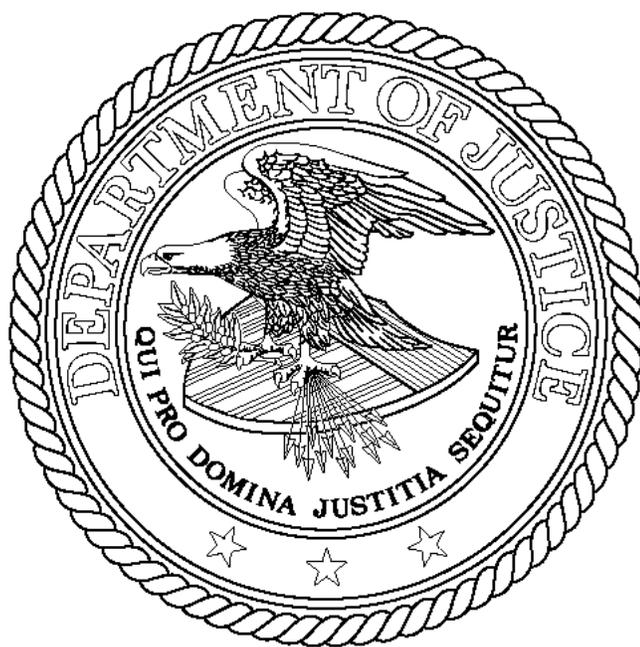




# 1996 Annual Report of The Attorney General of the United States

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# Foreword

## To the Senate and the House of Representatives of the United States of America in Congress Assembled:

*This Annual Report highlights the accomplishments of the Department of Justice in 1996, reflecting the dedication and expertise of the Department's employees and their commitment to the principles of justice and fair treatment for all Americans. In Fiscal Year 1996, we continued to break new ground, working collaboratively on projects and programs internally and with other Federal agencies. Our combined efforts helped make America safer and provided a better environment for all Americans through support of anti-crime legislative initiatives, partnerships with community law enforcement, greater border security, continued protection of civil and environmental rights, and new ways of doing business that make the Department more efficient and productive.*

*Marshaling our law enforcement resources to make America safe remained a top priority in 1996. The Department directed its investigative and prosecutorial resources toward violent crime committed by small groups and gangs. Aggressive programs and initiatives targeting the crime and violence brought on by drugs and gangs hit their mark. We also worked effectively to dismantle drug trafficking organizations both at home and abroad, to keep drugs from infiltrating our borders and communities.*

*Again in 1996, the Office of Community Oriented Policing Services exceeded all expectations by awarding grants to state and local law enforcement agencies to add or redeploy nearly 24,000 police officers and sheriffs' deputies, for a new total of 52,000. In just over 2 years, we have passed the halfway point to the President's goal of 100,000 cops on the beat by the year 2000.*

*Legislation enacted in 1996 continued to enhance new programs to stop violence against women, construct prisons and institute drug treatment programs, and address the problems of family, youth, and gun violence.*

*The Department also worked to effect solutions to the problem of illegal immigration. Through several joint-agency initiatives, the Immigration and Naturalization Service expanded efforts to install advanced technologies at U.S. borders that quickly identify criminal aliens and other illegal crossers, and dramatically reduce the time enforcement officers spend on paperwork and on legal crossers.*

*As part of our comprehensive program under the Americans with Disabilities Act, the Department entered a series of landmark settlement agreements that will serve as models for ADA compliance throughout the country. We also continued to defend Indian rights and advance environmental justice and international environmental protection.*

*In 1997, we will continue our commitment to the American people to wisely use our resources to further the goal of making America a safe, free, and just society.*

*Respectfully submitted,*

*Janet Reno*

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# Introduction

## The Department of Justice

As the Nation's chief law enforcement officer, the Attorney General enforces Federal laws and contributes to the fair and efficient administration of the Federal justice system. In carrying out this mission, the Attorney General directs the activities of the more than 108,487 attorneys, law enforcement professionals, and other employees of the United States Department of Justice (the Department). This annual report summarizes the major accomplishments of the Department during 1996.<sup>1</sup>

The responsibilities of the Department are wide-ranging. They include detecting, apprehending, prosecuting, and incarcerating criminal offenders; upholding the civil rights of all Americans; enforcing laws to protect the environment; ensuring healthy competition of business in our free enterprise system; safeguarding the consumer from fraudulent activity; carrying out the immigration laws of the United States; and representing the American people in all legal matters involving the U.S. Government. As shown on the following organizational chart, these responsibilities are discharged by the components of the Department. Among these components are the major law enforcement agencies—the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the United States Marshals Service (USMS), the Immigration and Naturalization Service (INS), and the Bureau of Prisons (BOP)—and the litigating components (the legal Divisions and the U.S. Attorneys).

Although the Department is headquartered in Washington, D.C., most of its work takes place outside of Washington. As a result, most of its employees are located in any of about 2,600 installations of the Department around the country (ranging from a one- or two-person border station to a large Division office in a major city), or in one of more than 100 overseas offices.

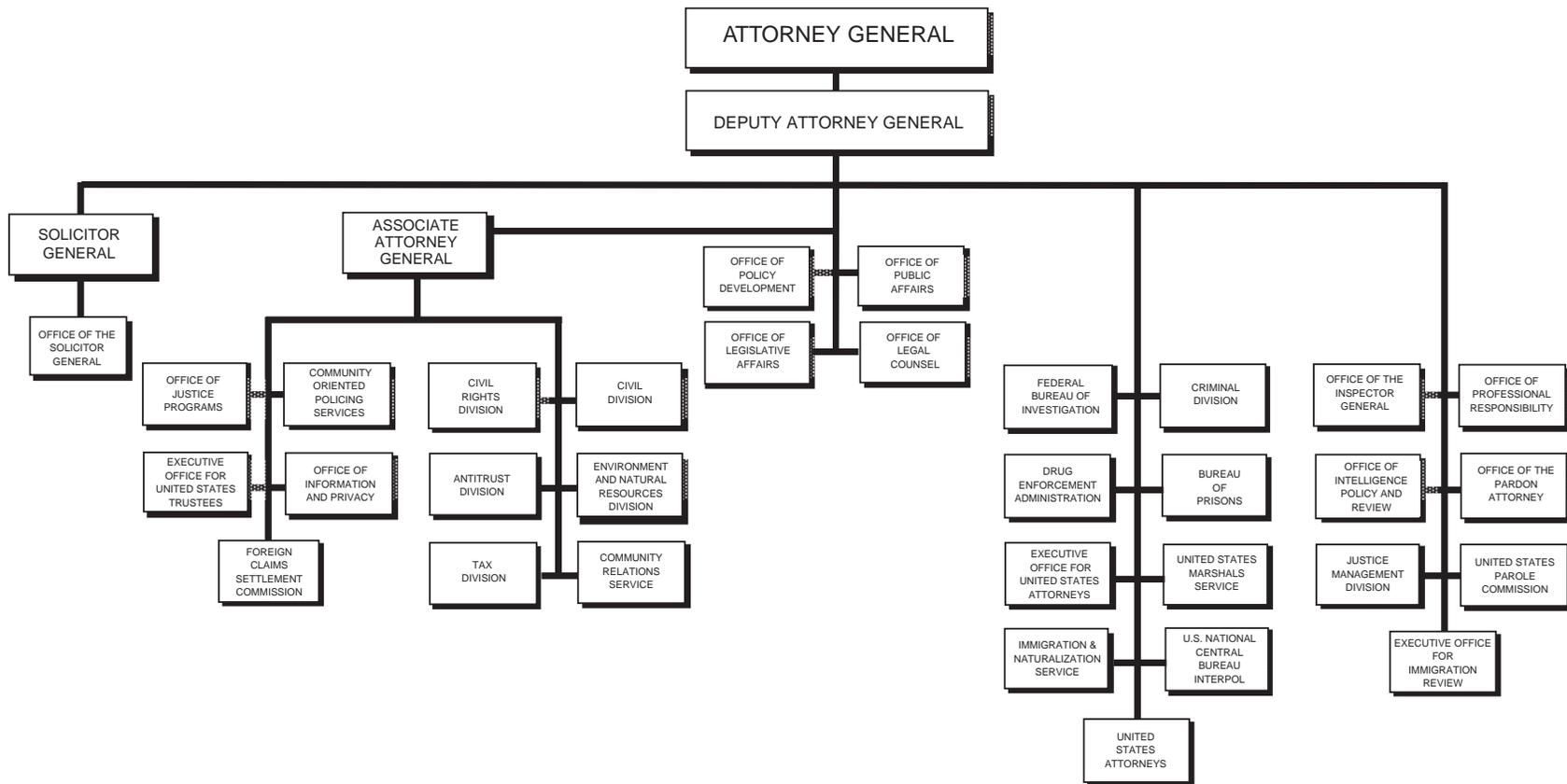
Overall, the Department of Justice had a budget of over \$16 billion in 1996, an 18.7-percent increase over last year's budget of \$13.8 billion. This increase was largely due to the Department receiving targeted increases in the Office of Justice Programs' block grants and grants for the Violent Crime Reduction Program.

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<sup>1</sup> This report covers Fiscal Year (FY) 1996, which began on October 1, 1995, and ended on September 30, 1996. All references to years indicate Fiscal Years unless otherwise noted.



# U.S. Department of Justice







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# Highlights of 1996 Accomplishments

## *Making America Safe*

- Supported anti-crime legislation that addressed gun violence, methamphetamine use, computer crime, child pornography, youth crime, and other priority areas. Worked to protect key anti-crime initiatives, including the Brady Law, the assault weapons ban, and the Community Oriented Policing Services (COPS) program.
- Prepared the prosecution of the two men charged with the April 1995 bombing of the Alfred P. Murrah building in Oklahoma City; provided legal support and helped coordinate the Unabomb investigation and the activities of the Unabomb trial team; and successfully concluded an 81-day standoff with the leaders of the Freeman, who surrendered on June 13, 1996.
- Supported the April 1996 enactment of the Antiterrorism and Effective Death Penalty Act to further strengthen the battle against terrorism by giving the Government authority to exclude or deport suspected foreign terrorists, to prevent fundraising on behalf of terrorist organizations, and to exercise jurisdiction over terrorist crimes that occur in this country but are planned overseas.
- Maintained an 86-percent successful conviction rate for defendants prosecuted for violent crime.
- Successfully prosecuted cases under the Violence Against Women Act, which established new Federal offenses where an abuser crosses State lines to violate a protection order or to injure, harass, or intimidate a spouse or intimate partner.
- Initiated investigations focusing on Mexican and other drug trafficking organizations, through Organized Crime Drug Enforcement Task Forces, which continued to achieve significant successes, including the conviction of drug kingpin Juan Garcia Abrego.
- Expanded cooperation with other governments to fight drug trafficking on a global basis. Greater cooperation with key countries such as Colombia, Peru, Brazil, and Thailand resulted in arrests of international traffickers and enhanced intelligence-driven interdiction efforts.



- Developed a marijuana strategy that seeks to disrupt, dismantle, and destroy the major trafficking organizations responsible for the production, transportation, and distribution of marijuana destined for or grown in the United States.
- Under the Criminal Offender Anti-Drug Act, began implementing Operation Drug TEST (Testing Effective Sanctions and Treatment). This law was enacted to require States receiving Federal grant money for prison construction to adopt a comprehensive policy of drug testing and intervention for convicted offenders while they are in prison and on post-conviction release. In the Federal system, 25 judicial districts will participate in a pilot program in which all criminal defendants will be tested for drug use either before or immediately after their first appearance in court.
- Continued FBI's investigation into the criminal enterprises of La Cosa Nostra (LCN) families throughout the United States, winning Federal grand jury indictments of 17 LCN members, including the entire family hierarchy operating in Detroit, Michigan. Also convicted Yvacheslav Kirillovich Ivankov—a Russian “thief-in-law” leading an international criminal organization in the United States—on extortion and conspiracy. Ivankov was considered by U.S. and Russian law enforcement officials to be the single most powerful Russian crime figure residing in the United States.
- Handled a myriad of white collar crime prosecutions, netting judgments and settlements in cases involving civil fraud, bankruptcy fraud, consumer fraud, and computer crimes. New legislation was drafted to broaden Federal jurisdiction over computer-related offenses that attack the confidentiality, integrity, and availability of information systems and their data. The Department also waged successful efforts against financial institution defrauders, yielding forfeitures of billions of dollars.
- Created a computer-based assessment system to assess potential risk to facilities and individuals covered under the Freedom of Access to Clinic Entrances Act, which gave the Federal Government protective responsibilities for reproductive health care facilities.

### *Supporting Law Enforcement in the Community*

- Awarded grants to increase the number of officers on the streets to 52,000, surpassing the halfway mark towards the President's goal of 100,000 cops on the beat by the year 2000—and in just over 2 years. Under COPS MORE (Making Officer Redeployment Effective), the equivalent of more than 7,000 offi-



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cers was funded in 1996, greatly expanding community policing practices and programs.

- Assisted State and local law enforcement jurisdictions nationwide through the deployment of Mobile Enforcement Teams designed to identify, prosecute, and incarcerate members of violent drug gangs.
- Prevented tens of thousands of people—including convicted felons, fugitives from justice, and persons subject to certain domestic violence restraining orders—from purchasing handguns under the 1996 Brady Handgun Violence Prevention Act.
- Awarded more than \$2.6 million to 586 county governments in 13 States to enhance security in and around churches, hire part-time law enforcement officers to increase patrols, and pay overtime to existing police officers to prevent church arson.
- Worked with Congress to pass amendments to child pornography laws that make it a crime to disseminate, receive, or possess computer-created child pornographic images. Instituted the Innocent Images Project—a multi-agency task force led by the FBI and the first national project to focus on combatting the use of computers to traffic in child pornography.

### *Securing America's Borders*

- Completed 67,094 docket-based removals of illegal aliens—a 33-percent increase over the year before.
- Identified 3,700 criminal aliens along the southwest border through the INS' automated biometric identification system "IDENT."
- Implemented special operations strategies in the southwest region that resulted in a dramatic decline not only in the number of apprehensions in the targeted areas, but often in local community crime rate statistics as well. Deployed approximately 1,000 new INS Border Patrol agents to the southwest border, increasing by 17 percent the number of dedicated border control hours.
- Instituted Project SENTRI—Secure Electronic Network for Travelers' Rapid Inspection—as a Justice Performance Review Reinvention Laboratory at Otay Mesa, California, and reduced the average waiting time to cross the border there from 45 to 3 minutes. The success of the SENTRI lab will lead to similar technology for other sites along the border. SENTRI was recognized with the Vice President's Hammer Award.



- Completed over 4,000 investigations involving employers suspected of illegal employment practices, and initiated 88 criminal cases against such employers and 383 criminal cases against fraud merchants linked to illegal employment. The result was more than \$12 million in fines and the removal of more than 16,000 illegal workers, creating the same number of job opportunities.

