

# Section II

## Performance Information by Strategic Goal/ Objective

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### Overview

This section provides to the President, the Congress, and the public a clear picture of how the Department of Justice (DOJ or the Department) is working toward accomplishing its mission. The *Annual Performance Report/Annual Performance Plan (APR/APP)* provides a summary discussion of the Department's three strategic goals. It also reports on the 30 key performance measures for these goals by detailing program objectives and FY 2014 targets and actual performance, as well as whether targets were or were not achieved. Each key performance measure also includes information related to data collection and storage, data validation and verification, and data limitations. This section also includes a Strategic Objective Review Summary of Findings on the progress of the objectives under each strategic goal.

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

In FY 2014, the Department continued to demonstrate clear management commitment to timely and accurate financial and budget information through the use of Department-wide quarterly status reporting. Quarterly status reporting has provided the Department the ability to identify problems early, take necessary corrective actions, develop more effective strategies, and allocate necessary resources.

### Measuring Departmental Impact

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

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

## Measure Refinement, Data Revisions, and Subsequent Year Reporting

The *FY 2014 Annual Performance Report/FY 2016 Annual Performance Plan* highlights the key goals and performance measures reflected in the FY 2014-2018 Strategic Plan with 30 key performance measures that fully align to the Plan's priorities and goals. The APR/APP also provides details on the Department's success in meeting its performance measure targets in FY 2014.

Additional programmatic and performance information can be found in individual components' budget submissions, specifically within the Performance and Resources Tables (<http://www.justice.gov/about/bpp.htm>).

The *FY 2014 Annual Performance Report/FY 2016 Annual Performance Plan* presents the highest-level outcome-oriented measures available and fully reports on the accomplishments achieved during the reporting period. For this report, 7 years of data will be presented unless the performance outcome goal has less than 7 years, in which case all information is presented.

In addition, beginning with the *FY 2014 Annual Performance Report/FY 2016 Annual Performance Plan*, the report will include a Strategic Objective Review Summary of Findings section based on the Department's annual review of its 18 strategic objectives. The Department did not identify any focus area for improvement this year, and the Department is working to improve the review process in the coming year. The Government Performance and Results Modernization Act of 2010 mandates federal agencies to review, on an annual basis, the progress on each of the agencies strategic objectives as established in their respective strategic plans. The DOJ Strategic Objective Review process helps inform strategic decision-making and near term actions critical to the Department.

# I

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

Terrorism is the most significant national security threat that faces our Nation.

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

Summary of Goal 1 Performance Results				
Strategic Objective	Performance Measure Name	Page Number	FY 2014 Target	FY 2014 Actual
1.1	Number of terrorism disruptions [FBI]	II-5	50 <sup>1</sup>	214
1.2	Percentage of counterterrorism defendants whose cases were favorably resolved [NSD]	II-8	90%	92%
1.3	Percentage of counterespionage actions and disruptions against national counterintelligence priorities that result from FBI outreach [FBI]	II-11	10% <sup>1</sup>	7.3%
	Percentage of counterespionage defendants whose cases were favorably resolved [NSD]	II-12	90%	98%
1.4	Number of computer intrusion program disruptions and dismantlements [FBI]	II-15	100 <sup>1</sup>	2,492
	Percentage of cyber defendants whose cases were favorably resolved [NSD]	II-16	N/A <sup>1</sup>	N/A <sup>2</sup>

<sup>1</sup> This is a new measure for FY 2014.

<sup>2</sup> There were no cyber cases resolved during FY 2014.

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

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

### **Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

Terrorism is the most significant national security threat that the United States of America faces. As such, combating terrorism is, and will continue to be, the top priority of the Department. The Department focuses on targeting and disrupting terrorist threats and groups by leveraging its workforce and ensuring use of the latest technology to thwart emerging trends. In FY 2014, the Department disrupted 214 terrorist threats and groups, greatly surpassing its annual target of 50.



The Department could not have achieved its success in terrorism disruptions without operational prioritization of talented and highly-skilled agents. As such, the FBI prioritized specialized training for eligible counterterrorism special agents to ensure a highly-skilled workforce. FBI also streamlined its information sharing capabilities with partners and stakeholders by leveraging Guardian, an information-sharing platform, and developing and deploying eGuardian, the unclassified version of Guardian accessible via the FBI Law Enforcement Online network. The National Security Division (NSD) workload in the area of Foreign Intelligence Surveillance Act applications for electronic surveillance and/or physical search has also increased significantly. Notable Department case successes include the conviction of the son-in-law and former deputy to Usama bin Laden on three charges, including conspiracy to kill Americans, which reinforced the fact that prosecution in criminal court is a powerful tool in the Department's efforts to combat terrorism.

