,089

RESOURCE COMPARISON: Strategic Goal to Total DOJ \$ and FTE



<p>Required Skills</p>	<p>USMS Deputy U.S. Marshals must plan and develop prisoner transportation routes; identify and react quickly to incidents; analyze and investigate inappropriate communications made against judges and witnesses; investigate threats; cultivate relationships with state and local law enforcement agencies; assess potential risks; devise threat management strategies; and coordinate protective investigations with the FBI. Victims/Witness Coordinators need to be familiar with the federal litigation process, legislation impacting victims and witnesses, and have a working knowledge of legal terminology. USMS Deputy U.S. Marshals must be able to analyze and evaluate investigative leads developed through an array of techniques including reviewing financial records; interviewing witnesses; contacting informants; and providing physical and electronic surveillance. They must also cultivate mutually beneficial relationships with investigators and prosecutors from other federal, state, and local law enforcement agencies and prepare and execute operational plans in connection with arrest and search warrants. Staff must have legal, financial, analytical, and audit skills. Other key competencies include: expertise in bankruptcy law, criminal statutes, investigative techniques, and strong writing abilities. Support personnel must have automation expertise, management and administrative skills.</p>
<p>Information Technology Utilized</p>	<p>USMS is in the process of developing one centralized application, the Justice Detainee Information System (JDIS), from its five offender-based applications: the Warrant Information Network, the Prisoner Tracking System, the Automated Prisoner Scheduling System, the Automated Booking Station, and the Prisoner Medical Tracking system. JDIS will allow the USMS to manage prisoners and fugitive investigations electronically, and track them through the entire judicial process. USAs rely on the Victim Notification System in preserving the rights of crime victims by providing them with notice of court events. USMS is in the process of developing one centralized application, the Justice Detainee Information System (JDIS), from its five offender-based applications; the Warrant Information Network (WIN), the Prisoner Tracking System, the Automated Prisoner Scheduling System, the Automated Booking Station, and the Prisoner Medical Tracking system. These systems comprise the essential modules of JDIS. Once implemented, it will allow USMS to manage prisoners and fugitive investigations and track them through the entire criminal judicial process. USMS also utilizes several commercial and other agency databases for fugitive investigations. In January and May 2002, new features and functions, including electronic filing of investigative reports, new query capabilities, and expanded image capabilities were added to WIN for field-testing. Operations rely upon the Justice Consolidated Office Network (JCON), office automation products, various database systems, and a legacy case management system operating on mini-computers, as well as notebook PCs and laptops.</p>

PROGRAM EVALUATIONS

There are no program evaluations planned for FY 2003.

STRATEGIC OBJECTIVE & ANNUAL GOAL 7.1: PROTECTING THE JUDICIARY

Ensure the integrity and the safe and secure operation of the federal judicial system by protecting judges, witnesses, and other participants in federal proceedings

7.1A Protect Judicial Proceedings

Background/ Program Objectives:

USMS maintains the integrity of the judicial security process by: (1) ensuring that each federal judicial facility is secure – physically safe and free from any intrusion intended to subvert court proceedings; (2) guaranteeing that all federal judges, magistrate judges, bankruptcy judges, prosecutors, witnesses, jurors and other participants have the ability to conduct uninterrupted proceedings; (3) maintaining the custody, protection and safety of prisoners brought to court for any type of judicial proceeding; and (4) limiting opportunities for criminals to tamper with evidence or use intimidation, extortion, or bribery to corrupt judicial proceedings.

Performance:

Performance Measure: Assaults Against the Judiciary [USMS]

FY 2002 Target: 0 Assaults

FY 2002 Actual: 0 Assaults

Discussion: The USMS met the performance goal for FY 2002.

FY 2003 Performance Plan Evaluation:

Based on FY 2002 performance, we plan to meet our original FY 2003 goal of 0 Assaults

FY 2004 Performance Target: 0

Public Benefit: Ensuring the effective operation of the Federal Judicial system is the principal mission of the USMS. The protection of those involved in judicial proceedings is essential to preserving the system's operational integrity.