### *Making the Legal System Work for All Americans*

- Witnessed historic levels in the Crime Victims Fund, which supports thousands of programs for crime victims with fines paid by Federal criminal offenders.
- Continued to open up the mainstream of American life to people with disabilities by entering a series of landmark settlement agreements that serve as national models for complying with the Americans with Disabilities Act.
- Continued to enforce the constitutional right of women to gain admission to formerly male-only publicly funded colleges and universities.
- Played the lead role in developing the Executive Order for Civil Justice Reform, which requires agencies to use clear language and legal standards when writing legislative proposals and regulations, and recommends the use of alternative dispute resolution and settlement conferences to resolve civil claims involving the Government.

### *Enforcing the Nation's Environmental and Antitrust Laws*

- Successfully defended many Federal programs designed to protect human health and the environment: defeated constitutional challenges to Clean Air Act provisions that require stricter air pollution controls for the most polluted areas of the country; defended the Environmental Protection Agency's effluent limitations for the offshore oil and gas industry; opposed proposed amendments to lower water quality standards; and opposed legislative proposals that would have weakened enforcement of the Endangered Species Act.
- Obtained 95 settlements and judgments in civil enforcement of the Superfund cleanup statute, requiring defendants to reimburse the Government \$384 million for cleanup costs—an all-time record.



- Continued to work closely with Federal land management agencies to develop ecosystem approaches to protecting Federal lands; protected Yellowstone National Park from environmental risks posed by the New World Mine; and effected an agreement to prevent logging of the largest privately held redwood grove in the world.
- Filed major criminal cases in a wide range of industries, including commercial explosives, residential doors, and disposable plastic dinnerware, securing \$26.8 million in criminal antitrust fines.
- Promoted competition in managed health plans, filing a lawsuit against Delta Dental of Rhode Island to challenge its use of a “most favored nation” clause that raises barriers to competition and discourages dentists from charging lower prices.

### *Making the Department More Efficient and More Responsive*

- Undertook extensive reviews, per the Regulation Reduction Initiative, to find extraneous, obsolete, or confusing regulations; exceeded Government-wide targets, reducing the number of directives by 53 percent and the number of pages by 56 percent.
- Revolutionized the traditionally time consuming and predominantly manual task of booking arrestees by piloting a new computerized process known as the Joint Automated Booking Station (JABS) Laboratory. JABS facilitates the electronic collection, storage, and sharing of offender information, and is presently being tested and refined in South Florida. With JABS, bookings are done in one-fourth the time, and require only one set of digitized prints.
- Collected over \$1.6 billion in civil and criminal debts during 1996, or 1.6 times the amount of the 1996 U.S. Attorneys’ operating budget nationwide. Over \$1 billion was collected in civil matters and cases during the year. Collections from criminal defendants sentenced to pay fines, restitutions, or special assessments as part of their convictions exceeded \$600 million.





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# I. Making America Safe

**Goal: To guarantee the incarceration of violent and repeat offenders and concentrate law enforcement resources where they can be most effective.**

As this Nation's chief law enforcement organization, the Department of Justice is charged with providing leadership to ensure that the citizens of the United States are protected from violence and criminal activities. In 1996, the Department worked aggressively toward this goal by advancing a number of anti-crime proposals that resulted in legislation to address gun violence, methamphetamine use, computer crime, child pornography, youth crime, and other priority areas. The Department also worked to ensure that key anti-crime initiatives, including the Brady Law, the assault weapons ban, and the Community Oriented Policing Services (COPS) Program, were not repealed or weakened. The Department continued to expand assistance to and interaction with State and local police forces, participate in task force operations, and improve its technological crime-fighting capabilities, thereby enhancing the safety of our communities.

## National Security/Anti-terrorism

### *Responding to Acts of Terrorism*

The United States has a firm policy for dealing with acts of terrorism, focusing on deterrence, quick and decisive responses, and international cooperation. In July, the Attorney General played a leadership role on this issue at the ministerial-level meeting of the G-7/P-8 nations in Paris. The United States has reiterated publicly to both our allies and potential adversaries that it will never accede to terrorist demands, no matter what they might be, and that any effort to intimidate or coerce the United States will be futile.

The U.S. Attorneys continued to pursue and vigorously prosecute those who conspire to promulgate urban terrorism against the United States and participate in terrorist acts that threaten American citizens and national security. The derailment of the Amtrak Sunset Limited train in Arizona and the bomb in Centennial Park during the 1996 Olympic Games highlighted the terrorist threat and heightened the awareness of U.S. and foreign law enforcement. During 1996, the U.S. Attorneys directed their attention toward the criminal activities of international terrorist groups and those within the United States seeking to further their own political or social goals.



**I**NS was the largest Federal agency participating in nationwide Federal law enforcement support of the 1996 Olympics' special antiterrorism operations. This Olympics special operations team was recognized with a Vice President's Hammer Award.

Throughout the year, a team of Department attorneys and other law enforcement personnel have been preparing the prosecution of the two men charged with the April 1995 bombing of the Alfred P. Murrah building in Oklahoma City. Timothy McVeigh's trial is scheduled to begin in Denver in March 1997, with Terry Nichols' trial to follow its completion.

The Criminal Division has provided legal support and helped coordinate the Unabomb investigation and the activities of the Unabomb trial team. Theodore Kaczynski was arrested in Montana in April 1996, and later indicted by a Federal grand jury in Sacramento for a series of bombings commonly linked to the "Unabomber." Trial on those charges is scheduled for late 1997. A total of 17 explosive devices resulting in 3 deaths and 23 injuries have been linked to Kaczynski.

In March 1996, Leroy M. Schweitzer and Daniel Petersen, leaders of the Freemen, were arrested. This event began an 81-day standoff, which was successfully concluded on June 13, 1996, when 16 subjects peacefully surrendered.

### *Countering Anti-Government, Terrorist Tactics*

In the experience of the Internal Revenue Service (IRS) and the Tax Division, many individuals associated with violent domestic militia also espouse tax protester rhetoric, and some of them have a history of making violent threats against the IRS. One of the latest tactics of tax protesters and other anti-Government individuals involves efforts to negotiate bogus financial instruments and collect judgments rendered by so-called "common law courts." In July 1996, the tax protest movement suffered a significant setback when Philip Marsh and his wife Marlene were sentenced to 17 and 14 years in prison, respectively. Cofounders of The Pilot Connection Society (TPCS), the largest known tax protest organization at the time, the defendants promised to "untax" permanently and legally those who followed the advice contained in their untax package, which was sold to TPCS members. Members were told that the IRS is not a Government agency but a private corporation organized under Delaware law, and that nonresident aliens were not legally required to pay Federal income tax. In 4 years, the defendants collected more than \$3 million by selling the untax package and other creeds.

Information on both domestic and international terrorist groups and their modus operandi is being exchanged with foreign law enforcement agencies through the International Criminal Police Organizations (INTERPOL) communications network and through international meetings such as the INTERPOL-sponsored International Symposium on Terrorism. (The U.S. arm of INTERPOL is the U.S. National Central Bureau [USNCB]). The Antiterrorism and Effective Death Penalty Act enacted in April 1996 further strengthens the battle against terrorism by giving the Government authority to exclude or deport suspected foreign terrorists.

The Criminal Division worked closely with U.S. Attorneys' offices



in numerous prosecutions of individuals spying for foreign powers. Most notably, Harold James Nicholson, a former CIA officer, was arrested in November 1996 and charged in the eastern district of Virginia with multiple espionage violations. Earl Edwin Pitts, arrested in December 1996, was indicted for violations of the espionage statute. From 1987 to 1992, Pitts, an FBI agent, allegedly provided FBI information to officers of the KGB. Investigations of these men took place throughout the year. Also in 1996, William Bodine was convicted in the District of Columbia of accepting over \$900,000 from the Libyan Government to influence U.S. policy on Libya. Robert Stephen Lipka was arrested on February 26, 1996, for spying for the Soviet Union as an Army enlisted man assigned to the National Security Agency at Fort Meade, Maryland in the mid-1960s. A number of other individuals and corporations were convicted of making prohibited technology available to other countries.

## Combatting Violence

Recognizing that a comprehensive, common-sense strategy was needed to address the problem of violent crime, the Department announced a major, comprehensive Anti-Violent Crime Initiative several years ago. With the approach of this initiative's third anniversary, tremendous strides continue to be made in bringing together Federal, State, and local law enforcement personnel to improve the quality of life in our communities. The nearly 7-percent reduction in the number of violent crimes—including murder, rape, robbery, and aggravated assault—seen in the last 2 years indicates that efforts are working. Illegal trafficking in and use of handguns and narcotics, at the center of most violent crime, continue to be primary targets under the initiative. While specific strategies vary from district to district, all have a common goal of further reducing violence throughout the country.

In 1996, under the Attorney General's Anti-Violent Crime Initiative, the U.S. Attorneys filed 6,178 criminal cases against 8,291 violent offenders. A total of 6,124 cases against 8,197 violent crime defendants were also terminated. Eighty-six (86) percent of these defendants were convicted.

The U.S. Attorneys have been guided by the needs of their local communities in identifying and addressing the most prevalent violent crime problems, working in some jurisdictions to dismantle violent, organized street gangs. In other jurisdictions, the violent crime problems in Indian Country are being addressed. Combatting violence in public housing was the subject of a joint effort in 1996 between the Attorney General and the Secretary of the Department of Housing and Urban Development (HUD).

As crime patterns changed, the Department adjusted its priorities to target emerging problems such as domestic, gang, and juvenile violence. Several anti-crime initiatives to combat domestic

**I**n December 1995, 22 members of a dangerous Detroit, Michigan, street gang called the "Home Invaders"- because of their custom of breaking and entering peoples' homes - were arrested. The robbers would pose as law enforcement personnel, shouting "Police!" as they kicked down doors and ransacked homes for money, drugs, or other things of value. This case was investigated by the Safe Streets-Violent Crime Task Force after the Detroit mayor asked for Federal Government help. The task force - composed of investigators from the Detroit Police Department, the Michigan State Police, the FBI, the INS, and the IRS - made the arrests. Attorney General Janet Reno described this operation as "a textbook example of Federal, State, and local law enforcement agencies pooling their talent and resources to fight crime."



violence became law in 1996, including a provision supported by the Department prohibiting gun possession by those convicted of any domestic violence offense. Legislative provisions regarding community notification and sex offender registries also were enacted. In response to the President's request, the Attorney General developed and is implementing a plan to establish a national sex offender registry at the FBI, permitting law enforcement at every level to have immediate access to information about all registered sex offenders.

### *Domestic Violence and Violence Against Women*

During 1996, the Department continued its aggressive attack on the serious problem of violence against women in America. The Violence Against Women Act (VAWA) established new Federal offenses in cases where abusers cross State lines to violate a protection order or to injure, harass, or intimidate spouses or intimate partners. The Act grants the victims of such crimes the right to obtain civil remedies against their attackers in either State or Federal court. In addition to enforcing VAWA, the Department made several other advances on the problem of domestic violence through administering programs that help communities across the country coordinate efforts among police, prosecutors, judges, and parole officers to improve the criminal justice system's response to sexual assault, domestic violence, and stalking. Several examples of 1996 programs are given below.

- The COPS Office awarded more than \$46 million under the
- Community Policing to Combat Domestic Violence Initiative to 336 communities to help make police organizations more responsive to domestic violence, to train officers, and to better use problem-solving methods in this area. The initiative funds partnerships between law enforcement agencies and local victim services organizations.

- The COPS Office launched the Full Faith and Credit
- Implementation Project in Kentucky. Working with the Kentucky Justice Cabinet, the Department is developing and testing methods for intra- and interstate enforcement of civil and criminal protective orders in domestic violence cases. The project, funded through a \$220,000 grant from COPS and the Office for Victims of Crimes (OVC), stems from the inability of one State in this country to enforce another's protective orders against abusers and the need to bring Federal resources to the fight against domestic violence.

- The Office of Justice Programs' (OJP) Violence Against Women
- Grants Office awarded grants totaling \$119.6 million to all 56 States and territories in FY 1996. Through the OJP-administered program S.T.O.P. (Services Training Officers Prosecution),



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law enforcement agencies received funds to expand existing units, to create domestic violence units where none existed, and to provide appropriate training and resources to help build a system sensitive to the needs of women victims of violence.

## *Youth and Gang Violence*

A National Institute of Justice (NIJ) project in Boston to reduce youth gun homicides showed impressive preliminary results. The project team presented gang members—the source of much of the youth violence in Boston—with a choice: stop the flow of guns and stop the violence, or face rapid, focused, and comprehensive enforcement and sanctions. Preliminary findings from an NIJ-sponsored study by Harvard's Kennedy School of Government show that youth violence in the city already appears to be receding.

The Youth Out of the Education Mainstream, a joint effort between the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Department of Education, helped communities pool their resources and create partnerships involving law enforcement, schools, corrections, social services, and the business community. The initiative targets truants, dropouts, children who fear going to school, suspended or expelled students, and youth going back into school settings following release from juvenile correctional facilities. Programs can include everything from truancy prevention and community policing to alternative education, job training, and school-based probation. Through another joint OJJDP/Education effort, school teachers, administrators, and community leaders are learning how to give youth the skills they need to resolve disputes peacefully.

The FBI has established a total of 144 Safe Streets Task Forces (SSTFs), with an increase of 10 in 1996, to address violent street gang activity. In addition to gang violence, these multi-agency task forces also focus on bank robberies, kidnapings, extortions, armed robberies, drug-related violence, vehicle thefts, property thefts, and violent fugitive searches.

## **Fighting Drugs**

Drug abuse and drug trafficking remain among the most serious challenges facing our Nation, and trafficking in illegal drugs remained a target of intensive U.S. law enforcement action. In 1996, law enforcement efforts focused on the investigation and prosecution of the leadership and infrastructure of major drug trafficking organizations. The Department continued to dismantle domestic and foreign cartels, while seriously pursuing efforts to decrease demand. Using a task force approach, the Department integrated its drug enforcement program with extensive investigations designed to prevent insidious drug-related violent crime and intimi-



dation perpetrated on community and neighborhood residents all across this country.

### *Using A Task Force Approach*

An aggressive and coordinated prosecution strategy is essential to fighting illegal drugs. Throughout the United States, the Department used a task force approach to bring to bear the collective expertise and criminal intelligence of Federal, State, and local law enforcement officials in tackling Organized Crime Drug Enforcement Task Force (OCDETF) cases. During 1996, the U.S. Attorneys again devoted substantial resources to the prosecution of drug trafficking and OCDETF cases. Drug cases represented 27 percent of all criminal cases filed during the year. Of the more than 19,000 defendants whose cases were terminated, 86 percent were convicted. Eighty-eight (88) percent of these defendants were sentenced to prison, nearly half for 5 years or more, with 150 life sentences obtained.