Education remains a high priority of the FBI's Counterterrorism Division, which will continue to provide specialized career path training to counterterrorism Special Agents. To support information sharing with partners and stakeholders, the FBI will continue to expand the level of access to Guardian employed at the classified levels to allow external partners of the U.S. Intelligence Community to directly interface with the FBI to share information of value to investigations. In addition, the Department continues its commitment to the Department's National Security Priority Goal by disrupting terrorist groups and disrupting and dismantling cyber threat actors.

The nature of terrorist threats continues to evolve. The Department is committed to stopping terrorism of any kind at any stage, from thwarting those intending to conduct an act of terrorism to investigating the financiers of terrorist operations.

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**Performance Measure:** Number of terrorism disruptions [FBI]

	FY 2014	FY 2015	FY 2016
Target	50	125	125
Actual	214	N/A	N/A

**Discussion of FY 2014 Results:** The number of terrorism disruptions affected through counterterrorism investigations greatly surpassed the FY 2014 target. In executing the FBI's number one priority to protect the U.S. from terrorist attacks, disruptions remain a key statistic that directly speaks to the Bureau's counterterrorism responsibilities. The FBI is committed to stopping terrorism of any kind at any stage as evidenced by its transformation into a proactive agency.

**Planned Future Performance:** Reported disruptions can only result from investigations predicated on potential plots, which are outside of FBI control. Therefore, disruptions can be a challenge to quantify for future years and necessitates prudence when forecasting. The FY 2015 and FY 2016 targets reflect the number of expected disruptions based on the estimated threat, yet account for potential fluctuations. Based on past data trends, coupled with current and emerging threat pictures, the FBI expects to achieve its FY 2015 and FY 2016 targets.

**Definition:** A disruption is defined as interrupting or inhibiting a threat actor from engaging in criminal or national security related activity. A disruption is the result of direct actions and may include but is not limited to the arrest; seizure of assets; or impairing the operational capabilities of key threat actors.

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



## Strategic Objective 1.2: Prosecute those involved in terrorist acts

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

**Strategic Objective Review Summary of Findings:** The Department of Justice, in consultation with the Office of Management and Budget has determined that performance toward this objective is making noteworthy progress.

A key component of the Department's strategy for successful terrorism prosecutions is maintaining a strong nationwide network of federal prosecutors who are well-versed in national security prosecutions. The strength of these nationwide networks of national security-trained prosecutors is evidenced in the Department's continued success in terrorism prosecutions. DOJ favorably resolved at least 90 percent of counterterrorism defendants' cases (actual was 92 percent) and attained a high level of successful terrorism prosecutions. This was a significant accomplishment, given the constantly evolving terrorist threats and ever changing policy/legal environment that contribute to the increasing complexities in prosecuting terrorism cases, and the number of cases that frequently require gathering evidence in foreign countries and protecting classified information.



Through joint efforts of the NSD and the Executive Office for U.S. Attorneys (EOUSA), DOJ held national conferences and security training courses to share best practices for the prosecution of terrorism defendants. The Department also provided a central forum for agencies to congregate and identify potential terrorism links in their investigations via DOJ's Anti-Terrorism Advisory Council program, and provided international assistance in criminal matters to U.S. and foreign investigators, prosecutors and judicial authorities; assisting prosecutors and judicial personnel in other countries,

with developing and sustaining effective criminal justice institutions. To support cooperation in criminal matters with foreign counterparts, the Department posted operational attachés [and deputies] abroad; through Resident Legal Advisors, it provided advice and technical assistance to host governments in establishing fair and transparent justice sector institutions and practices.

Notwithstanding the Department's progress toward this objective, there still remain some challenges. To meet the challenges, the Department will implement a more proactive approach and begin drafting

#### Challenges:

- ▾ Evolving terrorist threats, including lone wolves, and violent extremists
- ▾ Changing legal/policy environments
- ▾ Global conflict

threat-oriented, country-specific policy papers that will: identify the threat to U.S. national security emanating from the country, assess current role of the justice sector in the country's response to the threat, and recommend U.S. policies or actions to enhance that justice sector response. The Department will also develop and institutionalize coordination of counterterrorism/counterterrorist financing standards training and capacity-building, including the *Rabat Memorandum* good practices, a framework that includes standardizing best practices for the investigation and prosecution of terrorism crimes.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	90%	90%	90%	90%	90%	90%	90%
Actual	100%	98%	98%	90%	92%	N/A	N/A

**Discussion of FY 2014 Results:** The National Security Division (NSD) exceeded its target for FY 2014. The following are highlights from recent counterterrorism cases.

On September 23, 2014, Sulaiman Abu Ghayth, Usama Bin Laden's son-in-law and the former spokesman for al Qaeda at the time of the September 11th terrorist attacks, was sentenced to life in prison. From at least May 2001 until approximately 2002, Sulaiman Abu Ghayth served alongside Usama Bin Laden, appearing with Bin Laden and his then-deputy Ayman al-Zawahiri, speaking on behalf of the terrorist organization and in support of its mission. Abu Ghayth was found guilty on March 26, 2014, following a three-week jury trial, of conspiring to kill U.S. nationals, conspiring to provide material support to terrorists, and providing material support to terrorists.