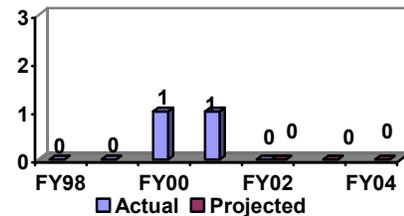
Performance Measure: Security Status of Courthouse Facilities [USMS]

FY 2002 Target: 327 Not Meeting, 26 Meeting Security Standards

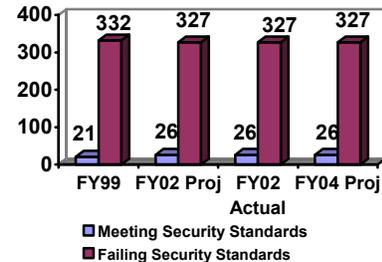
FY 2002 Actual: 327 Not Meeting, 26 Meeting Security Standards

Discussion: The USMS is in the process of collecting and compiling the FY 2002 National Security Survey Report, and anticipates producing

Assaults Against the Judiciary [USMS]



Security Status of Courthouse Facilities [USMS]



Data Collection and Storage: The USMS uses Weekly Activity Reports and Incident Reports collected at Headquarters as the data source. In addition, USMS uses the National Security Survey to determine the level of security deficiencies (construction and equipment) in USMS controlled space and provide a basis for prioritizing renovations.

Data Validation and Verification: Before data is disseminated via reports, it is checked and verified by the program managers. These reports are collected manually.

Data Limitations: The results of National Security Survey were collated manually and entered into a spreadsheet application. Funds have not been available to automate this data into a database, which would include information on all current and planned courthouses. Due to the nature of construction projects and the increased scope of the survey, USMS plans to conduct the survey every three years (with data and analysis available the following year) assuming funds availability. Although many renovation projects have been initiated, the impact to the national security survey will not be felt for several more years as: (1) a renovation project may take several years to complete; (2) completing a renovation project does not ensure that a courthouse facility will meet security standards since several renovation projects at one facility may be required; and (3) most renovation projects are dependent upon GSA's renovation schedule, meaning that any delay with GSA's schedule will consequently delay the USMS schedule. Finally, every year, new courthouses are built by GSA, either adding to or replacing existing courthouse facilities. The total number of facilities is currently at 353; it will change in the future. At the conclusion of the survey, the USMS will be in a better position to project the number of courthouse facilities meeting requirements.

the updated report in the second quarter of FY 2003. The National Security Survey Report outlines security deficiencies in the 353 courthouse facilities where the USMS pays rent on 250 square feet of space or more and has prisoner movement requirements. Once the report is compiled and analyzed a comprehensive accounting of security issues will be reported.

FY 2003 Performance Plan Evaluation:

No FY 2003 target will be set, as data (survey results) are not available annually.

FY 2004 Performance Target: 327 Not Meeting, 26 Meeting Security Standards

Public Benefit: By identifying security deficiencies in courthouses nationwide, the USMS will strive to make these facilities safer for the general public, court family and USMS.

Strategies to Achieve the FY2003/FY 2004 Goal:

USMS will continue to provide a high level of security in the federal judicial environment and take steps to update physical security at existing courthouses and ensure that new courthouses open with appropriate security measures. To determine security risk, USMS conducts an assessment of the facility and personnel security requirements. Where a situation is deemed high risk, the USMS district staff or Court Security Inspectors develop an operational plan at least one month before the start of the trial. USMS also manages the Court Security Officer (CSO) program, which provides interior security at federal court facilities.

In addition, USMS will continue to monitor, assess and investigate potential threats to judicial personnel, witnesses, and victims in order to ensure their safety. USMS will also provide protective services at judicial conferences, additional security measures for high-risk trials, and provide personal security details to address potential threats against the federal judiciary.

Crosscutting Activities:

USMS works closely with other DOJ components as well as the U.S. Postal Service, Internal Revenue Service, and the Social Security Administration in buildings housing judicial proceedings. In addition, USMS coordinates the Building Security Committee meetings to determine the security needs of the judiciary. These conferences are attended by the U.S. Courts

(judges, clerks of the court, probation and pretrial services), the U.S. Attorneys and the General Service Administration's (GSA) Federal Protective Services.

The USMS is also working closely with GSA to ensure the protection of construction and security-related documents. Recently, the GSA issued an order to all regional offices restricting public access to sensitive floor plans, blueprints and related documents to safeguard USMS construction and security projects.