During the past year, OCDETFs initiated 586 investigations, many of which focused on Mexican drug trafficking organizations. OCDETFs continued to achieve significant successes, including the conviction of drug kingpin Juan Garcia Abrego. Garcia Abrego was the leader of an organization that distributed drugs to most of the major urban areas throughout the United States, and protected its enterprise through corruption and violence. He now faces possible life imprisonment. Garcia Abrego's alliance with Colombia's Cali cartel and his close ties with corrupt officials enabled him to forge a powerful criminal organization operating on both sides of the U.S./Mexican border.

### *Forming Drug-Fighting Alliances*

DEA expanded cooperation with other governments to fight drug trafficking on a global basis. Increased cooperation with key countries such as Colombia, Peru, Brazil, and Thailand resulted in arrests of international traffickers and enhanced intelligence-driven interdiction efforts. DEA also enhanced enforcement efforts with Mexico to address the threat of emerging Mexican organizations. Other international efforts include the following:

- DEA worked with European authorities in Italy and the United Kingdom to arrest major traffickers and curtail money laundering operations.

Working in concert with India, the Czech Republic, and Mexico, DEA curtailed the flow of chemicals for methamphetamine pro-



- duction.

In May 1996, DEA La Paz and Santiago, working with the Peruvian and Chilean National Police, were involved in dis-

- mantling two major chemical supply organizations believed to have supplied the majority of chemicals used by cocaine laboratories in Bolivia. Ten tons of chemicals were seized.

As a result of DEA investigations, a number of key members of the Shan United Army (SUA) were indicted for various viola-

- tions of Title 21 USC. Prior to 1996, the SUA, now disbanded, was recognized as the dominant force in the production and distribution of heroin in Southeast Asia.

DEA, in cooperation with the FBI, opened an office in Moscow to address new drug threats in Russia.

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### *Identifying Emerging Major Drug Threats*

In 1996, the Criminal Division and DEA led an interagency effort that resulted in the President's announcement of the National Methamphetamine Strategy. Methamphetamine use and trafficking have been spreading unabated across the country in recent years, initiating a ruinous cycle of drug addiction and crime. With the Department's support, Congress passed the Methamphetamine Act of 1996 to address increased use. The Department remains concerned that the Nation's experience of methamphetamine abuse does not replicate the violence and devastation wrought by crack cocaine.

The National Methamphetamine Strategy organizes the overall interagency, international, and interstate effort. Law enforcement officers are being trained to detect precursor chemicals, investigate labs, safely seize methamphetamine-making materials, and understand the pharmacological and psychoactive effects of the drug. Also, communities will be educated about the dangers of methamphetamine, and prevention and treatment programs established. The Criminal Division has coordinated the efforts of all U.S. Attorneys to develop district-specific plans to implement the National Methamphetamine Strategy, and continues to work with the regional alliances formed to address the problem.

But methamphetamine abuse is not the only expanding drug threat. Another drug that has emerged as a significant abuse and trafficking problem in the United States is Rohypnol, the sedative hypnotic drug flunitrazepam known as the "date rape" drug. The drug impairs mental judgment, incapacitates the user, and causes memory loss. DEA's Office of Diversion Control instituted a special enforcement program that provided funds for Rohypnol investigations.

The continuing marijuana threat is reflected in alarming statistics that show substantial increased use of the drug by young peo-



ple. In response to this threat, during 1996, DEA developed a marijuana strategy that seeks to disrupt, dismantle, and destroy the major trafficking organizations responsible for the production, transportation, and distribution of marijuana destined for or grown in the United States.

### *Continuing EPIC Successes*

By whatever name they operated under, DEA's programs netted huge successes in 1996, with several programs supported by the El Paso Intelligence Center (EPIC) producing particularly good results. For example—

In the first 5 months of 1996, 27 trafficker aircraft were seized in Colombia under Operation Skyweb, a Columbian initiative

- whereby their authorities, with DEA support, execute airport inspections to identify aircraft smuggling cocaine along the Peru-Columbian cocaine air bridge.

Operation Jetway, an EPIC-supported domestic airport interdiction program, contributed to the following seizures in the

- nation's airports in 1996: 2,615 kg of cocaine, 64 kg of heroin, 32,867 kg of marijuana, 171 kg of methamphetamine, 45 firearms, and over \$43 million in currency and other monetary instruments. DEA trained over 1,300 State law enforcement personnel under this program.

Operations Pipeline and Convoy, highly successful EPIC-supported national highway interdiction programs, had a significant impact on the domestic movement of drugs and drug-related currency, with the following seizures: 9,899 kg of cocaine, 65 kg of heroin, 113,474 kg of marijuana, 314 kg of methamphetamine, 302 weapons, and over \$42 million in currency and other assets.

### *Implementing Prisoner Drug Tests*

Also in 1996, the Department supported enactment of the Criminal Offender Anti-Drug Act. This legislation requires, by September 1998, that States receiving Federal prison grant money for prisons adopt a comprehensive policy of drug testing and intervention for convicted offenders while they are in prison and on post-conviction release, with sanctions that include denial or revocation of release for positive controlled substance tests.

A major Department initiative called Breaking the Cycle—a collaborative effort among NIJ, the Center for Substance Abuse



Treatment, the National Institute on Drug Abuse, and the Office of National Drug Control Policy—will identify drug-using offenders at arrest, pretrial, jail, and post-conviction stages, and examine the interrelationships of sanctions and treatment and their effect on changing behavior. To help break the cycle of drug use and crime, OJP awarded \$27 million to 49 States, 5 eligible territories, and the District of Columbia to implement or expand residential substance abuse treatment programs in State and local correctional and detention facilities.

As part of implementing Operation Drug TEST (Testing, Effective Sanctions and Treatment), 25 Federal judicial districts will participate in a pilot program to test all criminal defendants for drug use before or immediately after their first appearance in court. This process will identify defendants with a drug problem before their release into the community, conditioning release on sanctions and treatment to effectively deter future drug abuse and crime. Approximately 30 percent of all inmates in BOP contract community corrections centers are enrolled in this program. End-of-year enrollment of 1,560 in community-based programs represents a 21-percent increase over FY 1995. Program graduates released to the community for an average of 6 months were found to be significantly less likely to recidivate or abuse substances than similar offenders who had not participated in treatment.

## Organized Crime

In 1996, the Department continued its work to eliminate the many criminal enterprises of organized crime families, prosecuting the illegal activities of these and other non-traditional organized crime groups. A total of 227 organized crime cases were filed against 769 defendants last year, the greatest number of organized crime cases filed in the past 5 years, except 1995. Eighty-seven (87) percent of the 493 defendants whose cases were terminated during 1996 were convicted. Because organized crime groups engage in gang tactics of violence, intimidation, and drug-running, the Department used Violent Gang Task Forces—composed of Federal investigative agents working joint operations with local community police departments in virtually all large American cities—to disrupt their operations. These task forces seized \$46.6 million in contraband, most of that in narcotics.

In 1996 the FBI continued its assault on the La Cosa Nostra (LCN) families throughout the United States. A Federal grand jury in Detroit indicted 17 LCN members and associates on Racketeer Influenced and Corrupt Organizations (RICO) charges, including the Detroit family's boss, underboss, four capos, and four soldiers—the entire family hierarchy. These indictments targeted illegal LCN activities ranging from murder to unlawful participation in legal casinos in Nevada, waste hauling in metropolitan New York City, fuel distribution in New Jersey, and even a popular annual street



**D**uring the past year, the heads of crime families in Boston, New Orleans, Chicago, Philadelphia, Cleveland, Newark, and New York City were indicted or convicted as part of a nationwide crack-down on La Cosa Nostra. “We believe we’ve driven a stake through the heart of La Cosa Nostra,” said one FBI agent involved in these investigations. The cases were built largely with electronic surveillance and Mafia informants.

festival in Manhattan.

The Department also stepped up its attack on emerging Russian organized criminal activities, particularly in New York City, Newark, and Los Angeles. The investigation of Yvacheslav Kirillovich Ivankov, a Russian “thief-in-law” leading an international criminal organization in the United States, resulted in his conviction on extortion and conspiracy. This case marks the first time that the FBI and the Russian Ministry of Interior have worked jointly on a criminal investigation. Ivankov was considered by U. S. and Russian law enforcement officials to be the single most powerful Russian crime figure residing in the United States.

As an example of the frequent link between organized crime and illegal narcotics, in May 1996, several DEA offices participated in the final phase of Operation Zorro II, an 18-month OCDETF investigation involving the combined efforts of Federal, State, and local law enforcement agencies. This investigation focused on the Mexican Federation organizations transporting drugs across the U.S./Mexico border and on Colombian and Mexican wholesale distribution networks in the United States. Through the collaborative efforts of 10 Federal and 42 State and local law enforcement agencies and the use of multiple court-authorized wiretaps, investigators identified the Colombian distributors’ and Mexican transporters’ command and control organizations. This highly successful operation led to the dismantling of Zorro-II-targeted organizations in the United States and to the arrest of 182 defendants; confiscation of 5,893 kg of cocaine, 1,018 pounds of marijuana, and .5 pounds of crack cocaine; and seizure of \$18.3 million in assets (including \$2.5 million in cash).

Protected witnesses’ testimony led to a substantial number of convictions and significantly impacted the illegal activities of major organized crime groups. In 1996, 132 new participants were added to the Department of Justice Witness Security Program, increasing the number to 6,735 primary witnesses and 15,092 total participants.

## Political Corruption

The Department oversees the Federal effort to combat corruption of elected and appointed public officials at all levels of government. During 1996, it continued to assail those who compromise public trust by abusing their offices. Investigations resulted in the U.S. Attorneys filing 470 criminal cases charging 643 individuals with political corruption. Eighty-seven (87) percent of all political corruption defendants whose cases were terminated during the year were convicted. Examples of specific cases handled in 1996 are given below:



- Targeting law enforcement corruption, particularly where the corrupt activity involved drugs, FBI investigations resulted in
- the conviction of 11 New Orleans police officers.

- William Lanning, a senior program manager at the Defense Intelligence Agency, was convicted and sentenced to 3 years in
- prison for conspiring to defraud the United States of \$400,000 and for other crimes.

- One current and three former Department of Agriculture career employees pleaded guilty to conspiracy to promise official benefits to coworkers in exchange for political contributions to a political action committee.
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- Three Central Intelligence Agency (CIA) employees and their accomplices were convicted for their roles in intercepting items
- in the CIA's classified mail, then using stolen CIA credit cards to obtain more than \$193,000 worth of goods and services.

- Two former Congressmen pled guilty to charges resulting from an FBI investigation of the U.S. House of Representatives Post Office.
- 

- In Pittsburgh and San Diego, two judicial corruption investigations resulted in the convictions and/or pleas of three
- Pennsylvania judges and three California judges for their roles in fixing cases.

## White Collar Crime

The U.S. Attorneys handled a myriad of white collar crime prosecutions during 1996, including crimes against business institutions, procurement and contract fraud, Federal program fraud, securities and commodities fraud, and tax fraud. New crimes grew out of use of the Internet. In all, 6,803 cases were filed against 9,606 defendants. Eighty-seven (87) percent of the 8,722 defendants whose cases were terminated during the year were convicted. Interagency law enforcement working groups helped ensure cohesive Federal response and effective enforcement in combatting fraudulent activities in the areas of health care, telemarketing, financial institutions, securities, and insurance.

Also in 1996, the Civil Division, working with the U.S. Attorneys, won judgments and settlements of \$318 million in civil fraud cases. More than \$121 million of these recoveries were achieved in *qui tam cases*, with relators—who report instances of fraud against the Government—receiving \$22 million.

### *Bankruptcy Fraud*

**I**n its investigation of fraud in the pharmaceutical industry, the Civil Division won its first conviction of a brand-name drug maker, although it has prosecuted numerous generic drug manufacturers before. Warner Lambert fraudulently concealed drug stability data from the Food and Drug Administration for a popular anti-seizure medication, Dilantin, as well as for thyroid medications Euthroid and Proloid, and an anti-parkinsonism drug, Parsidol.



**I**n March 1996, in Los Angeles, CA, the operator of a financial and legal services business pled guilty to six counts of conspiracy, perjury, and creating false tax returns in connection with the operation of a financial and legal services business. In the guise of helping poor people with evictions and other financial problems, the perpetrator would use clients' names and social security numbers to fraudulently obtain credit cards, cars, and other consumer goods for himself and would then file bankruptcy for his clients. Bankruptcy petitions were filed for over 400 individuals without their knowledge, using false social security numbers and other false information.

The U.S. Trustee Program has seen a steady increase in bankruptcy filings over the past several years and, for the 12-month period ending June 30, 1996, filings topped the 1 million mark for the first time in history. Total bankruptcy filings have grown by 119 percent in the last 10 years.

Petition mills and equity scams are also a growing area of concern. Preying on unsuspecting low-income or elderly individuals, pitch-makers offer a "too good to be true" solution to the individual's problems, promising to help people in financial distress and suggesting that mortgage rates and car payments can be lowered, interest rates reduced, and evictions or foreclosures halted. The U.S. Trustee Program has been successful in breaking up these scams.

In February 1996, the Attorney General announced a nationwide law enforcement initiative aimed at prosecuting people who illegally conceal assets, file fraudulent bankruptcy petitions, or otherwise abuse the bankruptcy system. Called Operation Total Disclosure, this multi-agency effort involving the U.S. Trustees, the U.S. Attorneys, the FBI, and the Criminal and Tax Divisions netted indictments in 118 cases involving 134 defendants in 43 judicial districts.

Also in 1996, the U.S. Attorneys filed criminal charges against 270 defendants for bankruptcy fraud, a 48-percent increase over last year. Total bankruptcy filings have grown by 119 percent in 10 years. Eighty-five (85) percent of the 212 defendants whose cases were terminated during 1996 were convicted.

### *Consumer Fraud*

Telemarketing frauds that prey on the elderly and cost the public an estimated \$40 billion a year have been of particular concern to the Department. Pursuing fraudulent telemarketing operations as crimes that disproportionately target older Americans, the FBI used resources from Federal, State, and local law enforcement agencies, as well as volunteers from the Society of Former FBI Agents and the American Association of Retired Persons, to set up a sting operation. Volunteers manned phone numbers repeatedly used by telemarketers, and consensually recorded the conversations. The recorded pitches provided prosecutors with strong evidence of material misstatements made by the fraudulent telemarketers. Begun in early 1996, Operation Senior Sentinel is the largest nationwide undercover operation ever devised to combat telemarketing fraud. It has thus far resulted in the prosecution of more than 800 individuals, with some major fraudulent telemarketers receiving as many as 14 years in prison.