On November 5, 2014, Sami Osmakac, a naturalized U.S. citizen who was born in the former Yugoslavia (Kosovo), was sentenced to 40 years' imprisonment and a life time of supervised release for the attempted use of weapons of mass destruction and possession of a fully automatic firearm. According to testimony and evidence presented at trial, Osmakac attempted to use weapons of mass destruction, including a car bomb, grenades, and a suicide explosive, at two locations in the Tampa Bay area.



On November 14, 2014, in the Northern District of Georgia, Raymond Adams and Samuel Crump were both sentenced to 120 months' imprisonment to be followed by 5 years' supervised release. Crump and Adams were found guilty of conspiracy to possess and produce a biological toxin (ricin) and possession of a biological toxin (castor beans) for use as a weapon. In sentencing the defendants, the judge found that the defendants had committed the offenses with the "intent to injure the United States." In 2010, the FBI identified Crump and Adams during the course of an investigation into members of the Militia of Georgia, a covert, anti-government association. During a search, the FBI recovered more than 500 castor beans from Crump's and Adams' properties, as well as recipes for extracting ricin from castor beans. The FBI also seized 33 mason jars from Adams' residence containing a brown, liquid substance that has since tested positive for the presence of ricin.

**Planned Future Performance:** NSD will promote and oversee a coordinated national counterterrorism enforcement program, through close collaboration with Department leadership, the National Security Branch of the FBI, the Intelligence Community, and the 94 U.S. Attorneys' Offices; develop national strategies for combating emerging and evolving terrorism threats, including the threat of cyber-based terrorism; consult, advise, and collaborate with prosecutors nationwide on international and domestic terrorism investigations, prosecutions, and appeals, including the use of classified evidence through the application of the Classified Information Procedures Act; share information with and provide advice to international prosecutors, agents, and investigating magistrates to assist in addressing international threat information and litigation initiatives; and manage DOJ's work on counter-terrorist financing programs, including supporting the process for designating Foreign Terrorist Organizations and Specially Designated Global Terrorists as well as staffing U.S. Government efforts on the Financial Action Task Force.

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

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

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

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

#### **Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

Outreach is central to the Department's counterespionage strategy. FBI maintains more than 15,000 liaison contacts nationwide, and initiated hundreds of investigations and threat assessments based on shared information. Notable case successes include the guilty plea of a defense contractor for willfully communicating classified national defense information to a Chinese national who did not possess a U.S. security clearance, and the conviction of a U.S. Navy cryptologic technician for attempted espionage.

In addition to traditional threats to national defense, military operations and policy, intelligence, and science and technology, many intelligence threat actors are expanding their targets to include cleared defense contractors and other sectors affecting U.S. security, notably sensitive economic information and emerging proprietary technology. Insider threats include security breaches by government employees and contractors with high levels of access to sensitive information, such as the recent unauthorized disclosures of classified information made by a federal contractor. In order to counter these threats, the Department will continue to: develop strategic partnerships with military, industrial, and research stakeholders, owners, and developers; identify targets of, and vulnerabilities to, foreign intelligence service intrusion, and identify priority threat country objectives and operations via sophisticated human intelligence and technical counterintelligence operations; protect against the dissemination of classified material that would harm national security by investigation and prosecution of individuals who disseminate classified information without authorization in order to deter future disclosures; and represent the government before the Foreign Intelligence Surveillance Court and expand oversight operations.

The FBI has raised public awareness and conducted stakeholder outreach by convening: more than 7,700 briefings, meetings, and presentations to promote alertness of economic espionage, protection of trade secrets, insider threats, and acquisition of sensitive technologies by foreign actors; and over 2,500 Counterintelligence Vulnerability Assessments, resulting in more than 280 organizations creating or improving their counterintelligence security.

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

	FY 2014	FY 2015	FY 2016
Target	10%	10%	10%
Actual	7.3%	N/A	N/A

**Discussion of FY 2014 Results:** In FY 2014, espionage remained one of the FBI Counterintelligence (CI) Program's most significant threats. In addition to traditional tradecraft used to penetrate economic, national security, and proprietary information, the FBI continued to disrupt and monitor advanced methods employed by foreign intelligence adversaries to penetrate U.S. entities. Of the CI Program's total law enforcement actions and disruptions, espionage-related threats accounted for more than 13 percent of the FBI's total CI accomplishments against National Intelligence Priorities Framework (NIPF) sponsored actors and entities. These accomplishments included 39 arrests, 13 convictions, and nearly 30 indictments. More than seven percent of the espionage-related accomplishments resulted from FBI outreach (as opposed to other investigative activities or intelligence production).