STRATEGIC OBJECTIVE & ANNUAL GOAL 7.2: VICTIMS' RIGHTS

Protect the rights of crime victims and assist them in moving through the processes of the federal justice system

7.2A Assist Victims and Witnesses in their Participation in the Criminal Justice Process

Background/ Program Objectives:

Victim-Witness Coordinators provide referrals to crisis counseling victim compensation programs and victim assistance programs. When no other resources are available, the Victim-Witness Coordinators can provide funding for emergency needs from the Federal Crime Victims Assistance Fund. These emergency needs include transportation costs to and from court, translation services and emergency childcare or shelter.

The Department also provides emergency witness assistance to witnesses where the more formal security programs, administered under the provisions of the Witness Security Reform Act, are not available or are inappropriate. The purpose of this program is not to provide physical protection for witnesses; it is to address a witness' fears about assisting the government and seeks to promote their peace of mind when they have relevant information to contribute, thereby enhancing their ability to testify.

Performance:

Performance Measure: Victims Receiving Assistance [EOUSA]

FY 2002 Target: 100%

FY 2002 Actual: 100%

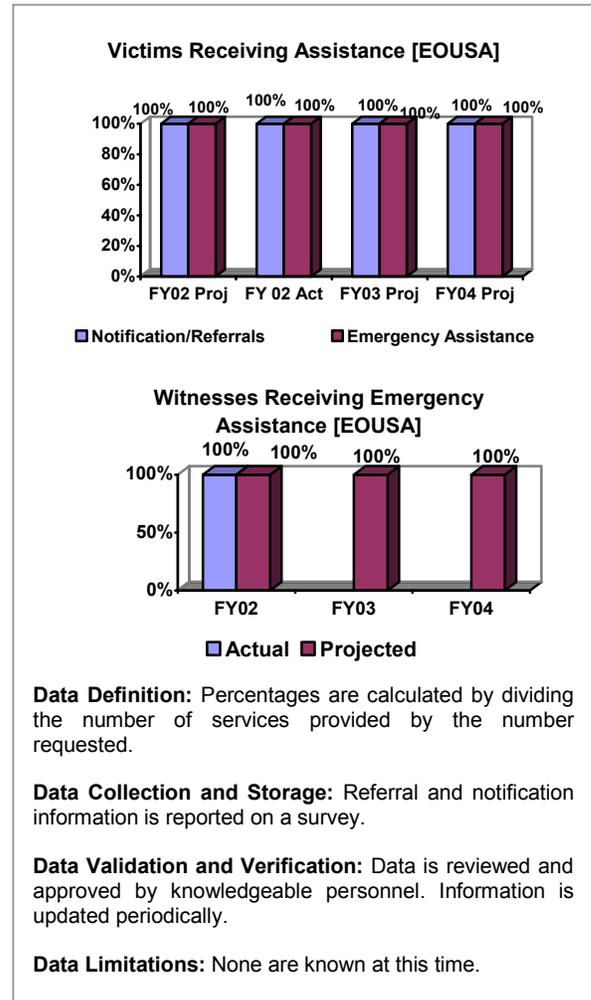
Discussion: When a federal crime victim is in need of immediate assistance, and no other state or local resources are available, the Federal Crime Victim Assistance Fund is accessed to meet this need.

FY 2003 Performance Plan Evaluation:

Based on FY 2002 performance, we plan to meet our original FY 2003 goal of 100%.

FY 2004 Performance Target: 100%

Public Benefit: By providing assistance, we ensure the rights of federal crime victims are preserved and victims obtain needed services. This also enables them to participate in federal court proceedings when they otherwise could not.



Performance Measure: Witnesses Receiving Emergency Assistance [EOUSA]

FY 2002 Target: 100%

FY 2002 Actual: 100%

Discussion: When a witness is fearful of assisting the federal government, the Emergency Witness Assistance Program will be accessed for emergency needs. These funds are used to provide transportation costs for areas such as school, medical, or counseling needs, as well as housing,

moving and subsistence expenses which enable witnesses to temporarily leave their town, city or state.

FY 2003 Performance Plan Evaluation:

Based on FY 2002 performance, we plan to meet our original FY 2003 goal of 100%.

FY 2004 Performance Target: 100%

Public Benefit: The purpose of this program is not to provide physical protection for witnesses; it is to address a witness' fears about assisting the government and seeks to promote their peace of mind when they have relevant information to contribute, thereby enhancing their ability to testify.