For 1996, FBI reported telemarketing investigations that resulted in 43 complaints, 117 informations, 482 indictments, 374 arrests, 8 pretrial diversions, 360 convictions, nearly \$86 million in restitution, roughly \$600,000 in recoveries, and about \$1.3 million in fines.



The largest civil penalty ever collected for violation of a consumer protective administrative order—\$2.75 million—was paid by Dahlberg in litigation involving the Miracle Ear. Dahlberg violated a Federal Trade Commission (FTC) order that precluded falsely advertising that the Miracle Ear eliminated background noise and enabled the hearing-impaired user to receive only amplification of conversational sounds.

## *Computer Crimes*

A growing area of emphasis for white collar crime investigations is computer crime. Computer crime investigations focus on impairment of, theft of information from, and intrusion into a computer system.

The Criminal Division drafted new legislation to broaden Federal jurisdiction over computer crimes. The National Information Infrastructure Protection Act of 1996 covers offenses that attack the confidentiality, integrity, and availability of information systems and the data they contain. In addition, Division staff coordinated investigations of hacker attacks into numerous military and Government information systems. In an effort to expand the capabilities of the field to address computer-related crime, the Criminal Division established a Departmental Computer/Telecommunications Coordinator Network consisting of 120 Federal prosecutors from across the Nation.

## **Health Care Fraud**

Health care fraud remains a top priority of the Attorney General and the U.S. Attorneys. The Department has therefore taken steps to coordinate the prosecution of large multidistrict health care fraud cases. Prosecutions are increasing as a result of these efforts. FBI investigations of health care fraud in 1996 resulted in 462 indictments, 419 convictions, \$178,994,369 in restitutions, \$14,269,276 in recoveries, and \$29,024,997 in fines.

The Department also undertook major initiatives in 1996 in health care fraud, helping to shape new legislation containing significant health care fraud and abuse provisions. In August 1996, the President signed the Health Coverage Availability and Affordability Act, which provides the statutory and budgetary means to make a substantially greater impact in the battle against health care fraud. This law created a Health Care Fraud and Abuse Control Program to find and return defrauded money to the United States.

In 1996, more than \$120 million in health care fraud recoveries—including nearly \$11 million for relators—was secured by the



Civil Division, in conjunction with U.S. Attorneys. One significant case involved ABC Home Health Services, Inc., the nation's largest privately owned home health care provider, convicted of defrauding the Medicare program through false statements and claims for reimbursement.

## Financial Institution Fraud

The Department continued to mount a vigorous financial institution fraud enforcement program by aggressively investigating and prosecuting those responsible for victimizing federally insured financial institutions. The efforts of the U. S. Attorneys' offices, the Criminal Division, and the FBI yielded impressive results during 1996. In major cases, such as those involving officers or directors or those with losses of over \$100,000, 552 defendants were charged, 570 were convicted (some of whom had been charged in prior years), and 426 were sentenced to prison.

The U.S. Attorneys continued to prosecute criminals who threaten to undermine the Nation's financial institutions. The enforcement strategy proceeded with a coordinated approach on the part of Assistant U.S. Attorneys and Criminal, Civil, and Tax Division attorneys, who not only sent defrauders to prison, but secured victim restitutions, criminal fines, civil money penalties, and forfeitures of property traceable to fraud. Several examples of successful efforts are described below:

- The Department's case against the Bank of Credit and Commerce International, expected to result in total forfeitures
- of approximately \$1 billion, recovered about \$211 million in 1996, bringing total forfeitures in the case to about \$572 million by the end of the year.

- Law enforcement officials in the DEA's Miami Field Division disrupted one of the most powerful international money laundering organizations identified to date when they arrested Blanca Piedad-Ortiz on June 23, 1996. A 6-month money laundering investigation into the activities of Ms. Piedad-Ortiz identified illegal exchange houses, banking institutions, and businesses used by her and her associates, who are believed to have laundered several hundred million dollars in drug profits over the past decade.
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- Through a USNCB and U.S. Postal Service investigation being conducted since December 1992, and involving several thousand checks stolen from the U.S. Mails totaling \$6 million, a check ring was penetrated and five subjects arrested.
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An FBI investigation secured 33 indictments against various Vietnamese counterfeiting organization members. This investi-



- gation centered on Vietnamese organized fraud groups involved in the sale and negotiation of checks, credit cards, drugs, weapons, and counterfeit software. A search resulted in the seizure of approximately \$100 million worth of bogus computer software.

## Key Crime-Fighting Resources

### *Asset Forfeiture*

On behalf of the United States, the Solicitor General's Office won a victory against drug traffickers through the Supreme Court's ruling in *United States v. Ursery*. In *Ursery*, the Court held that a civil forfeiture of property used in the commission of a Federal drug felony does not constitute criminal punishment for double jeopardy purposes. This ruling will permit continued aggressive enforcement of drug laws by allowing Federal agents to seize property used for illegal purposes, as well as pursue criminal drug charges against the traffickers.

The Government's ability to seize property used in the commission of a crime was further bolstered by the Supreme Court's decision in *Bennis v. Michigan*. In this case, the Solicitor General supported the State of Michigan's seizure—under a State forfeiture law—of property used in the commission of a crime, despite the claim asserted by a co-owner of the property. The Court's ruling reaffirms the validity of forfeiture statutes as a key part of law enforcement efforts to curb drug trafficking and other crimes.

The Department continued to promote international forfeiture and money laundering cooperation through participation in multinational investigations, asset sharing, international training, and assistance to other countries in drafting their own asset forfeiture and money laundering laws. For example, in 1996, the Department transferred more than \$9 million to five different countries that had assisted in the forfeiture of assets valued in the millions under U.S. law; held a forfeiture conference for prosecutors from the Caribbean area; and assisted Latin American and other countries in preparing their own comprehensive forfeiture and money laundering statutes. Furthermore, in response to Presidential Decision Directive 42, an interagency working group identified several countries as money laundering havens. The Criminal Division participated in U.S. missions to Panama, Aruba, and Antigua in an effort to end the financial safe-haven status of these countries.

### *Information Management Systems*



Information management directly contributes to the expedient removal of violent criminals from America's streets. In 1996, the FBI processed over 52,000 requests for information. Information provided to investigators resulted in more than 230 arrests. As each new fugitive is identified in an FBI office, the Savannah Information Technology Center provides that office with lead information as to the subject's most current whereabouts. This valuable information allows the FBI to promptly identify and apprehend fugitives prior to their taking evasive action. In 1996, 4,342 requests were processed for information on new fugitives, directly resulting in the arrest of at least 44 Federal fugitives.

The FBI also created the Computer Investigations and Infrastructure Threat Assessment Center (CITAC). CITAC includes analysts and investigators who coordinate the FBI's efforts to counter physical and cyber attacks against the U.S. infrastructure.

In 1996, the USMS fully implemented two computer-based assessment systems to assist in conducting risk assessments. One system evaluates information known about inappropriate communications or threats to Federal judicial protectees and the other evaluates risks to reproductive health care facilities. In response to the passage of the Freedom of Access to Clinic Entrances (FACE) Act, which gave the Government protective responsibilities for reproductive health care facilities, a computer-based assessment system was created to assess potential risk to facilities and individuals covered under the Act. Both of these risk assessment systems ensure that every potential risk is consistently and comprehensively evaluated. The systems are administered through a newly formed Analytical Support Unit.

### *Training and Information Sharing*

The Criminal Division's International Criminal Investigative Training Assistance Program supports U.S. foreign policy by helping other nations develop sound civilian police organizations based on internationally recognized principles of human rights and the rule of law. The program provides training to transitional societies emerging from civil conflict or totalitarian governments and helps establish local police training programs. The Criminal Division also continued its work with the Haitian Government to establish and train a civilian national police force and, in Bosnia, provided mission orientation to 1,721 U.N. International Police Task Force members.

DEA employs its key crime-fighting resources in both domestic and foreign arenas. As a result of the Amazon Basin Chemical Control Conference hosted by DEA and the European Commission, the Organization of American States announced that it would fund a communications network to facilitate information sharing on chemical and drug investigations and enforcement.



OJP expanded its efforts to help States prevent the sale of firearms to ineligible purchasers by improving State criminal history records through the National Criminal History Improvement Program (NCHIP).

## Incarcerating Violent Criminals

During 1996 the U.S. Attorneys sent 6,279 violent criminals to prison. Eighty-nine (89) percent of all violent criminals who were convicted during the year received prison sentences, with 102 violent criminals sentenced to life.

BOP's inmate population at the end of 1996 was 105,432 (94,695 in its own facilities and 10,737 in contract community corrections and detention facilities). In a system with a capacity of 76,442, that population level represents 124 percent of capacity. Through its ongoing construction and expansion program, BOP added significant prison capacity during 1996, with a total of 4,403 new prison beds.

Because idleness breeds unrest and violence, keeping inmates busy is extremely important. For this reason, BOP requires all Federal inmates to work. The Bureau's most important work program is Federal Prison Industries (FPI), a wholly owned Government corporation that produces quality goods and services for U.S. Government customers. FPI provides work opportunities that help keep inmates productively occupied and positively focused during their incarceration. It also provides marketable job skills and instills a positive work ethic, increasing the likelihood that ex-offenders will find and keep jobs and remain crime-free after release.

At the end of 1996, FPI employed more than 17,000 inmates, an overall average of about 18 percent of the total Federal inmate population housed in BOP-operated facilities, although the percent employed in high- and medium-security facilities was significantly higher at 25 percent or more. FPI reported net sales of \$507 million for the year.

During 1996, BOP also expanded the use of Comprehensive Sanctions Centers (CSCs), which are designed to provide enhanced oversight and intensive programming for offenders, including those on supervision who have reverted to drug use, and inmates returning to the community after extended periods of incarceration. While similar in many ways to traditional CCCs, CSCs place even greater emphasis on offender accountability, drug treatment, and programs that assist inmates in successfully re-entering society. Of BOP's approximately 250 residential community programs, 21 are now CSCs. In BOP's southeast region alone, the number of centers increased from five to eight during 1996.

**T**he number of inmates in Community Corrections Center (CCC) and home confinement programs grew to approximately 6,100 inmates by the end of FY 1996. More than 70 percent of all BOP releases—some 18,000 offenders—went through community-based transitional programs; approximately 89 percent successfully completed them. The Office of the Inspector General, Audit Division, issued its report on the BOP's CCCs, saying, “CCCs were a cost-effective, safe alternative to incarceration. BOP effectively negotiated, awarded, and monitored contracts.”







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## II. Supporting Law Enforcement in the Community

**Goal: To Provide the Maximum amount of support and cooperation for America's police departments and for the communities they serve.**

The Department continued to aid the fight against crime at the local level through generous grant programs, new legislation, and the sharing of new investigative and prosecutorial tools with local law enforcement. Communities received additional police officers for community oriented policing duties, which enhanced residents' accessibility to law enforcement and the use of community-based crime prevention and response techniques. The Department also worked with States to control the proliferation of dangerous weapons and gang activities by advancing their criminal history record systems and supplementing local programs targeting youth. Task forces and committees organized by local Department representatives resulted in community partnerships with law enforcement, which played a vital role in reducing crime.

### Putting More Police on the Beat

The COPS Office has awarded grants to put more than 52,000 officers on the streets, having surpassed the halfway mark towards the President's goal of 100,000 cops on the beat by the year 2000—in just over 2 years. Grants awarded during 1996 supported the hiring or redeployment of nearly 24,000 police officers. Across the country more than 87 percent of the American populace, both in urban and rural areas, is served by an agency receiving COPS funding. These officers and deputies are patrolling America's streets and actively working in partnership with their communities to reduce crime and social disorder.

As part of this movement, the U.S. Attorneys, through their respective Law Enforcement Coordinators, hosted community policing training for grantees to educate the law enforcement community on the philosophy of community oriented policing. They also assisted police departments in completing applications for community policing grants.

In the past year, DEA assisted State and local law enforcement through the deployment of Mobile Enforcement Teams (METs) to places throughout the United States, where drug trafficking and



## **MET Nets Results in Los Angeles**

**Targets:** Violent Street Gangs  
"18th Street"  
"Playboys"  
"Mara Salvatruches"  
"Crazy Riders"  
"Orphans"  
"Diamonds"

### **Results:**

421 Arrests (DEA to Prosecute 141)  
Heroin 1,200 Grams  
Cocaine 630 Grams  
Marijuana 104 Pounds

### **Crime Statistics Post Deployment:**

Robberies Down 1%  
Aggravated  
Assaults Down 9%  
Sex Crimes Down 52%  
Burglaries Down 28%  
Vehicle  
Burglaries Down 27%  
Vehicle  
Thefts Down 17%  
Homicides—  
In 1995 134  
From January to July 1996 44

related violent crime were wreaking havoc in local neighborhoods and communities. The main purpose of these specialized units is to assist State and local jurisdictions in identifying, prosecuting, and incarcerating members of violent drug gangs. On request from a State or local law enforcement official, teams composed of 8–12 DEA Special Agents were deployed to specific jurisdictions, where they assisted local law enforcement counterparts by providing intelligence assessments, arresting violent gang members, and supporting Federal, State, and local prosecutors. As a direct result of the MET Program, leaders and key members of trafficking organizations were removed from community streets, thereby restoring order and peace to community residents. Sample MET targets included members of the Hell's Angels Motorcycle Club for drug trafficking and associated violence, and "Blood"-associated street gangs and drug supply sources.

## **Encouraging the Use of Locality-Based Strategies**

Community partnerships play a vital role in reducing crime. Through task forces and committees, local U.S. Attorney Law Enforcement Coordinators worked to develop partnerships between members of law enforcement and the community. Funding was also made available for local Law Enforcement Coordinating Committees (LECCs) to provide training and publish brochures in support of the Weed and Seed Program.

Weed and Seed is a comprehensive, community-based program to "weed out" violent crime, gang activity, drug trafficking, and drug use, and "seed in" neighborhood revitalization. Forty-three (43) additional neighborhoods were selected to receive 1996 funding, joining the 36 currently funded sites and marking the largest increase of funded Weed and Seed sites in the program's 5-year history. Weed and Seed links Federal, State, and local law enforcement and criminal justice efforts with social services, as well as with private and community efforts. In addition, several Department agencies were able to transfer real properties through State and local law enforcement agencies to nonprofit community organizations under the Weed and Seed program. Such properties have been used as rental housing for low-to-moderate income individuals, teen counseling centers, job training programs, and drug treatment facilities—garnering significant property management cost savings.

During the year, the Criminal Division undertook an outreach initiative to study the potential for using Geographic Information Systems (GIS) at the local level to enhance crime trend analysis capabilities, facilitate information sharing, and improve operational efficiency. The Division implemented such a system for the Warrenton, Virginia, Police Department, and made significant progress in a similar effort for the Montgomery County, Maryland,



Police Department. The Criminal Division also assisted local officers in crime trend analysis through development of the user-friendly prototype Spatial Crime Analysis System. The system enables officers and crime analysts to analyze crime data spatially, identify crime patterns, print crime maps, and develop tactical plans to deter future crime.