While the FBI missed its FY 2014 target by less than three percentage points, the CI Program demonstrated significant progress toward converting its outreach into productive foreign intelligence collection and investigations. In FY 2014, the FBI's CI Strategic Partnership Program (CISPP) increased its outreach efforts. The FBI conducted nearly 6,400 threat awareness briefings. Approximately 10 percent of total CI investigative activities and 5 percent of total CI accomplishments were predicated by outreach. Also, strategic partnerships contributed to the dissemination of thousands of finished intelligence products. Outreach is a long-standing FBI strategic priority, and field divisions are expected to evaluate regularly how they use partnerships to detect, report, neutralize, and disrupt foreign intelligence threats. As hostile foreign intelligence services use more sophisticated techniques to penetrate key economic, national security, and technology sector, it is essential for the FBI to develop more robust partnerships outside the intelligence and law enforcement communities.

**Planned Future Performance:** In FY 2015, threat-prioritized strategic outreach will be an important initiative for the FBI. The FBI plans to enhance its enterprise approach for managing outreach programming, especially with private sector organizations. The CI Program will address the emerging threat of foreign nation states using commercial enterprises to achieve desired intelligence collection and operational capabilities. The FBI will support the CISPP through designated Strategic Partnership Coordinators in each field division. Leveraging the FBI's integrated program management framework, FBI headquarters-based program managers will be accountable for monitoring and supporting each field division's outreach activities. Also, the FBI will support assessments of federal agency Insider Threat programs, sponsor working group meetings, formal alliances with the academic and business sectors, and regular briefings to entities vulnerable to foreign intrusion.

**Definition:** This measure evaluates the impact of counterintelligence outreach initiatives against the FBI's counterespionage strategic objectives. The measure is calculated as a percentage: the numerator is the number of FBI counterintelligence espionage-related actions and disruptions that are

both against an NIPF priority and result from FBI outreach initiative referrals. “Actions” are FBI law enforcement actions and disruptions; “priorities” are defined by the NIPF; and “outreach initiatives” are activities arising from the FBI’s Strategic Partnership Coordination Program and may include referrals from alliances, strategic partnerships, task forces, and working groups with public, private, and not-for-profit entities. The denominator is the total number of FBI counterintelligence actions and disruptions.

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

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	90%	90%	90%	90%	90%	90%	90%
Actual	94%	98%	100%	100%	98%	N/A	N/A

**Discussion of FY 2014 Results:** The National Security Division exceeded its target for FY 2014. The following are highlights from recent counterespionage cases.

On December 10, 2013, Ming Suan Zhang, a citizen of the People’s Republic of China, was sentenced in the Eastern District of New York to 57 months in prison. Previously, Zhang pleaded guilty to violating the International Emergency Economic Powers Act by attempting to export massive quantities of aerospace-grade carbon fiber from the United States to China. On September 26, 2012, a criminal complaint was unsealed in the Eastern District of New York charging Zhang with attempting to illegally export thousands of pounds of aerospace-grade carbon fiber to China. According to the complaint, Zhang was arrested in the United States after trying to negotiate a deal to acquire the specialized carbon fiber, a high-tech material used frequently in the military, defense, and aerospace industries, and which is therefore closely regulated by the U.S. Department of Commerce to combat nuclear proliferation and terrorism.

In March of 2014, a federal jury found two individuals and one company guilty of economic espionage, theft of trade secrets, bankruptcy fraud, tax evasion, and obstruction of justice for their roles in a long-running effort to obtain U.S. trade secrets for the benefit of companies controlled by the government of the People’s Republic of China (PRC). According to a March 2013 second superseding indictment, several former DuPont employees were engaged in the sale of trade secrets to Pangang Group, a state-owned enterprise in the PRC. Pangang and its subsidiaries sought information on the production of titanium dioxide, a white pigment used to color paper, plastics, and paint. Five individuals and five companies were charged in a scheme designed to take DuPont’s technology to the PRC and build competing titanium dioxide plants, which would undercut DuPont revenues and business. Three co-conspirators were arrested and one additional co-conspirator pled guilty in the Northern District of California. The March 2014 conviction marks the first jury conviction for economic espionage. This case is one of the largest economic espionage cases in history.

**Planned Future Performance:** Among the strategies that the National Security Division will pursue in this area are: supporting and supervising the investigation and prosecution of espionage and related cases through coordinated efforts and close collaboration with Department leadership, the FBI, the Intelligence Community, and the 94 U.S. Attorney Offices; developing national strategies for combating the emerging and evolving threat of cyber-based espionage and state-sponsored cyber intrusions; assisting in and overseeing the expansion of investigations and prosecutions into the unlawful export of military and strategic commodities and technology, and violations of U.S. economic sanctions; coordinating and providing advice in connection with cases involving the unauthorized disclosure of classified information and supporting resulting prosecutions by providing advice and assistance with the application of Classified Information Procedures Act; and enforcing the Foreign Agents Registration Act of 1938 and related disclosure statutes.