Strategies to Achieve the FY2003/FY 2004 Goal:

The Department will continue to provide referrals to state and local agencies and victim organizations. When no other resources are available, we will provide funding for emergency needs including: crisis intervention; emergency food, clothing, legal assistance, and medical services; temporary housing; necessary and reasonable transportation and per diem expenses to enable a parent to recover a kidnapped child; and services that assist a victim in participating in judicial proceedings such as necessary and reasonable transportation to court; emergency child care; and interpreters. We will also provide transportation expenses to secondary victims such as spouses and family members for the purpose of providing support when the primary victim is a child, deceased, or where the victim is incompetent or incapacitated.

Crosscutting Activities:

Investigative agencies, particularly DEA and the FBI, coordinate with the USAOs throughout the country to ensure that victims and witnesses are served. The USAOs provide training and information to state and locals such as family violence in Indian Country, victim-witness roles and responsibilities, and interviewing child witnesses. We will continue these and other efforts to build relationships and foster cooperation. The Office of Victims of Crime in OJP provides leadership and assistance in victims and witness matters to federal agencies including the Department of Treasury, State, Defense and Interior.

STRATEGIC OBJECTIVE & ANNUAL GOAL 7.3: DEFENDANTS AND FUGITIVES

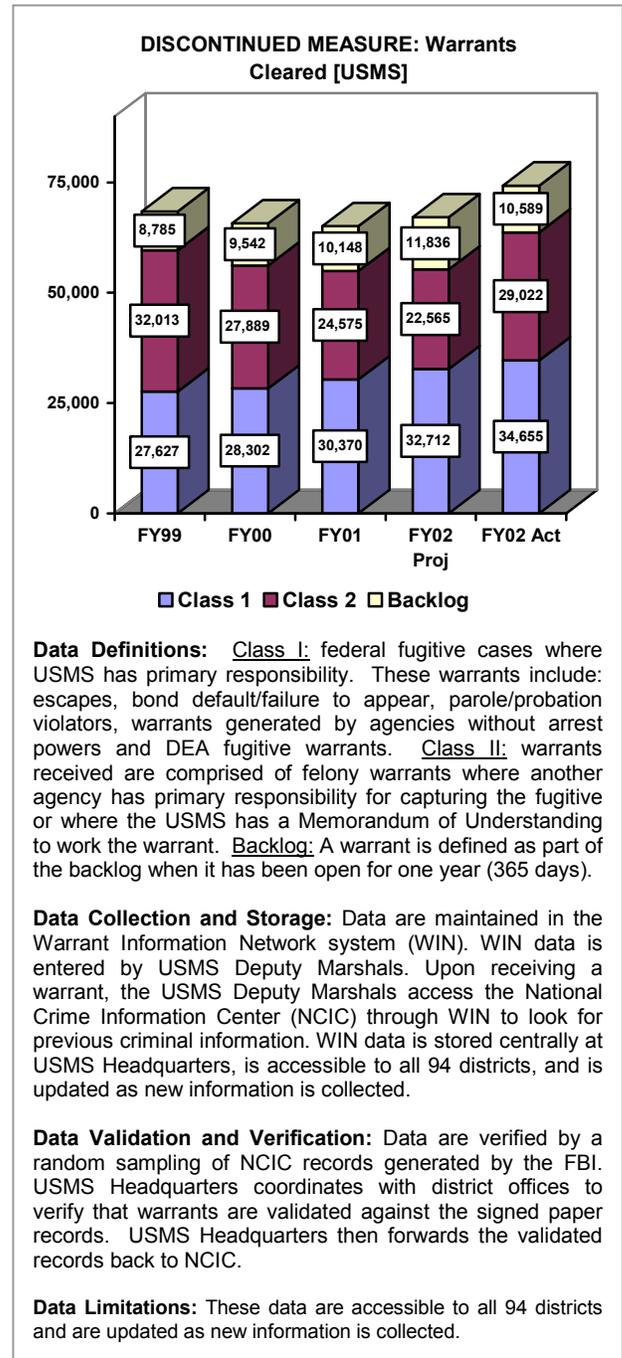
Ensure the appearance of criminal defendants for judicial proceedings or confinement through secure transportation, and ensure the apprehension of fugitives from justice