FBI instructors encouraged the use of locality-based law enforcement strategies by participating in 3,472 specialized police schools throughout the United States, which were attended by more than 117,139 officers.

## **Controlling the Proliferation of Dangerous Weapons**

In 1996, The Brady Handgun Violence Prevention Act successfully prevented tens of thousands of people—including convicted felons, fugitives from justice, and persons subject to certain domestic violence restraining orders—from purchasing handguns from gun dealers by requiring a 5-day waiting period and a background check. The Department worked with Congress to ensure the survival of the Brady Act and the assault weapons ban law to keep guns out of the hands of felons and others and to keep military-style assault weapons off the streets. The Civil Division has defended the Brady Act against numerous constitutional challenges, arguing that Congress has the right to order background checks because of its authority to regulate commerce. Opponents have argued that the background check infringes on States' sovereignty. The Supreme Court is expected to issue its decision in 1997 in two Brady cases.

The Department is also well on its way to completing the National Instant Criminal Background Check System (NICS), which the Brady Act requires the Attorney General to establish by November 30, 1998. The Department recently completed a detailed blueprint for the operation and use of the NICS system, designed to instantly perform background checks on prospective firearm purchasers. Critical to implementation of NICS, the Department has provided approximately \$112 million dollars to the States to upgrade their criminal history records and thereby contribute accurate and useful information to NICS. The FBI is responsible for NICS management and operation.

### ***Community Projects Aimed at Gang Violence***

During 1996, the Department saw the development and implementation of projects launched in 1995 under its Youth Firearms Violence Initiative, designed to help 10 cities use community policing strategies to counter firearm violence by and against young peo-



**T**he COPS Office initiated a pilot project in Baltimore to use 3-1-1 as a nonemergency number to help ease the burden on 9-1-1. A COPS Office grant of approximately \$350,000 will help offset some of Baltimore's cost in this groundbreaking project. The COPS Office will monitor and evaluate the success of the project in order to help develop long-term solutions to preserve the effectiveness of 9-1-1. COPS also requested that the Federal Communications Commission reserve 3-1-1 for voluntary use as a three-digit nonemergency number on a national level.

ple. Examples of strategies include establishment of violence suppression and weapons recovery units to target gang territories, enhanced enforcement of gun and drug laws, and creation of community "safe spots." These efforts over the past year have resulted in significant decreases in crime and an increase in seized firearms in several of the jurisdictions.

Similarly, Operation Safe Home, a multi-agency operation that aims to rid federally subsidized housing communities of gangs and drug organizations, resulted in the arrest by Federal, State, and local law enforcement officials of 29 members of a violent drug gang in Dade County, Florida.

## **Providing Specialized Law Enforcement Assistance**

### ***Sharing Resources and Forging Partnerships***

Under the Bureau of Justice Assistance's (BJA's) 1996 Local Law Enforcement Block Grants program, over 2,600 local jurisdictions, every State, and several eligible territories received grants totaling around \$405 million to help reduce crime and improve public safety. Local jurisdictions can use their grants to hire police officers or to pay existing officers for overtime; to establish multijurisdictional task forces; to purchase equipment directly related to basic law enforcement functions; to prosecute violent offenders, particularly youthful violent offenders; to fund drug courts; or to implement crime prevention measures. The program was authorized by the 1996 Omnibus Appropriations Act passed in late April. To deal with the unusually large number of applications, BJA reinvented its grant award process, allowing jurisdictions to submit their one-page applications via modem or on diskette. Applications were scanned and stored electronically, significantly reducing paperwork during the review and award process.

During 1996, the National Institute of Corrections continued to assist Federal, State, and local corrections agencies in improving their management, operations, programs, and services. A total of 36,576 executives, managers, trainers, and specialists working in adult corrections were provided training. Through an interagency agreement with OJJDP, 737 practitioners working in juvenile corrections and detention were also provided training.

Training local prosecutors and police officers is another method of assisting local communities. The Criminal Division, in a joint effort with the National White Collar Crime Center, the National Association of Attorneys General, the National Consortium for Justice Information and Statistics, and others, trained hundreds of State and local prosecutors and investigators on legal issues pertaining to computer crime, electronic investigations, electronic search and seizure, and other high-tech issues. In addition, the



Criminal Division recently launched the new Infotech Training Initiative, through which it will coordinate computer-crime-related training efforts in jurisdictions across the country, helping to develop curricula, working with instructors, and promoting the sharing of resources.

With COPS MORE (Making Officer Redeployment Effective), local agencies were awarded resources to buy technology and equipment, such as laptop computers, and to hire administrative staff. These funds allow officers to spend more time on the streets, rather than at the station filling out paperwork. Under COPS MORE, the equivalent of more than 7,000 officers was funded in 1996, helping expand community policing practices and programs.

In keeping with its proactive approach, the Department is fostering exceptional working relationships with all law enforcement agencies responsible for investigating hate crimes. With the goal of promoting common understanding, improving cooperation, lessening tensions, and preventing civil rights abuses, the FBI is forging partnerships with interested individuals and organizations to address their concerns. It is also developing and sponsoring specific operational workshops, seminars, and training sessions for local law enforcement, minority and religious organizations, and community groups.

## Protecting America's Children

The Department has waged an aggressive battle to protect children from individuals who use the U.S. mail or computers to sexually abuse and exploit them. For example, a project with the U.S. Postal Service—Project Special Delivery—focused on identifying and prosecuting individuals using the U.S. mail to distribute and receive child pornography. As a result of this effort, several dangerous child molesters were apprehended and 40 individuals convicted. In addition, the Department worked with Congress this year in passing amendments to the child pornography laws that make it a crime to disseminate, receive, or possess computer-created child pornographic images.

One direct result of this effort was the Innocent Images Project. A multi-agency task force led by the FBI, this project is the first to nationally focus on combatting the use of computers to traffic in child pornography. The task force focuses on the identification and prosecution of individuals using computer telecommunications facilities to receive or distribute child pornography and to recruit minors into illicit sexual relationships. Other major efforts to protect America's children in 1996 included the following:

- The Morgan P. Hardiman Task Force on Missing and Exploited Children began operations. Representatives from the Department and other Federal law enforcement agencies worked to assist State and local law enforcement agencies in the most difficult missing and exploited child cases nationwide.

**T**oddler beds and accessory guardrails manufactured by Cosco presented a risk of head/neck entrapment and consequent strangulation of small children. A leading manufacturer of children's products, Cosco violated the Consumer Products Safety Act for 3 years by failing to report to the Consumer Product Safety Commission numerous consumer accounts of children trapped in the headboards or footboards of the beds. In its suit against Cosco, the Civil Division obtained a civil penalty of \$725,000.



The Criminal Division serves as legal advisor for the task force.

- During the 65th INTERPOL General Assembly session held in Turkey, and attended by USNCB agents, several resolutions were passed regarding the protection of children and the fight against their exploitation. These resolutions add emphasis and strength to INTERPOL's position of protecting children worldwide and of providing investigative assistance in matters of international child abductions, child pornography, child sex tourism, and pedophile cases.

- The Food and Drug Administration (FDA) issued regulations that will significantly limit children's access to tobacco and to the advertising that targets young people. The Civil Division successfully defended the regulation even before it became final. With litigation now resumed, the tobacco companies are charging that FDA lacks jurisdiction and that the regulations violate the Constitution. The Civil Division is actively defending the Administration's policy.

- The U.S. Attorneys have undertaken the investigation and prosecution of parents who willfully fail to pay support obligations for a child living in another State. During 1996, the Attorney General convened a Criminal Child Support Enforcement task force of Federal, State, and local representatives to foster cooperation among the different levels of government and the various agencies responsible for child support enforcement.

**T**he FBI presented its "There's No Escape" crime prevention video to over 30,000 students at schools throughout Georgia.

### ***Preventive Measures***

Finally, community policing may offer good preventive medicine for children, especially those at risk of delinquency. Because community policing requires officers to take a proactive, preventive approach to solving problems, many of the officers hired under various COPS programs are actively involved in improving and protecting the lives of America's children.

For example, officers are working with anti-drug programs, teaching conflict resolution as school resource officers, and tutoring children in after-school programs at police substations. By actively engaging in young people's lives, community policing officers funded by COPS are providing positive role models to America's youth and, in partnership with others, teaching them alternatives to a life of crime.

Similarly, FBI agents and U.S. Attorneys throughout the Nation are developers and supporters of youth initiatives, from one-on-one mentoring to mock trials, all intended to redirect the energies of youth into more positive channels.



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## III. Securing America's Borders

**Goal: Provide the maximum possible protection along America's borders.**

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) represents the culmination of 22 months of work by the Department, the Administration, and Congress. The Department was the lead agency and worked with the White House; the Departments of Labor, Energy, Treasury, Health and Human Services, and State; and members and staff of both Houses of Congress. This bill provides INS with 5,000 new Border Patrol agents, increases penalties for alien smuggling and document fraud, establishes an expedited exclusion system sought by the Administration since 1993, makes legal immigrant sponsorship agreements enforceable, and authorizes the Attorney General to enter into partnerships with State and local law enforcement agencies with regard to immigration. Significantly, the bill does not contain harsh cuts in the overall number of legal immigrants who can enter the United States, nor does it bar public education for children without legal immigration status.

In 1996, INS surpassed its target for docket-based removals, reaching 67,094—a 33-percent increase over the year before. The Civil Division gave “teeth” to the U.S. immigration system by sustaining more than 97 percent of the administrative decisions rendered by the INS, the Immigration Courts, and the Board of Immigration Appeals, in response to claims by aliens who seek to enter or remain in the United States or to obtain immigration benefits.

### Border Enforcement

#### *Focusing Resources at the Southwest Border*

INS continued the Administration's plan of focusing resources on critical areas of the southern border, where the impact of illegal immigration is felt the most. In 1996, approximately 1,000 new Border Patrol agents were deployed to the southwest border. By the end of the year, INS had a total of 5,878 Border Patrol agents on board, with an accompanying 17-percent increase in dedicated border control hours. Further, an additional 73 Border Patrol agent positions were redirected from the interior to the Southwest border region.

During 1996, INS' automated biometric identification system “IDENT,” which enables agents to capture and store fingerprints



**I**n the southwest border area, new initiatives affected the flow and patterns of illegal border crossing. In 1996, the Administration embraced a new initiative to strengthen and link special operations in San Diego and Arizona. Through the use of checkpoints and airport monitoring, smuggler routes were disrupted and smugglers were forced into targeted areas. Agents stationed at San Diego County checkpoints apprehended 43,000 undocumented aliens and seized an estimated \$26 million in marijuana.

and photos of arrested aliens for rapid identification, was expanded to 78 sites in the Southwest, including all nine major INS Southwest Border Patrol sectors and key Ports-of-Entry (POEs). IDENT helped Border Patrol agents and POE inspectors identify 3,700 criminal aliens along the San Diego border. IDENT permits specific identification and analysis of migrant crossing patterns and provides information on individual migrant attempts at illegal entry. This initiative is being used to identify not only individual smugglers but entire smuggling ring structures.

### ***Apprehending and Prosecuting Illegal Aliens***

A depressed Mexican economy, along with an increase in INS staff contributed to a 17-percent jump overall in apprehensions along the southwest border. However, in specific southwestern locations targeted for a concentrated infusion of resources, a definitive shift was effected in undocumented alien border crossings and in smuggling traffick. Special operations implemented in the southwest region resulted in a dramatic decline not only in the number of apprehensions in the targeted areas, but often in local community crime rate statistics as well.

In addition, the aggressive stance taken by the U.S. Attorneys during 1995 to secure U.S. borders continued during 1996. In all, the U.S. Attorneys filed 5,754 immigration cases against 6,357 defendants during the year—a 42-percent increase over last year. Ninety-six (96) percent of the 5,781 defendants whose cases were terminated during 1996 were convicted, with 77 percent sentenced to prison. Over half of all immigration cases during 1996 were filed by the five U.S. Attorneys' offices along the southwest border.

For years criminal aliens formally deported by Immigration Judges after the commission of serious felonies repeatedly found their way back into the country only to commit further serious felonies. Although some, when arrested again, were charged with felony re-entry, most were prosecuted as misdemeanor illegal entries because of the large volume of cases along the southwest border. When convicted of the misdemeanor, the criminal alien received no more than 180 days in jail, and often less.

An outgrowth of the Attorney General's prosecution program and an immigration innovation is the Port Court, a joint effort by several agencies within the Department—U.S. Attorneys' offices, the Executive Office for Immigration Review (EOIR), and the INS—to identify illegal and criminal aliens and prevent their entry into the United States through various POEs in southern California. Aliens who at the time of their attempted entry commit crimes such as alien smuggling or drug trafficking are subject to exclusion from the United States. The deferred prosecution program defers criminal prosecution of these aliens and refers them to the Immigration Court for immediate exclusion proceedings. Generally, criminal



aliens subject to Port Court proceedings are returned to Mexico, pending their court appearance. In 1996, Port Courts in San Diego and Miami produced nearly 11,000 removals.

Another innovation is found in sophisticated “lookout” systems that identify international fugitives and criminals. Individual countries seeking to arrest fugitives or locate missing persons send broadcast descriptions over a communications network for processing by USNCB. In 1996, USNCB processed 1,040 new broadcast descriptions, placing lookouts for these wanted persons and foreign criminals into U.S. border lookout and criminal information systems. USNCB keeps its records current to enable immediate detection of identified foreign fugitives and criminals, and works with the Criminal Division to coordinate provisional arrest and extradition requests.

## Inspections

INS employed a variety of approaches and continued piloting the use of innovative technologies such as INS’ Passenger Accelerated Service System (INSPASS) and Dedicated Commuter Lanes (DCLs) to reduce inspection time. At the pilot airport locations using INSPASS, wait times were reduced to fewer than 15 seconds for U.S. citizens and to fewer than 30 seconds for nonimmigrant alien travelers. To date over 65,000 enrollments or renewals in INSPASS and more than 183,000 admissions have been made. Nearly 6,000 compliance checks of persons admitted through INSPASS kiosks were done without any significant fraud detected. The INSPASS Program was the recipient of the 1996 Federal Leadership Award.

In 1996, INS led a multi-organizational border inspection initiative at Otay Mesa, California, called Project SENTRI—Secure Electronic Network for Travelers’ Rapid Inspection. A Justice Department Reinvention Laboratory involving the FBI, DEA, Executive Office of U.S. Attorneys (EOUSA), and the U.S. Customs Service (USCS), SENTRI facilitates international travel and promotes business on both sides of the border through a rigid registration process for frequent border crossers, augmented by leading-edge technology at the POE.