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

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

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

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

### **Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

A key component of DOJ's strategy for combatting cyber-based threats and attacks is to prevent such threats from developing into incidents or criminal cases by establishing successful relationships with other law enforcement agencies and members of the intelligence community (which allow for information sharing), outreach to and information sharing with victims, the collection of intelligence about such threats, reviews of business transactions and license applications for national security concerns, and providing guidance to other Executive Branch departments and agencies on complex and novel legal and policy questions. Once an intrusion has occurred, the Department's investigators and prosecutors conduct investigations with the objective of arresting and prosecuting those responsible or otherwise disrupting and deterring that activity. The United States Attorneys' Offices (USAOs), supported by the Criminal Division (CRM) and NSD, play a vital role in investigating and prosecuting a wide range of crimes that reflect cyber threats. Networks of specially trained attorneys provide clear channels of communication and coordination across the Department and, where appropriate, with other departments and agencies. CRM's Office of International Affairs provides support by obtaining cooperation with foreign governments in investigations, including through requests for investigative assistance.

DOJ uses a blend of civil, criminal, and administrative authorities (e.g., civil injunctions and seizure and forfeiture) to prevent and disrupt cyber threats. The Department greatly surpassed its annual target for the number of computer intrusion program disruptions and dismantlements. Legal authorities available for purposes of disrupting cyber threats are not limited to traditional law enforcement tools; the Department is also increasing outreach to private sector companies, to collect and share threat information and facilitate investigations and prosecutions. The FBI's Next Generation Cyber initiative has realigned the Cyber Division focus on the greatest cyber threat to our national security: intrusions into government and private computer networks.

The FBI's Next Generation Cyber initiative has realigned the Cyber Division focus on the greatest cyber threat to our national security: intrusions into government and private computer networks.

Some challenges related to this strategic objective include: inherent challenges to investigating, prosecuting, and otherwise disrupting cyber threats; uncertainties in the policy environment; resource limitations on outreach; and increasing demands for U.S. law enforcement assistance from foreign



authorities. In order to meet these challenges, the Department will prepare a multi-year cyber threat strategic plan that will identify resources, programs, and coordination structures needed to enable DOJ to prevent and respond more rapidly to future attacks; improve and streamline the Mutual Legal Assistance Treaty process to include enhancements that are critical to success in this aspect of global efforts to combat cyber threats; and transition the INTERPOL Operational Expert Group on Cybercrime, which is chaired by INTERPOL Washington, from a planning and development body to a permanent entity that will drive the strategic direction. Through the newly established INTERPOL Digital Crime Center, a component of the INTERPOL Global Complex for Innovation that is under the direction of a U.S. secondment from the FBI, INTERPOL will enhance its ability to support efforts to combat cybercrime worldwide. In addition, the Department continues its commitment to the Department's National Security Priority Goal by disrupting terrorist groups and disrupting and dismantling cyber threat actors.

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

	FY 2014	FY 2015	FY 2016
Target	100	500	500
Actual	2,492	N/A	N/A

**Discussion of FY 2014 Results:** The FBI is responsible for investigating criminal and national security cyber threats through its Cyber Division. The FBI also operates the National Cyber Investigative Joint Task Force, which serves as a national focal point for the U.S. Government to coordinate, integrate, and share information related to all cyber threat investigations. To facilitate its mission of countering cyber threats, the FBI is focusing resources on targeting and disrupting the top cyber threat actors, leveraging its workforce, and developing and utilizing the latest technology to counter emerging trends. Disruptions are milestones in the process of dismantling a group or organized criminal enterprise. Disruptions force an organization to adopt unfamiliar patterns or use less experienced personnel. These missteps create opportunities for additional disruptions, building momentum for the ultimate goal of the dismantlement of the organization. Through its centralized program management, FBI's Cyber Division measures disruptions and dismantlements across the nation's 56 field offices. Throughout FY 2014, the FBI executed its cyber mission by identifying, pursuing, and defeating cyber adversaries targeting global U.S. interests. For FY 2014, the FBI had a total of 2,492 cyber disruptions and dismantlements. The FBI Cyber Division substantially exceeded its baseline performance target in disrupting and dismantling the top cyber threat actors because of significant, coordinated operational activity. For example, in May 2014, the FBI New York Field Office announced the results of the largest law enforcement cyber action in U.S. history. This takedown was of a particularly insidious computer malware known as Blackshades, which was sold and distributed to thousands of people in more than 100 countries and was used to infect more than half a million computers worldwide.

**Planned Future Performance:** The FBI Cyber Division expects to continue its coordinated operational activities to disrupt and dismantle the top cyber threat actors, and therefore, expects to significantly exceed the original FY 2015 target of 100 computer intrusion disruptions and dismantlements. FBI Cyber Division has recommended an increase in the FY 2015 target from 100 to 500 disruptions and dismantlements.