7.3A Apprehend Federal Fugitives

Background/ Program Objectives:

USMS has primary jurisdiction to conduct and investigate fugitive matters involving escaped federal prisoners, probation, parole, and bond default violators, and warrants generated by DEA investigations and certain other related felony cases. USMS has maintained its own "15 Most Wanted" fugitives list since 1983. Additionally, USMS sponsors interagency fugitive task forces throughout the United States focusing its investigative efforts on fugitives wanted for crimes of violence and drug trafficking. Major Case fugitives are the highest priority fugitives sought by the USMS and consist of all fugitives connected with the USMS 15 Most Wanted and Major Case Programs. Fugitive investigations are designated as major cases according to: a) the seriousness of the offenses charged; b) the danger posed by the fugitive to the community; c) the fugitive's history of violence, career criminal status, or status as a major narcotics distributor; d) the substantial regional, national, or international attention surrounding the fugitive investigation; and/or e) other factors determined by the USMS. On the international front, USMS has become the primary American agency responsible for extraditing fugitives wanted in the United States from foreign countries. USMS also apprehends fugitives within the United States who are wanted abroad.

In support of its fugitive mission, USMS provides investigative support such as telephone monitoring, electronic tracking and audio-video recording. In addition, analysts provide tactical and strategic expertise and judicial threat analysis. USMS maintains its own central law enforcement computer system, the Warrant Information Network, which is instrumental in maintaining its criminal investigative operations nationwide. In addition, USMS is able to enhance fugitive investigative efforts through data exchanges with other agencies, such as the Social Security Administration, the DEA, the Department of Agriculture, the Department of Defense, the



Department of State, and a variety of state and local task forces around the country.

Performance:

Performance Measure:

DISCONTINUED

MEASURE: Warrants Cleared [USMS] (NOTE: Because there can be multiple warrants issued for a single fugitive, reporting on the number of fugitives cleared is a better indicator of performance, therefore this measure is being discontinued.)

FY 2002 Target:

Class I Warrants Cleared: 32,712; Class II Warrants Cleared: 22,565; Class I Warrants Backlog: 11,836

FY 2002 Actual:

Class I Warrants Cleared: 34,655; Class II Warrants Cleared: 29,022; Class I Warrants Backlog: 10,589

Discussion:

USMS directed its investigative efforts to reducing violent crime, which includes organized crime, drug and gang related violence. During FY 2002, the USMS cleared 34,655 Class I and cleared 29,022 Class II warrants. Additionally During FY 2002, the USMS cleared four of the most wanted fugitives.

Public Benefit: By bringing fugitives to justice, USMS is ensuring that justice is served and the public is not exposed to further risk of crime.

Performance Measure: NEW MEASURE:

Fugitives Cleared [USMS]

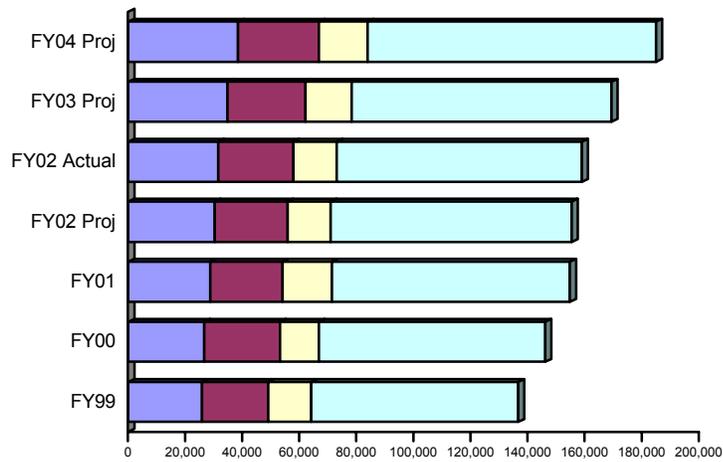
FY 2002 Target:

Cleared:

Class I: 30,342

Class II: 25,452

NEW MEASURE: Fugitives Cleared



	FY99	FY00	FY01	FY02 Proj	FY02 Actual	FY03 Proj	FY04 Proj
Active	72,497	79,315	83,399	84,495	85,858	91,022	101,155
Cleared II Non-felony	15,080	13,706	17,335	15,107	15,237	16,102	17,017
Cleared Class II	23,273	26,521	25,234	25,452	26,348	27,357	28,404
Cleared Class I	25,800	26,600	28,799	30,342	31,512	34,801	38,433