With SENTRI, prescreened vehicles crossing the international border travel over a traffic lane dedicated to the exclusive use of project participants. As these vehicles approach the border, an automated system electronically inspects the drivers, passengers, and vehicles to ensure that they are enrolled in the project and have met the stringent requirements for entry into the United States. With low-



risk, frequent crossers identified and inspected by state-of-the-art technology, Government inspectors are able to concentrate their efforts on border crossers who pose greater risk. Before SENTRI, the average waiting time to cross the border at the test site was 45 minutes; travelers registered in the program can now cross within 3 minutes. The success of the SENTRI Lab at Otay Mesa will lead to similar technology for other sites along the border. SENTRI was recognized with the Vice President's Hammer Award.

## **Employer Sanctions and Document Fraud**

In 1996, efforts to deter illegal employment used a strategy of targeting the major violators, e.g., smugglers, fraudulent document vendors and organizations, and employers suspected of knowingly hiring illegal employees. INS completed over 4,000 investigations involving employers suspected of illegal employment practices, and initiated 88 criminal cases against such employers and 383 criminal cases against fraud merchants linked to illegal employment. As a result of INS' employer sanctions activities, more than \$12 million in fines were issued and more than 16,000 illegal workers removed, freeing up the same number of job opportunities. INS is taking a strong leadership role in developing cooperative enforcement ventures with other Federal law enforcement agencies and State labor departments on work-site enforcement. INS has further institutionalized its process for establishing relationships with State, local, and private entities that can refer legal workers to employers.

In addition to targeting violators, INS pursued initiatives to help employers comply with the law. An electronic version of the I-9 form was developed, as was a new, more easily recognizable and secure Employment Authorization Document for FY 1997 issuance. Technical information and assistance was made more readily available through modern technologies, and further testing/development, enhancement, and expansion of INS' status verification services (Verification Information System) was completed. The Employment Verification Program increased participation in the pilot from 200 to over 1,000 employers.

## **Anti-Smuggling Initiatives**



Within the United States, anti-smuggling activities focused operations on the interdiction of illegal aliens being transported along major U.S. highways and transit routes. One such operation, along the mountain passes in the Rocky Mountain area, led to the apprehension of over 1,200 smuggled aliens in a 1-month period. Anti-smuggling case activity overall increased 30 percent from 319 total cases in 1995 to 413 total cases in 1996. A list of the “top ten smuggling organizations” was compiled as a basis for targeted, future operations.

Smuggling of illegal aliens from China is a continuing problem in the United States. In 1996, an undercover operation in Boston successfully intercepted a ship on the high seas carrying 109 Chinese aliens. Federal prosecutors created regional (east coast and west coast) task forces to track and prosecute groups responsible for this trafficking. During 1996, INS provided over 1,020 training sessions on fraudulent document and smuggling deterrence techniques to foreign governments and commercial transportation carriers.

The Alien Smuggling Analysis Team, a new component at EPIC, has a mission to collect and analyze multisource information on worldwide alien smuggling, and to identify involved individuals, their methods of operation, and trends—with special emphasis on the southwest border. During 1996, analysts assigned to this team established liaison with various agencies to augment and improve intelligence collection. They have developed information that will enhance several alien smuggling cases controlled by INS.

Part of the U.S. Attorneys’ border enforcement efforts include the prosecution of those who smuggle illegal aliens into the United States. Prosecutions brought under 18 U.S.C. 1324 increased significantly during 1996, with 1,021 cases filed against 1,538 defendants—an 82-percent increase over cases filed in 1995.

## **Detention and Removal of Criminal Aliens**

INS reports 37,063 criminal alien removals in 1996, with 10,000 aliens removed through the Institutional Hearing Program (IHP) process; large numbers of others were processed and are awaiting removal in the outyears.

The INS-initiated County Jail Program is an offshoot of the IHP program that operates at the State and local levels. At the county level, INS officers instituted specialized operations in selected large county jails (e.g., Los Angeles County) to identify deportable aliens and process them through IHP-type procedures that allow for expedient removal. In the Los



Angeles County Jail alone, INS interviewed more than 8,700 foreign-born inmates, served orders to institute proceedings on approximately 2,000 of them, and accepted release/custody of approximately 3,500 for further action.

Also under the auspices of the Department's Prisoner Exchange Program, BOP worked in 1996 with the Criminal Division and USMS to return 472 foreign inmates to 17 different countries, and 103 American citizens to the United States to finish serving their sentences.

## **Asylum Policy and Procedure Reform**

The Civil Division played an integral role in drafting the IIRIRA provisions that deal with asylum, exclusion, and deportation of aliens. Under the Act, aliens entering the country with falsified or borrowed documents are detained, with asylum granted only if the applicant shows a "credible fear" of persecution. The Act also requires persons seeking political asylum to file an application within 1 year of entering the country, and bars dangerous criminal aliens from receiving asylum. The Act removes the work authorization incentive for filing frivolous asylum applications by prohibiting the grant of a work authorization until 180 days after filing.

In 1996, EOIR received a total of 82,615 asylum cases—50 percent more than in 1995, the 1st year of asylum reform, and a four-fold increase over 1994. Despite the vast increase in workload, Immigration Judges were able to handle expedited cases in a timely manner, meeting the 180-day time frame goal in over 95 percent of cases. Prompt decisionmaking helps to deter the filing of meritless appeals taken solely for purposes of delay.

## **Improved Hearings Process**

During the past fiscal year, coordination between EOIR, INS, and BOP has shown measurable progress in the development of the Enhanced Federal Institutional Hearing Program plan. Designed to greatly reduce the number of cases involving criminal aliens released to INS prior to the completion of Immigration Court proceedings, this plan—to be implemented over a 2–3 year time frame—will not only focus hearings at the "front end" of the process while the criminal aliens are still incarcerated, but will also increase the number of hearings each year. This program will ensure that the 12,000 criminal aliens committed each year to serve Federal sentences will complete the deportation hearing process while still serving their time. Deportation can then occur upon completion of the sentence, which avoids costly post-sentence detention.



During 1996, progress in the IHP continued with the addition of three sites: Eden and Reeves, Texas; and Allenwood, Pennsylvania. Preparations were made for two more sites in Lompoc and Terminal Island, California. At the State level, both Arizona and New Jersey joined the “big five” of California, Texas, Florida, New York, and Illinois in enhancing their State IHPs to more effectively deal with incarcerated aliens. Additionally, video teleconferencing equipment was installed in four EOIR locations and linked to detention/prison facilities to make more efficient use of Immigration Judge time. This equipment allows for the conduct of Immigration Court proceedings over long distances, without judge and support staff traveling to the penal or detention facilities. Initial hearings with video teleconferencing equipment have gone extremely well.

The passage in 1996 of two major pieces of legislation relating to immigration highlighted the important role of EOIR’s Board of Immigration Appeals (Board) in interpreting complex laws and ensuring their uniform application by the nearly 200 Immigration Judges. In 1996, the Board decided a number of important precedents involving criminal aliens, including issues relating to their deportability as well as to their eligibility for relief from deportation. The Board also continued to provide guidance regarding the meaning of U.S. asylum laws. Among many other issues, the Board decided cases involving female genital mutilation and the meaning of the term “social group” for purposes of asylum.

## **Agency Coordination at the Borders**

The USNCB works closely with U.S. border agencies to ensure the identification of international criminals and fugitives presenting themselves for inspection and admission into the United States. USNCB assists INS and U.S. Customs agents responding to INTERPOL lookouts placed by USNCB in their lookout databases. Where identification is confirmed, the subject is arrested, if possible, and/or entry into the United States denied.

To implement investigative agency efforts under the Department’s Southwest Border Initiative (SWBI), which targets the major Mexican trafficking organizations importing tons of cocaine and marijuana into the United States, DEA, in concert with FBI and the U.S. Attorneys’ offices, has developed and implemented an integrated, coordinated plan for law enforcement counterdrug activities along the U.S. southwest border. The plan provides a regional concept for intelligence sharing, cooperative investigations, and coordinated enforcement activities of Federal investigative agencies, southwest border High Intensity Drug Trafficking Area (HIDTA) partnerships, and other State and local task forces.

Further SWBI coordination is supplied by the Southwest Border Council, composed of six U.S. Attorneys and representatives from the Criminal Division, FBI, DEA, USCS, and INS. The council



ensures that all of the agencies are working apace and that each has made the commitment of necessary resources. The SWBI has led to increased interagency cooperation among the FBI, DEA, INS, USCS, U.S. Attorneys, Criminal Division, and other Federal, State, and local law enforcement investigative and prosecutorial agencies. This cooperation has become particularly evident in the sharing and analysis of evidence, the collecting of investigative intelligence and information, and the pooling of investigative expertise.





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## IV. Making the Legal System Work for All Americans

**Goal: Work to insure that Americans receive equal access to the legal and law enforcement system.**

An important job of the Department is to protect the rights of all Americans by eliminating criminal activity and keeping our justice system a fair one. The Department accomplished this goal through vigorous enforcement of civil rights laws, giving needed attention to victims' rights, to the rights of people with disabilities and those wishing to take advantage of educational opportunities, and to the rights of employees not to be discriminated against and of Indian Tribes not to have tribal lands exploited or self-government denied. The Department also targeted civil rights violations in connection with church arsons and other hate crimes, levying additional resources to investigate and prevent these occurrences through new legislation and local initiatives designed to help communities protect themselves.

As part of its civil justice reform, the Department promoted the use of alternative dispute resolution (ADR) by its attorneys, and encouraged its employees to participate in volunteer pro bono legal and community activities, with much success.

### Guaranteeing the Civil Rights of Americans

It is the Department's role to provide leadership in cases involving racial violence, hate crimes, involuntary servitude, and the FACE Act—the Freedom of Access to Clinic Entrances. During 1996, the Civil Rights Division charged 128 defendants in 79 such cases. The U.S. Attorneys handle civil rights prosecutions in consultation with the Department's Civil Rights Division. Guilty pleas from 85 defendants, coupled with the trial convictions, resulted in an overall success rate of 86.9 percent. Victories came in the areas of victims' rights; fair housing; disability, education, and employment rights; Indian rights; and criminal civil rights enforcement. The Department worked with Congress to educate its members on the potential effects of proposed cutbacks in major civil rights laws—targets of several legislative initiatives in 1996.



## *Victims' Rights*

During the past fiscal year, the Department embarked on a major initiative to renew its commitment to crime victims and to strengthen victims' rights and provision of services to victims throughout Federal and State criminal justice systems. The Department is reaching out to State and local officials in an effort to achieve a uniform national baseline of protection for victims of crime.

OJP's efforts to assist crime victims hit a high point during the past year. The Crime Victims Fund, which supports thousands of programs for crime victims with fines paid by Federal criminal offenders—not taxpayers—reached a historic level, increasing from \$62 million in 1987 to \$528.9 million by the end of 1996. Revenue for the fund is wholly dependent on Federal crime-fighting efforts.

A national conference sponsored by EOUSA stressed the victims' rights emphasis, highlighting the need for greater coordination and collaborative efforts among all law enforcement entities in ensuring rights to the victims of crime. The conference emphasized the need for a better approach to providing victim services.

## *Fair Housing*

In 1996, the Department continued its vigorous enforcement of the Fair Housing Act and the Equal Credit Opportunity Act. Accomplishments in two major initiatives concerning enforcement of these statutes are especially notable.

First, the Department continued its vigorous attack on discrimination in lending. This initiative had a significant impact on improving lending opportunities for minorities. A *Wall Street Journal* article published during the year made note of this progress, emphasizing the importance of more vigorous enforcement of fair lending laws by both the Department and the bank regulatory agencies.

Second, the Fair Housing Testing Program has evolved into an extremely effective enforcement tool and a model for similar programs throughout the Government. Since its creation in 1992, it has resulted in the filing of 34 Fair Housing Act cases by the Department. In 1996, seven of these cases settled for close to \$1.3 million, reflecting the largest ever awards in cases of this type, with over \$900,000 in monetary relief obtained. Most of this relief goes to victims of the discriminatory practices, but significant amounts are awarded to promote fair housing in the affected communities to help counter the effects of discrimination.



## *Disability and Education Rights*

The Department continued its comprehensive program under the Americans with Disabilities Act (ADA) to open up the mainstream of American life to people with disabilities. Department initiatives have resulted in direct access for TDD users to 9-1-1 emergency systems, the elimination of physical barriers in town halls, and the guarantee of effective communication in law enforcement and judicial proceedings. In addition, many people with disabilities have gained access to businesses and government agencies as a result of the Department's expanded program of alternative dispute resolution in which ADA complaints are referred to trained mediators.

The Department also offered ADA technical assistance that was well received by the public. The toll-free ADA information line received 88,000 calls from the public seeking information and publications on the ADA. Eight million publications and pieces of information were disseminated. This figure includes over 1 million documents disseminated on request, an outreach mailing to 6.3 million businesses, and dissemination through a new ADA home page on the World Wide Web, which served 1,000 – 2,000 users a week. Through the ADA technical assistance grant program, the Civil Rights Division expanded a collection of ADA materials in 15,000 local public libraries throughout the country, trained professional mediators to resolve ADA disputes, and undertook 16 State-based projects to educate businesses and State and local government officials about the ADA and the resources available to help them comply.

The Department was also active in higher education cases during the year, and continued to enforce the constitutional right of women to gain admission to the Citadel and to the Virginia Military Institute. In 1996, more emphasis was placed on providing additional educational opportunities to the victims of unlawful racial segregation in elementary and secondary schools, as well as in higher education, particularly on providing remedies for discrimination against persons with disabilities, language minority students, and women.

## *Employment Rights*

In 1996, the Department continued to pursue pattern or practice employment discrimination cases under Title VII of the Civil Rights Act of 1964, as amended. In settlement agreements reached with the States of Louisiana and New Jersey and the Parish of Orleans, Louisiana, the Civil Rights Division obtained more than \$6.7 million in combined monetary relief for several hundred victims of employment discrimination based on gender, race, and national origin. Additionally in 1996, the Office of the Special Counsel (OSC) continued to obtain significant monetary awards in cases involving unfair immigration-related employment practices.

**T**he Department entered a series of landmark settlement agreements that will serve as models for ADA compliance throughout the country. The Olympic Stadium and four other venues newly designed and constructed for the 1996 Atlanta Olympics were made fully accessible under an agreement that has set the standard for accessible stadium construction nationwide. Similarly, two major agreements with national movie theater chains established model standards for physical accessibility in both existing and newly constructed theaters and for the provision of assistive listening devices for persons who are hard of hearing.



## *Indian Rights*

During 1996, the Department made tremendous progress in vindicating Indian rights and promoting partnerships with tribes. It negotiated a historic settlement that paves the way for a consensual resolution of a century-old dispute between the Hopi Tribe and the Navajo Nation over land use in northern Arizona. The Department and the Crow Tribe won a court order compelling the State of Montana to return to the tribe \$57 million in illegal taxes on Crow coal. The Department also obtained Supreme Court reversal of a lower court ruling that struck down the Interior Department's authority to take land in trust for tribes under the Indian Reorganization Act.