**Definition:** A disruption is defined as interrupting or inhibiting a threat actor from engaging in criminal or national security related activity. A disruption is the result of direct actions and may include but is not limited to the arrest; seizure of assets; or impairing the operational capabilities of key threat actors. Dismantlement means that the targeted organization’s leadership, financial base and supply network has been destroyed, such that the organization is incapable of operating and/or reconstituting itself.

**Data Validation, Verification, and Limitations:** The FBI Cyber Division’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lacks significant detail. Data is collected routinely and stored on a classified enterprise platform. Data is validated and verified manually.

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

	FY 2014	FY 2015	FY 2016
Target	N/A	90%	90%
Actual	N/A	N/A	N/A

**Discussion of FY 2014 Results:** NSD has ongoing cyber-related cases which can take time to build successful cases. At this time, NSD has no “actuals” to report for FY 2014 but will be included in a future report.

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

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

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

# II

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

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

Summary of Goal 2 Performance Results				
Strategic Objective	Measure Name	Page Number	FY 2014 Target	FY 2014 Actual
2.1	Number of gangs/criminal enterprise dismantlements (non-CPOT) [FBI]	II-20	99	167
	Percent of criminal cases favorably resolved [USA, CRM]	II-21	90%	93%
2.2	Number of communities with improved capacity for a coordinated response to domestic violence, dating violence, sexual assault, and stalking [OVW]	II-25	5,008	5,426
	Percent of children recovered within 72 hours of an issuance of an AMBER alert [OJP]	II-26	90%	96%
2.3	Consolidated Priority Organization Target-linked drug trafficking organizations [DEA, FBI, OCDETF] -dismantled -disrupted	II-29	150 350	208 431

Strategic Objective	Measure Name	Page Number	FY 2014 Target	FY 2014 Actual
2.4	Number of criminal enterprises engaging in white-collar crimes dismantled [FBI]	II-32	368	464
	Percentage of dollar amounts sought by the government recovered [CIV]	II-33	85%	85%
2.5	Percent of civil rights cases favorably resolved: criminal cases [CRT]	II-36	85%	90%
	Percent of civil rights cases favorably resolved: civil cases [CRT]	II-36	85%	99%
2.6	Case resolution for DOJ litigating divisions – percent of criminal cases favorably resolved [ATR, CIV, ENRD, TAX]	II-40	90%	95%
	Case resolution for DOJ litigating divisions – percent of civil cases favorably resolved [ATR, CIV, ENRD, TAX]	II-40	80%	96%

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

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

### **Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

While there has been a 14.5 percent reduction in violent crime from 2004 to 2013 (estimate), violent crime still remains the most serious daily threat to public safety in many communities in the United States. The Department's overall strategy to reduce violent crime incorporates prevention, enforcement and reentry efforts. Federal prosecutors, in conjunction with their law enforcement partners, have bolstered intelligence capabilities, planned and executed sophisticated criminal investigations and prosecutions targeting the most significant threats, and supported innovative diversion and reentry programs such as the "front end" drug court programs and post-conviction reentry courts. Prosecutors prosecute organized crime organizations involved in violent crime and/or firearms and also review capital eligible cases to determine whether or not to seek capital punishment against offenders and prosecute capital cases.

The National Gang Targeting Enforcement and Coordination Center (known as Special Operations Division/Operational Center), a multi-agency law enforcement anti-gang initiative supports over 180 gang-related cases, while Organized Crime Drug Enforcement Task Forces (OCDETF), FBI and the Drug Enforcement Administration (DEA) efforts are focused on disrupting and dismantling organizations with a violent crime/firearms nexus. In addition, the FBI's Safe Streets Violent Crime Initiative, which administers over 160 Violent Gang Safe Streets Task Forces staffed by federal law enforcement and state and local law enforcement personnel, is instrumental in supporting law enforcement efforts in combating violent gangs, crimes of violence, and the apprehension of violent fugitives.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) supports this strategic objective by performing firearms dealer inspections, reconciling inventory for missing weapons and conducting their own investigations on criminal groups and gang related defendants. Building on the Safe Streets Violent Crime Initiative, the U.S. Marshals Service (USMS) Regional and District Fugitive Task forces provide additional resources in the apprehension of fugitives, further reducing the threat to communities. INTERPOL Washington provides a valuable international resource by providing intelligence to its law enforcement partners. In FY 2014, INTERPOL Washington initiated over

47,900 new records, published over 1,200 notices and issued over 16,600 lookouts to domestic and federal law enforcement partner agencies resulting in locating 870 fugitives.

Challenges for this strategic objective include appropriations restrictions, providing law enforcement training, and maintaining funding for innovative programs to improve technology such as the National Instant Check Background System (NICS) which helps to identify criminals and keep guns out of the hands of those individuals prohibited by law from owning them. The Department is implementing its Smart on Crime strategy at the USAOs and law enforcement agency levels to combat violent crime, while providing guidance and training to all its law enforcement partners. Close coordination and cooperation allows the Department to best leverage its existing assets, avoid duplication, and ensure a seamless approach that targets the most significant violent crime problems across the country. The Department remains committed to its Violent Crime Priority Goal of protecting our children and communities by reducing gun violence with enhanced prevention and investigative strategies.