Data Definition: Active fugitives are those fugitives that have a warrant for arrest that has not yet been cleared. Class I fugitives consist of all federal felony fugitives for which the USMS has primary apprehension responsibility including warrants for escape, bond default, failure to appear, violation of conditions of release, violation of parole, violation of probation, and Drug Enforcement Administration (DEA) warrants, and other warrants. Class II felony fugitives consist of felony fugitives for which another law enforcement agency has primary apprehension responsibility. Class II non-felony fugitives (misdemeanor and traffic) are those that the USMS has primary apprehension responsibility.

Data Collection and Storage: Data are maintained in the Warrant Information Network system (WIN). WIN data is entered by USMS Deputy Marshals. Upon receiving a warrant, the USMS Deputy Marshals access the National Crime Information Center (NCIC) through WIN to look for previous criminal information. WIN data is stored centrally at USMS headquarters, is accessible to all 94 districts, and is updated as new information is collected.

Data Validation and Verification: Data are verified by a random sampling of NCIC records generated by the FBI. USMS Headquarters coordinates with district offices to verify that warrants are validated against the signed paper records. USMS Headquarters then forwards the validated records back to NCIC.

Data Limitations: These data are accessible to all 94 districts and are updated as new information is collected.

Class II Non-felony: 15,107

Active: 84,495 (Class I: 28,269, Class II: 28,817, Class II Non-felony: 27,409)

FY 2002 Actual:

Cleared:

Class I: 31,512

Class II: 26,348

Class II Non-felony: 15,237

Active: 85,858 (Class I: 29,092, Class II: 28,913, Class II Non-felony: 27,853)

Discussion: The USMS directed its investigative efforts to reducing the number of violent fugitives as well as the number of drug related and gang related fugitives. During FY 2002 the USMS cleared 31,512 Class I and 26,348 Class II fugitives cases. Through the establishment of the Regional Fugitive Task Forces, the USMS was able to establish a more coordinated effort against violent fugitives.

FY 2003 Performance Plan Evaluation:

Based on FY 2002 performance, we plan to meet our original FY 2003 goal of **Cleared:** Class I: 34,801; Class II: 27,357; Class II Non-felony: 16,102 and **Active:** 91,022.

FY 2004 Performance Target: Cleared:

Class I: 38,433; Class II: 28,404; Class II Non-felony: 17,017 and **Active:** 101,155.

Public Benefit: By bringing fugitives to justice, USMS is ensuring that justice is served and the public is not exposed to further risk of crime.

Performance Measure: DISCONTINUED MEASURE: Average Number of Days for Fugitive Arrest [USMS] (NOTE: Because a warrant can become a major case at any point in its investigation, the age of the warrant can dramatically skew the overall average number of days for fugitive arrest in the major case category; this measure is being discontinued.)

FY 2002 Target:

Major Case: 153

Violent Fugitive: 180

Non-Violent Fugitive: 152

FY 2002 Actual:

Major Case: 120

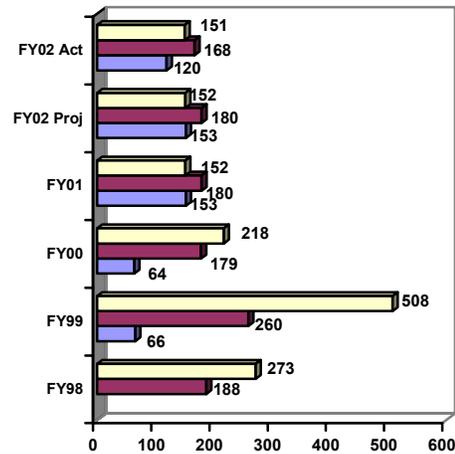
Violent Fugitive: 168

Non-Violent Fugitive: 151

Discussion: The USMS exceeded all targets in this category for FY 2002. When this measure was originally established, it was believed to have a direct relationship to the successful capture of fugitives. However, further analysis has proven no value as a predictor of success in this area.

Public Benefit: The quicker a fugitive is captured; the less the public is exposed to further risk of crime.