The Department continued to support self-government for Indian tribes, including a commitment to strengthen tribal courts as instruments of self-government. With the objective of educating all Americans about tribal justice systems, the Department organized an issue of *Judicature* magazine, which contained a series of articles about tribal justice systems by the Attorney General; Federal, State, and tribal judges; legal scholars; and Indian law practitioners. This publication helped to improve working cooperation and understanding among State, Federal, and tribal judiciaries.

## *Criminal Civil Rights Violations*

In response to the Attorney General's June 1996 directive, the U.S. Attorneys established local task forces to work with the National Church Arson Task Force in investigating and prosecuting those responsible for attacks on houses of worship. As a member of the Operations Working Group of the National Church Arson Task Force, the FBI provides extensive support to this effort. It has been investigating more than 270 arsons, bombings, or attempted bombings at churches or other houses of worship occurring since January 1, 1995. The FBI is responding aggressively to each incident by working jointly with the Department of Treasury's Bureau of Alcohol, Tobacco and Firearms (ATF) and local agencies to investigate each case as a violation of Federal arson or civil rights statutes. As of October 16, 1996, 84 (31 percent) of these investigations resulted in arrests.

The Department worked closely with Congress to develop and pass the Church Arson Prevention Act to give the Department greater authority to prosecute and punish church arsons. The bill also authorizes additional funding for the Community Relations Service, and permanently reauthorizes the Hate Crime Statistics Act.

Also in 1996, President Clinton announced a new BJA grant program as a component of his National Arson Prevention Initiative. In October 1996, BJA awarded more than \$2.6 million to 586 county



governments in 13 States to enhance security in and around churches, hire part-time law enforcement officers to increase patrols around churches, or pay overtime to existing police officers who participate in church arson prevention initiatives. BJA invited every county in the 13 southern States identified by the Federal Emergency Management Agency (FEMA) to apply for these one-time grants to prevent church arson.

## *Judicial Selection*

Finally, the Department, in coordination with the White House Counsel's Office, continued to oversee the judicial selection process throughout the past year. Twenty (20) nominees were confirmed as judges during the year, while the Senate returned an additional 29 nominations without action at the conclusion of the session. President Clinton made 204 judicial appointments in his first term, exceeding both of his predecessors in appointments made. In keeping with the President's commitment to make appointments that reflect America's diversity, over 53 percent of these appointments have been women and minorities, again a historic high.

## **Civil Justice Reform**

The Civil Division had a lead role in developing the Executive Order for Civil Justice Reform, signed on February 5, 1996. The order requires agencies to use clear language and legal standards when writing legislative proposals and regulations. It also recommends the use of ADR and settlement conferences to resolve civil claims involving the Government. Additionally, Federal agencies are expected to develop programs to encourage pro bono legal service by employees, with each employee encouraged to volunteer for 50 hours per year.

In response to this mandate, the Attorney General issued a policy encouraging Department employees to volunteer in pro bono legal and community activities. Department lawyers and paralegals responded to the call. They staffed the D.C. Bar's Pro Bono Clinic, worked with the D.C. Corporation Counsel's child abuse and neglect program, and volunteered with a variety of other legal services programs on such matters as child custody, mediation, dispute resolution, wills, and appeals.

EOUSA continued to work with the Department's Senior Counsel for ADR to promote, through education and support, the use of ADR by Department attorneys. The U.S. Attorneys continued to receive guidance on policies promoting the use of ADR in civil litigation.

Also in 1996, under authority of Executive Order 12250 providing for Government-wide civil rights enforcement coordination, the Department initiated a program of interagency cooperation, techni-



cal assistance, training, and outreach to beneficiaries and recipients to revitalize the enforcement of Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972.



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## V. Enforcing the Nation's Environmental and Antitrust Laws

**Goal: To protect the environment and competition while respecting the needs of economic development.**

The Department continued to play a vital role in safeguarding the Nation's environment through natural resources protection, environmental enforcement, and promotion of environmental justice. Similarly, the Department was committed to enforcing laws that preserve a competitive business environment, targeting international price-fixing cartels, criminal antitrust activities by corporations, and anticompetitive practices by the health care industry. While it sought to vigorously defend environmental and antitrust laws that disallow unfair or illegal practices, the Department also worked to strike the right balance so as not to hinder economic development.

### Safeguarding America's Environment

Several pieces of legislation considered by the Congress in 1996 had potentially negative ramifications for Federal protection of the environment. The Department took a lead role within the Administration in educating members of Congress as to how these various proposals would adversely impact the Government's ability to protect public safety, health, and the environment. Further, as a major participant in the public debate over Superfund reauthorization, the Department presented convincing congressional testimony on why the proposals being considered by Congress were ill-conceived from a liability standpoint. Through congressional testimony, briefings with members and staff, and other forms of outreach, the Department ultimately dissuaded members from passing these problematic bills.

The Department successfully defended many Federal programs designed to protect human health and the environment. It defeated constitutional challenges to Clean Air Act provisions and defended the Environmental Protection Agency's (EPA's) effluent limitations for the offshore oil and gas industry under the Clean Water Act. Similarly, the Department voiced its opposition to legislative proposals that would have weakened enforcement of the Endangered Species Act and imposed new costs on taxpayers. It also defended the most ambitious Federal program ever designed to address pollution in the Great Lakes.



## *Criminal Enforcement*

Procedures implemented in 1994 defined and strengthened the partnership between the U.S. Attorneys and the Department's Environmental and Natural Resources Division (ENRD) in the investigation and prosecution of environmental crimes. The U.S. Attorneys brought criminal charges against 407 defendants during the year, representing a 39-percent increase over the number charged during 1995. Seventy-eight (78) percent of the 330 defendants whose cases were terminated during the year were convicted.

Environmental crime is one of the national priorities identified within the FBI's White Collar Crime Program. The FBI has approximately 500 environmental crimes investigations ongoing at any given time. In 1996, these investigations resulted in 5 complaints, 50 informations, 70 indictments, 6 pretrial diversions, 94 convictions, \$3,408,306 in restitutions, and \$143,007,617 in fines.

Aggressive enforcement of environmental laws is the indispensable cornerstone of environmental protection. As part of its criminal enforcement efforts, ENRD spearheaded an initiative to stem the tide of illegal imports of chlorofluorocarbons (CFCs), regulated under an international agreement for their depletive effects on the stratospheric ozone layer, which lead to skin cancer and cataracts, and cause other serious harm. The Department is working aggressively with FBI, EPA, IRS, USCS, and Canadian officials to deter future illegal CFC importation.

USNCB was requested to provide assistance in a joint USCS-EPA investigation of the illegal importation of CFC-12, more commonly known as "freon," in violation of the Montreal Protocol on Substances that Deplete the Ozone Layer. Through the cooperative efforts of INTERPOL, it was confirmed that a suspect wanted in the case was in Costa Rica. He was arrested there by Costa Rican authorities and extradited back to the United States, which is the first time an environmental violator/fugitive has been apprehended and extradited. Operation Cool Breeze—a joint EPA, IRS, and USCS team—identified 17 separate smuggling efforts by the defendant under a dozen false identities and straw companies.

## *Civil Enforcement*

As a result of the Department's civil environmental enforcement efforts in 1996, defendants were required to spend \$305 million to come into compliance with environmental laws, and nearly \$25 million for supplemental projects to improve the environment. Civil enforcement of the Superfund cleanup statute was equally impressive. During 1996, the Department obtained 95 settlements and judgments requiring defendants to reimburse the Government \$384 million for cleanup costs—an all-time record. The U.S. Attorneys filed or responded to 470 civil actions to assert or defend the inter-

**T**he Department continued to work toward cleanup of contaminated tribal lands. In a precedent-setting enforcement case under the Safe Drinking Water Act, it sued Tenneco Oil Company for polluting the groundwater of the Sac and Fox Nation of Oklahoma. The Department's negotiated settlement requires Tenneco to provide the Nation with a new drinking water supply, pay the Nation \$1.16 million in compensation, and restore contaminated tribal lands.



ests of the United States in environmental matters. The United States prevailed in 80 percent of those cases.

Additionally, Superfund was made fairer and more efficient through the use of creative *de minimis* and *de micromis* settlements, which help small businesses, households, and other small waste contributors avoid litigation. In Superfund cleanup, ENRD continues to give top priority to the cleanup of “Brownfields”—contaminated sites that contribute to poverty by posing health hazards and impeding economic revitalization, especially in urban communities.

### *Natural Resources Protection*

The Department continued to work closely with Federal land management agencies to develop ecosystem approaches to protecting Federal lands. It worked to protect Yellowstone National Park from environmental risks posed by the New World Mine, and reached an agreement to prevent logging of the largest privately held redwood grove in the world, found in the Headwaters Forest of northern California. The Department also convinced the courts to reject an overly expansive reading of the timber provisions in the 1995 Rescissions Act—thereby saving important old-growth habitat—and went to court to acquire land for a wide variety of public uses, including environmental preservation and protection for the Appalachian National Scenic Trail and Everglades National Park.

The Department also continued its crackdown on international wildlife smuggling, a multibillion dollar black market that threatens biodiversity and depletes the national treasures of countries across the globe. As a result of “Operation Renegade,” which targets smuggling of exotic birds and their eggs into the United States, 36 defendants were charged, convicted, sentenced, and ordered to pay approximately \$330,000 in fines, forfeitures, and restitutions.

Finally, EPA and the Department are expanding the use of Prospective Purchaser Agreements (PPAs), which encourage the redevelopment of abandoned properties or the creation of employment opportunities. One PPA, entered into with Spelman College—a nationally prominent, historically black women’s college located in an economically depressed urban area—will expand its campus by constructing administrative and academic buildings and student housing on the property.

**D**uring 1996 BOP institutions recycled 86 percent of generated waste totaling over 8,830 tons. In addition to minimizing the impact on the environment, the Bureau’s recycling efforts resulted in greatly reduced costs for disposal of solid wastes. For instance, institutions in the northeast region saved \$184,163 through solid waste recovery and recycling efforts.

### **Enforcing Antitrust Laws**

The Department is responsible for the vital task of enforcing the antitrust laws of the United States. The primary goal of the antitrust laws, under the Sherman and Clayton Acts, is to open markets and ensure their competitiveness for the benefit of American businesses and consumers.



Criminal enforcement against the most serious antitrust offenses—price fixing, market allocation, and bid rigging—is a core responsibility of the Antitrust Division. In 1996, the Antitrust Division filed 42 criminal cases against 41 corporations and 22 individuals. They were fined a total of \$26.8 million in criminal antitrust fines. Major criminal cases were filed in a wide range of industries, including commercial explosives, residential doors, and disposable plastic dinnerware. Corporations and individuals received a total of \$26.8 million in criminal fines and an average jail sentence of 15.5 months in antitrust proceedings.

### *Merger Reviews*

The Antitrust Division formally investigated 235 mergers in 1996, compared with 134 merger investigations in FY 1995. One important antitrust trend in 1996 was increased cooperation with State antitrust authorities in merger reviews. A record-breaking merger wave involving some of the largest mergers in history translated into a dramatic increase in workload for the Antitrust Division.

Mergers in the telecommunications industry have been a major focus following the passage of the Telecommunications Reform Act of 1996 (designed to open up the telecommunications industry to competitive market forces). The Department also consented to Disney's \$19 billion acquisition of the Capital Cities/ABC network after Disney agreed to divest a television station.

### *Banking Divestitures*

The second and third largest antitrust divestitures in the history of the banking industry also benefited from Federal-State cooperation. Following a joint investigation with the State attorneys general of Connecticut and Massachusetts, the Antitrust Division approved the merger of Fleet Financial Group and Shawmut National Corporation on the condition that Fleet sell 64 bank branches—resulting in the second-largest banking divestiture ever. The third-largest divestiture resulted after the Antitrust Division and the attorney general of California jointly approved Wells Fargo's acquisition of First Interstate Bancorp on the condition that the parties divest 61 branch offices.

### *Civil Litigation*

Preserving competition in the health care industry remained a major focus of the Antitrust Division's civil litigation effort. To promote competition in managed health plans, the Antitrust Division



filed a lawsuit against Delta Dental of Rhode Island to challenge Delta Dental's use of a "most favored nation" clause that raises barriers to competition and discourages dentists from charging lower prices.

Among other notable civil antitrust cases filed in 1996 was one involving the settlement by 24 securities firms that make markets on the NASDAQ stock market exchange. The NASDAQ settlement ends collusive practices that had effectively raised the transaction fees these traders charged to investors. The Department also filed a major civil antitrust suit against General Electric Company, alleging that the company improperly used software licenses to restrict competition in the market for medical imaging equipment service.





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## VI. Making the Department More Efficient and More Responsive

**Goal: To provide law enforcement and related services and programs in which the American people have full faith and confidence and to use the taxpayers' money wisely and efficiently.**

The Department continued to push toward accomplishing the Administration's goals for improving the way Government works in people's lives. In 1996 significant progress was made in streamlining Government operations, redesigning processes, advancing state-of-the-art technologies, integrating Department activities, and providing professional and efficient service to the American public—the Department's customers. Through teamwork, technology, and training, the Department promoted organizational effectiveness and reform in many areas, including collecting debts owed the United States, ensuring integrity of services, and making Government more accessible to the public.

### Coordinating DOJ Law Enforcement Activities

Cooperation among the Department's criminal investigative components continued to reap benefits in 1996. This collaborative environment fostered a number of successful initiatives, several of which are described below.

#### *Illustrative Initiatives*

One 1996 provider of increased cost savings and efficiencies to State and local governments was the USMS Justice Prisoner and Alien Transportation System (JPATS). A merger of the former National Prisoner Transportation System operated by USMS with the aviation and scheduling programs of the INS, JPATS transported nearly 3,500 State and local prisoners in 1996. It supported State and local law enforcement agencies by coordinating the long-distance transportation of their prisoners on a "space-available" basis—saving time and money. JPATS also substantially reduced the time a U.S. Marshal must spend on prisoner transportation, from 55 percent to 5 percent.



During 1996, its first full year of operation, JPATS' performance exceeded all expectations. Prisoner and alien transportation movements totaled 189,040—a 24-percent increase over 1995 movements. JPATS played a major role in the transportation and removal of INS detainees/aliens, transporting more than 30,000 aliens in 1996—a 203-percent increase over the number of aliens transported by the INS Air Transport Branch during 1995. JPATS received the Vice President's Hammer Award for increasing efficiency and enhancing prisoner security.

The Department gave considerable attention to two important White House initiatives in 1996. The first, the Regulation Reduction Initiative, required Justice regulatory components to undertake extensive reviews to find extraneous, obsolete, or confusing regulations. As the initiative drew to a close, the Department had reduced the number of its directives by 53 percent and the number of pages by 56 percent, both exceeding Government-wide targets.