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**Measure Name:** Number of gangs/criminal enterprise dismantlements [FBI]

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	99	99	99	99	99	99	TBD
Actual	124	165	163	251	167	N/A	N/A

**Discussion of FY 2014 Results:** The FBI exceeded its FY 2014 goal of 99 gangs/criminal enterprises dismantlements. Instrumental to the FBI's success in combating gangs/criminal enterprises has been its working partnerships with federal, state, and local law enforcement counterparts.

**Planned Future Performance:** The FBI expects to continue its coordinated operational activities targeting the dismantlement of gang/criminal enterprises, and therefore, expects to meet or exceed the FY 2015 target of 99 dismantlements.

**Definition:** A dismantlement means that the targeted organization's leadership, financial base and supply network has been destroyed, such that the organization is incapable of operating and/or reconstituting itself.

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



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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	90%	90%	90%	90%	90%	90%	90%
Actual	93%	93%	92%	92%	93%	N/A	N/A

**Discussion of FY 2014 Results:** In FY 2014, violent crime criminal cases involving 12,617 defendants were favorably resolved by the USAOs. A small selection of cases below from FY 2014 illustrates the efforts of the USAOs in prosecuting large-scale violent crime cases.

*Indian Country:* Over the last four years, U.S. Attorneys’ Offices with responsibility for Indian County prosecutions have seen their caseload of prosecutions for crimes committed on tribal lands increase. The increase in prosecutions of Indian Country crime is the direct result of the many initiatives led by U.S. Attorney’s Offices across the country, including strategies that place federal prosecutors on the reservations on a frequent basis to enhance criminal investigations and communication.

*Violent and Organized Crime:* The U.S. Attorney’s Office for the District of Massachusetts successfully brought justice to James J. “Whitey” Bulger, a notorious mob boss whose Winter Hill Gang terrorized South Boston and its surrounding areas during the 1970s and ‘80s. After more than 16 years on the run, he was finally apprehended in California in 2011. After a two-month trial, on August 23, 2013, a jury found Bulger guilty of racketeering conspiracy and numerous racketeering acts of murder, extortion, narcotics distribution, money laundering, and possession of firearms including machineguns. At his sentencing on November 14, 2013, Bulger was sentenced to two consecutive life terms plus five years, and \$19.5 million in restitution.

*Intellectual Property Crime:* On December 17, 2013, Bruce Alan Edward was convicted by a jury of criminal copyright infringement and mail fraud in the Eastern District of Michigan for selling more than 2,500 counterfeit copies of copyrighted Microsoft software valued at more than 1 million dollars retail. After a one-week trial, a jury found that from May 2008, until September 2010, Edward purchased counterfeit Microsoft software from various suppliers located primarily in China, Singapore, and the United States, and sold them on eBay to unwitting buyers.

*Child Exploitation Prosecution:* Steven Mazer, a 27 year-old former babysitter and karate instructor, had sexually assaulted and raped two toddlers in 2005 and did the same to another toddler in 2009. The county prosecutor’s office declined prosecution due to the lack of physical evidence and the inability of the minor victims to testify. The U.S. Attorney’s Office in the Eastern District of Pennsylvania began investigating Mazer and obtained a search warrant for his residence in 2012. Investigators found and recovered a deleted video from a camera memory card of Mazer raping two more toddler victims. Mazer was charged and arrested, and later pleaded guilty to two counts of producing child pornography. Mazer was sentenced to 60 years in prison.

*Controlled Substances:* On August 6, 2014, Diego Perez Henao, a Colombian national and one of the leaders of the North Valley Cartel, was sentenced to 360 months in prison, and was ordered to forfeit \$1,000,000.00 to the United States, by the U.S. District Judge in the Southern District of Florida. Perez Henao pleaded guilty on January 24, 2014, to a single count of conspiring with others to

manufacture and distribute five or more kilograms of cocaine from 1993 until February 2011, knowing that the cocaine would be imported into the United States.

Regarding the Criminal Division (CRM), it continued to prosecute violent offenders in complex violent crime cases across the country in FY 2014. The Division's Organized Crime and Gang Section (OCGS) took the lead role in identifying, investigating, and prosecuting the leadership and "worst of the worst" of the prison/street gang known as ABT (Aryan Brotherhood of Texas). To date, over 70 ABT members, associates and leaders have been prosecuted throughout Texas and the Western District of Oklahoma, with 36 indicted in the Southern District of Texas under the Racketeer Influenced and Corrupt Organizations Act, Violent Crimes in Aid of Racketeering, firearms, and drug trafficking offenses. All of the defendants in the Southern District of Texas prosecution now have pleaded guilty, and many have received substantial sentences, with others pending sentencing in the beginning of FY 2015. Due to the expertise and success demonstrated by OCGS in handling the ABT investigation, USAO's in Northern District of Oklahoma and Northern District of Mississippi sought and obtained OCGS leadership in prosecuting Aryan Brotherhood groups operating within their districts.