DISCONTINUED MEASURE: Average Number of Days for Fugitive Arrest [USMS]



	FY98	FY99	FY00	FY01	FY02 Proj	FY02 Act
Non-Violent Fugitives	273	508	218	152	152	151
Violent Fugitives	188	260	179	180	180	168
Major Case		66	64	153	153	120

Data Collection and Storage: Data are maintained in the Warrant Information Network system (WIN). WIN data is entered by USMS Deputy Marshals. Upon receiving a warrant, the USMS Deputy Marshals access the National Crime Information Center (NCIC) through WIN to look for previous criminal information. WIN data is stored centrally at USMS headquarters, is accessible to all 94 districts, and is updated as new information is collected.

Data Validation and Verification: Data are verified by a random sampling of NCIC records generated by the FBI. The USMS headquarters coordinates with district offices to verify that warrants are validated against the signed paper records. USMS Headquarters then forwards the validated records back to NCIC.

Data Limitations: None known at this time.

Strategies to Achieve the FY2003/FY 2004 Goal:

USMS will continue to apprehend Class I fugitives as quickly as possible. The USMS has established information sharing with the U.S. Department of State, the Department of Agriculture, the Department of Housing and Urban Development and the Social Security Administration, in an effort to match data with USMS fugitives. A warrant can be cleared by arrest, a USA dismissal, or a detainer, or purged for reasons such as death of a fugitive.

Crosscutting Activities:

USMS works closely with federal, state, local, and foreign law enforcement agencies and prosecutors to locate and apprehend fugitives as quickly and safely as possible in an effort to maintain the integrity of the justice system and enhance public safety. USMS has established liaison positions with DEA, HIDTA, OCDETF, NDIC, INTERPOL, DOJ-OIA, and the Department of State. The USMS also manages more than 70 multi-agency fugitive task forces around the United States. USMS has Memoranda of Understanding to assume administrative and apprehension responsibility for fugitives wanted by: the United States Customs Service; the Internal Revenue Service - Criminal Investigation Division; the Food and Drug Administration - Office of Criminal Investigations; the Naval Criminal Investigative Service; the Defense Criminal Investigative Service; the United States Air Force - Office of Special Investigations; the Department of Agriculture - Office of Inspector General; the Department of Justice - Office of Inspector General; the Social Security Administration - Office of the Inspector General; the United States Fish and Wildlife Service - Office of Law Enforcement; the Federal Emergency Management Agency - Office of Inspector General; the Department of Health and Human Services - Office of Inspector General; the National Aeronautics and Space Administration - Office of Inspector General; the National Oceanic and Atmospheric Administration; and the Department of Education - Office of Inspector General.

STRATEGIC OBJECTIVE & ANNUAL GOAL 7.4: BANKRUPTCY

Protect the integrity and ensure the effective operation of the Nation’s bankruptcy system

7.4A Maximize Dollars Returned to Creditors

Background/ Program Objectives:

The United States Trustees Program (USTP) was established nationwide in 1986 to separate the administrative functions from the judicial responsibilities of the bankruptcy courts and to bring accountability to the bankruptcy system. USTP acts as the “watchdog” of the bankruptcy system and ensures the proper administration of more than \$5 billion in bankruptcy estate assets that are disbursed to creditors in Chapter 7 and 13 cases. In addition, USTP oversees cases that file under Chapter 11, which involve hundreds of billions of dollars in assets. While protecting the rights of the debtors, USTP must maximize the return of estate assets to creditors.

Performance:

Performance Measure: REFINED MEASURE:
Percent of Assets/Funds Returned to Creditors