Another Executive initiative, the reinvention of Government "Blue Pages" phone listings, spearheaded by the Vice President, required agencies to convert from confusing and often unhelpful organizational listings to comprehensive, understandable, and accessible direct-help phone number listings for citizens and others who use the Government's services. Through the combined efforts of Justice headquarters and field employees, taxpayers will be able to identify and contact the offices whose services they seek.

### *JPR Reinvention Labs*

The year also saw the Justice Performance Review's (JPR's) continued oversight and direction of the highly successful JPR Reinvention Laboratory Program, which tests more effective and cost-efficient methods of providing better services or products. In 1996, the Department launched five new JPR labs on issues ranging from the electronic exchange of documents in a litigating environment to an examination of more flexible work options for employees.

One such lab that garnered much success in 1996 involved the combined efforts of the Justice Management Division (JMD) and the Department's investigative agencies. This JPR Reinvention Laboratory was created to develop joint automated booking stations (JABS). Significantly improving procedures that have remained substantially unchanged for half a century, JMD worked with FBI, DEA, USMS, BOP, and INS to develop a prototype system that facilitates the electronic collection, storage, and sharing of offender information. The JABS prototype, used to book over 2,200 offenders to date, has yielded impressive dividends. Bookings are done in one-fourth the time, the need for 5 records with 305 data elements has been reduced to 1 record with 61 elements, and the requirement for 15 sets of manual fingerprints has been reduced to 1 set of digitized prints. JABS also received the Vice President's Hammer Award.



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## *Teamwork*

Under the direction of the U.S. Attorneys locally, LECCs—Law Enforcement Coordinating Committees—continued to bring together Federal agencies, State and local prosecutors' offices, State police agencies, and local sheriffs' and police departments to enhance the effectiveness of the criminal justice system. LECCs mean teamwork—law enforcement from all levels coming together to train, share information, and work on task forces and subcommittees. Training seminars have been a most effective tool in encouraging Federal, State, and local law enforcement coordination and in assisting State and local law enforcement entities, whose budgets often do not provide for inservice training or travel to training sites. During 1996, Law Enforcement Coordinators provided training and assistance in Department priority areas, including the Weed and Seed Program, the COPS Program, and the reinvigoration of the Asset Forfeiture Program.

In border operations, several agencies have joined to help dismantle entire drug trafficking organizations. DEA's Special Operations Division (SOD) has worked closely with the FBI during the past year, enhancing its multi-agency cooperation by adding USCS personnel to the SOD staff. The addition of USCS is especially significant to the Southwest Border Project and to coordination and liaison with security personnel at POEs into the United States. Additionally, a March 25, 1996 Memorandum of Understanding between DEA and the U.S. Border Patrol covers, among other issues, intelligence sharing, drug seizures and arrests, and the assignment of INS agents to DEA offices. Another DEA collaboration is the Joint Information Coordination Center (JICC) Program, a Department of State and DEA effort to establish drug intelligence centers in host countries. JICC encourages interagency cooperation in the collection, analysis, and dissemination of drug information, and provides host countries an opportunity to check their intelligence data against EPIC databases.

Enforcement of civil rights laws along the southwest border, another Department priority, also exemplifies team effort. With leadership from the U.S. Attorney for the southern district of California, the Office of the Inspector General (OIG), the Civil Rights Division, and the FBI use a team approach to civil rights enforcement there; the OIG and FBI jointly investigate for criminal prosecution those civil rights matters involving Department employees.

In another example of teamwork, the Office of the General Counsel provided a broad array of legal services to the FBI. Examples of this support included legal advice provided to Special Agents involved in the Freeman standoff in Jordan, Montana; the arrest of a suspect in the Unabomb investigation; the collection of evidence for use in pending prosecution in the bombing of the Federal building in Oklahoma City; and the investigation of the bombing at the 1996 Summer Olympic Games in Atlanta. The FBI,



in turn, participated in an interagency working group to create uniform Department policy for using cooperating individuals and confidential informants to facilitate coordination of intelligence efforts in task force operations.

## Collecting Debts Due the United States

The U.S. Attorneys collected over \$1.6 billion in civil and criminal debts during 1996, or 1.6 times the amount of the 1996 U.S. Attorneys' operating budget nationwide. Over \$1 billion was collected in civil matters and cases during the year. Collections from criminal defendants sentenced to pay fines, restitutions, or special assessments as part of their convictions exceeded \$600 million. The Crime Victims Fund received more than \$529 million during 1996.

In response to requirements in the Anti-terrorism and Effective Death Penalty Act of 1996, the Attorney General issued guidelines to ensure that all plea agreements give consideration to requesting that defendants provide full restitution to all victims of all charges contained in the indictment or information.

Following a National Performance Review (NPR) recommendation, Congress authorized the Attorney General to use up to 3 percent of collected civil debts to reinvest in the administration of the Department's debt collection efforts. The Debt Collection Improvement Act of 1996, signed by the President on April 26, 1996, provides additional tools for the Department and other Federal agencies to maximize the collection of Federal debts. Included in the 1996 Omnibus Appropriations bill, the law granted the Attorney General permanent authority to use private counsel to collect civil debt in all judicial districts.

The Department used this revenue source in 1996 to reduce administrative burdens and provide needed resources for frontline "debt collectors." Accordingly, funds were allocated to components to locate debtors; contract with investigators, accountants, and statisticians to find hidden assets; fund system enhancements for civil debt collection processing and tracking activities; and support teams trained to investigate civil fraud and other financial misconduct against the United States.

In 1996, \$752 million was collected by the Civil Division or its client agencies. These recoveries were the result of victories against health care providers and defense contractors who defrauded the Government, bankrupt corporations owing money to the Government, individuals and firms who violated consumer protection statutes, corporations whose vessels polluted American waters, and persons who defaulted on student loans.

USMS reports that in the past year, the Department's Debt Collection Lab (DCL) processed 13 debt cases worth \$57 million. The DCL has found in excess of \$97 million in assets, recovering \$10.6 million to date. For each \$1 spent on investigating, \$1,534 in assets are located. The new Debt Collection Program is currently



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pending approval by the Deputy Attorney General, but promises to be an exciting way to assist the U.S. Attorneys' offices with financial investigations to help reduce the \$8 billion Department of Justice debt collection portfolio.

## Ensuring Integrity

During 1996, the Department continued to implement policies designed to ensure that its employees, particularly Department attorneys, adhere to the highest ethical standards in performing their law enforcement responsibilities. These initiatives included expanding the size of the Office of Professional Responsibility (OPR) to address allegations of misconduct against Department attorneys; conducting expedited investigations of judicial findings of attorney misconduct; pursuing integrity investigations to completion despite the resignation of the subject Department attorney; and issuing public summaries of the results of OPR investigations in appropriate cases.

These and other integrity program initiatives have gone a long way to assure both the legal community and the public at large that Department attorneys will conduct themselves in accordance with the ethical standards expected of the Department of Justice.

Onsite evaluations were conducted in 34 U.S. Attorneys' offices during 1996. In addition to satisfying regulatory and statutory requirements, the Evaluation Program provides onsite management assistance to the U.S. Attorneys and a forum for evaluators and the offices being visited to share information and innovative ideas. The program also serves as a resource for the Attorney General to see how Department law enforcement priorities are being addressed and to identify successes related to violent crime initiatives and task forces, victim assistance, health care fraud, affirmative civil enforcement, and child support recovery. Through the follow-up program, EOUSA determined that the Evaluation Program achieved a 97-percent compliance rate with recommendations made to U.S. Attorneys during 1995.

## Promoting Organizational Effectiveness

The Department worked closely with its client agencies to increase efficiency and streamline Governmental operations, continuing to upgrade technology to increase productivity. Justice component agencies also worked with each other to initiate reforms, such as the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, using electronic communications technologies to speed results. The Department also recognized the power of the Internet. Its ability to provide information to the public about the Department and its resources has prompted many components to establish their own homepages.



Reorganization and streamlining efforts by Department agencies have resulted in reduced layers of management, “reinvented” customer service organizations, and self-directed and multifunctional customer service teams, with decisionmaking shifted to district or field offices. One example of the change is the COPS program. From the beginning, COPS set out to enhance customer service by being flexible and responsive to local agencies’ needs. Working as a team, COPS empowered its frontline employees to develop innovative solutions to problems. This approach has resulted in streamlined grant application processes.

Through resource enhancements, personnel shifts, and process changes, INS reduced the average processing time nationwide of naturalization applications—from filing to oath or denial—to 6 months or less. INS processed an unprecedented 1.3 million naturalization cases, a 166-percent increase over FY 1995.

### *Increasing Access to Government*

The Office of Policy Development (OPD) led the Department’s efforts to improve access to Government information and establish new mechanisms for accountability. This work helped narrow the circumstances under which the Department will defend an agency’s decision to withhold information; instituted an “expedited access” policy for media-related Freedom of Information Act (FOIA) requests; made aggressive use of affirmative disclosures through informal channels whenever possible; and made timely and efficient performance of FOIA responsibilities a part of the performance evaluation of all relevant DOJ employees.

As part of efforts to increase the public’s access to Government documents and assure citizens a fully accountable Government, several Justice agencies in 1996 met or exceeded goals established for the Department’s FOIA/Privacy Act (PA) Backlog Reduction Plan. In addition, the Criminal Division continued its efforts to implement a prototype FOIA/PA case-tracking system that will greatly enhance abilities to manage increasing requests.

### *Applying Technological Tools*

To increase access to its documents, EOUSA implemented a computer program called USABook Computer Legal Research (USABook). USABook allows EOUSA to put copies of all textbooks, case summaries, monographs, and model forms from a variety of sources—both inside and outside the Department—on the desktops of every attorney and paralegal in the Department.

EOUSA also completed initial programming of the new LIONS case management system, which is scheduled for installation nationwide during 1997. LIONS will provide the U.S. Attorneys with a



tool to manage their workloads more efficiently and effectively, eliminate the ad hoc systems that were developed to provide information on priority litigation, and enable the Department to obtain case-related information on a more frequent and timely basis.

EOUSA also remains at the forefront of the emerging technologies associated with “standards-based” video conferencing. Video conferencing is used by the Department for a variety of purposes, including prisoner interviews with attorneys, civil hearings, and probation and pretrial services, often from such remote locations as Hawaii. This technology reduces prisoner security risks and helps to more efficiently operate the Federal detention program. It also enables the Department to reduce travel, increase meeting attendance, extend training audiences, and provide a safer and more secure environment for certain aspects of litigation, requiring less movement of witnesses and prisoners. At present, 90 U.S. Attorneys’ sites have operational systems installed, with installation of all 208 sites expected by June 1997.





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# Glossary of Abbreviations and Acronyms

<b>ADA</b>	Americans with Disabilities Act
<b>ADR</b>	Alternative Dispute Resolution
<b>ATF</b>	Bureau of Alcohol, Tobacco, and Firearms
<b>BJA</b>	Bureau of Justice Assistance
<b>BOP</b>	Federal Bureau of Prisons
<b>CCC</b>	Community Corrections Center
<b>CFC</b>	chlorofluorocarbon
<b>CIA</b>	Central Intelligence Agency
<b>CITAC</b>	Computer Investigations and Infrastructure Threat Assessment Center
<b>COPS</b>	Office of Community Oriented Policing Services
<b>COPS MORE</b>	Office of Community Oriented Policing Services Making Officer Redeployment Effective
<b>CSC</b>	Comprehensive Sanctions Center
<b>DCL</b>	Dedicated Commuter Lane
<b>DCL</b>	Debt Collection Lab
<b>DEA</b>	Drug Enforcement Administration
<b>DOJ</b>	Department of Justice
<b>ENRD</b>	Environment and Natural Resources Division
<b>EOIR</b>	Executive Office for Immigration Review
<b>EOUSA</b>	Executive Office for United States Attorneys
<b>EPA</b>	Environmental Protection Agency
<b>EPIC</b>	El Paso Intelligence Center
<b>FACE</b>	Freedom of Access to Clinic Entrances
<b>FBI</b>	Federal Bureau of Investigation
<b>FDA</b>	Food and Drug Administration
<b>FEMA</b>	Federal Emergency Management Agency
<b>FOIA</b>	Freedom of Information Act
<b>FPI</b>	Federal Prison Industries
<b>FTC</b>	Federal Trade Commission
<b>GIS</b>	Geographic Information System
<b>HIDTA</b>	High Intensity Drug Trafficking Area
<b>HUD</b>	Department of Housing and Urban Development
<b>IHP</b>	Institutional Hearing Program
<b>IIRIRA</b>	Illegal Immigration Reform and Immigrant Responsibility Act
<b>INS</b>	Immigration and Naturalization Service
<b>INSPASS</b>	INS' Passenger Accelerated Service System
<b>INTERPOL</b>	International Criminal Police Organizations
<b>IRS</b>	Internal Revenue Service
<b>JABS</b>	Joint Automated Booking Station



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<b>JICC</b>	Joint Information Coordination Center
<b>JMD</b>	Justice Management Division
<b>JPATS</b>	Justice Prisoner and Alien Transportation Service
<b>JPR</b>	Justice Performance Review
<b>LCN</b>	La Cosa Nostra
<b>LECC</b>	Law Enforcement Coordinating Committee
<b>MET</b>	Mobile Enforcement Team
<b>NCHIP</b>	National Criminal History Improvement Program
<b>NICS</b>	National Instant Criminal Background Check System
<b>NIJ</b>	National Institute of Justice
<b>NPR</b>	National Performance Review
<b>OCDETF</b>	Organized Crime Drug Enforcement Task Force
<b>OIG</b>	Office of Inspector General
<b>OJP</b>	Office of Justice Programs
<b>OJJDP</b>	Office of Juvenile Justice and Delinquency Prevention
<b>OPD</b>	Office of Policy Development
<b>OPR</b>	Office of Professional Responsibility
<b>OSC</b>	Office of the Special Counsel
<b>OVC</b>	Office for Victims of Crime
<b>POE</b>	Port-of-Entry
<b>PPA</b>	Prospective Purchaser Agreement
<b>RICO</b>	Racketeer Influenced and Corrupt Organizations
<b>SENTRI</b>	Secure Electronic Network for Travelers' Rapid Inspection
<b>SOD</b>	Special Operations Division
<b>SSTF</b>	Safe Streets Task Force
<b>S.T.O.P.</b>	Services Training Officer Prosecutors
<b>SUA</b>	Shan United Army
<b>SWBI</b>	Southwest Border Initiative
<b>TPCS</b>	The Pilot Connection Society
<b>USCS</b>	United States Customs Service
<b>USMS</b>	United States Marshals Service
<b>USNCB</b>	United States National Central Bureau
<b>VAWA</b>	Violence Against Women Act