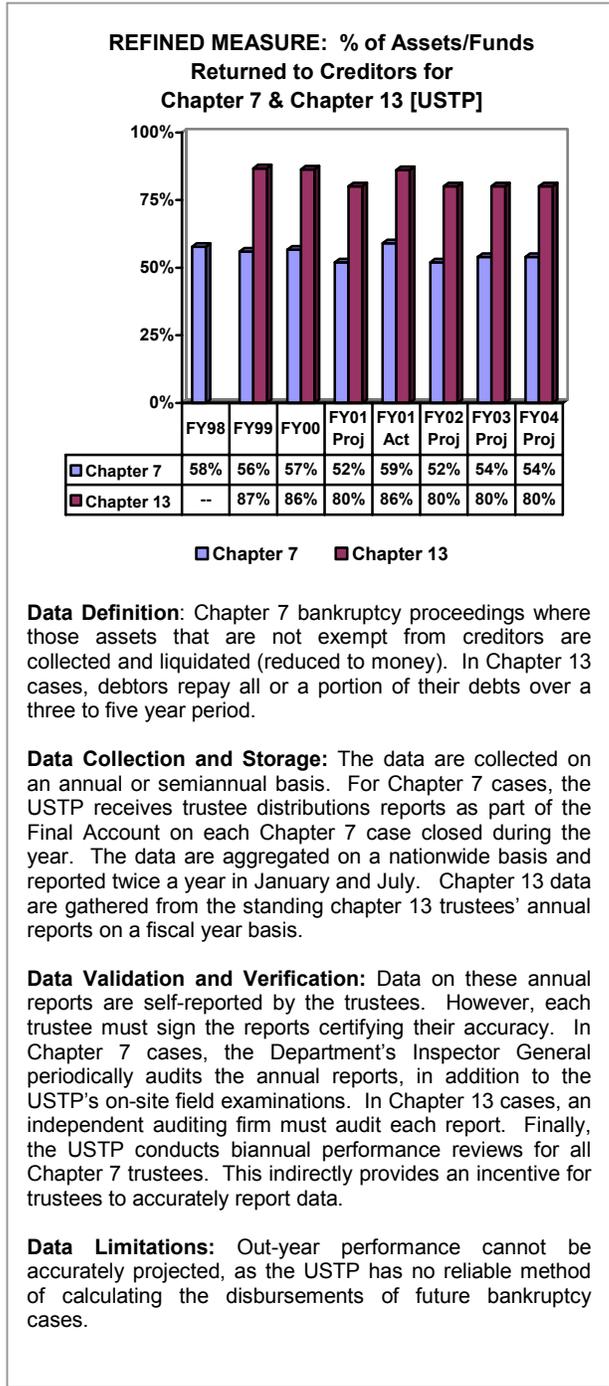
FY 2001 Target: 52% Chapter 7
80% Chapter 13

FY 2001 Actual: 59% Chapter 7,
86% Chapter 13

FY 2002 Target: 52% Chapter 7,
80% Chapter 13

FY 2002 Actual: Not Available until
January 2003.

Discussion: USTP has a comprehensive oversight process that ensures cases filed each year are effectively and efficiently moved through the bankruptcy system. USTP audits and evaluates private trustees, follows-up on deficiencies, ensures that old cases are closed promptly, and initiates action when private trustees fail to comply with their obligations. USTP tracks the cost of trustee operations, as well as, distributions to creditors. In particular, the Distribution Report for Closed Asset Cases helps trustees to identify specific distributions in closed asset cases. Finally, USTP’s civil enforcement initiatives, by reducing the amount of fraud and abuse in the system, will increase the amount of funds available for creditors.



FY 2003 Performance Plan Evaluation:

Based on FY 2002 performance, we plan to meet our original FY 2003 goal of 54% Chapter 7 and 80% Chapter 13

FY 2004 Performance Target: 54%

Chapter 7; 80% Chapter 13

Public Benefit: Due to USTP oversight and effort, a total of \$886,229,563 in assets was distributed to Chapter 7 creditors in CY 2001 and \$3,153,761,306 in disbursements was distributed to Chapter 13 creditors in FY 2001.

Strategies to Achieve the FY2003/FY 2004 Goal:

USTP has a comprehensive oversight process to ensure that the Chapter 7 and 13 cases filed each year are effectively and efficiently moved through the bankruptcy system. USTP audits and evaluates private trustees, follows-up on deficiencies, ensures that old cases are closed promptly, and initiates action when private trustees fail to comply with their obligations. USTP reviews semiannual reports filed by over 1,600 panel and non-panel trustees and trustee final reports for all asset cases. Portions of all trustee operations are closely reviewed each year, through the Office of the Inspector General or private accounting firm audits or on-site examinations by USTP personnel. In addition, the Program's civil enforcement initiatives, by reducing the amount of fraud and abuse in the system, will increase the amount of funds available for creditors.

Crosscutting Activities:

USTP works with the trustees and courts as indicated above.