One example of the Division's Capital Case Section successful cases in FY 2014 is in *U.S. v. Sanders*. Sanders was tried and convicted for the brutal kidnapping and killing of 12-year-old Lexis Roberts. This case represents the first time the death penalty has been imposed in federal court in the Western District of Louisiana.

The Division's Human Rights and Special Prosecutions Section (HRSP) was successful in *U.S. v. Gerardo Figueroa-Sepulveda, et al.* (Eastern District of Virginia). On June 20, 2013, DEA Special Agent Terry Watson was murdered while resisting an armed robbery attempt after he had hailed a taxicab in Bogota, Colombia. During the subsequent investigation, seven suspects were identified and indicted. During this fiscal year, HRSP worked with the Colombian authorities to obtain their extradition to the United States. Six of the defendants entered guilty pleas to murder of an internationally protected person and conspiracy to kidnap, and the remaining defendant pleaded guilty to obstruction of justice. To date, three have received substantial sentences and CRM is preparing for the sentencing of the remaining defendants.

**Planned Future Performance:** The Attorney General has made clear that vigorous prosecution of violent gangs and criminal enterprises is a priority for the Department Justice. The Department seeks to ensure the public safety of all Americans and the security of all communities. In order to meet this strategic objective, the USAOs will continue to work closely and collaboratively with their law enforcement partners to ensure that the investigation and prosecution of violent offenders and criminal organizations comports with their Constitutional and ethical obligations. USAOs will continue to focus on the most serious violent offenders—the “worst of the worst”—as targets for federal prosecution. Each and every case will be evaluated on its individual merits consistent with the Department's prosecution guidelines. Cases accepted for federal prosecution will be thoroughly reviewed prior to indictment, to ensure that there is sufficient evidence to support a criminal conviction. All relevant evidence will be carefully assessed by federal prosecutors. Any potential evidentiary issues will be analyzed to ensure that each criminal prosecution supports the Department's efforts to apprehend violent offenders and improve public safety.

In FY 2015 and FY 2016, USAOs and CRM will continue to place a high priority on prosecution related to national security as well as addressing other important priorities such as financial and mortgage fraud, identity theft, immigration, child exploitation, violent crime and gangs, cybercrime

and intellectual property, and drug trafficking. The USAOs and CRM are adjusting to the increased use of technology in the practice of law. As criminal cases are increasingly “electronic” – meaning that technology plays a major role in areas such as electronic case filing and e-discovery, technical training and hiring employees with the appropriate skill sets are critical to the successful furtherance of our mission. Other strategies include:

- Review and monitor case and workload data regularly.
- Leverage technology to improve efficiency and enhance information flow organization-wide and with our partners.
- Examine operational efficiencies to preserve human capital.
- Address emerging training needs through the Office of Legal Education.

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

**Data Validation, Verification, and Limitations:** USAOs routinely examines current and historical data sets, as well as looks toward the future for trends to ensure the data are as accurate and reliable as possible and targets are ambitious enough given the resources provided. USAOs also maintain the accuracy and integrity of the statistical data maintained in the Legal Information Online Network System, which contains information on matters, cases, and appeals handled by the USAOs, and our companion USA-5 reporting system, which tracks how USAO personnel spend their time. The data is reviewed by knowledgeable personnel; attorneys and support personnel are responsible for ensuring the local procedures are followed for maintaining the integrity of the data in the system. CRM captures all litigation data in its Automated Case Tracking System (ACTS). Data in ACTS is validated quarterly by the Section Chief in each of the litigating sections. There are no known data limitations at this time.

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

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

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

### Strategic Objective Review Summary of Findings: On track and making satisfactory progress

Recognizing that children are the most vulnerable and exploited members in our society, America's Missing: Broadcast Emergency Response (AMBER) alerts became a coordinated national effort in October 2002. Since then, over 90 percent of abducted children identified through these alerts have been recovered. The USMS, along with the National Center for Missing and Exploited Children, (NCMEC) created and implemented Sex Offender Investigation Coordinator (SOIC) Basic Training for SOICs and state and local investigators; training approximately 600 full-time and collateral duty SOICs and more than 100 state and local investigators. INTERPOL Washington's Human Trafficking and Child Protection Division leveraged specialized investigative tools and services to help identify, locate, and apprehend individuals engaged in transnational crime, including the exploitation of children. The Criminal Divisions' Child Exploitation and Obscenity Section (CEOS) began monitoring the degree to which CEOS's investigations involved collaborative, or complex, investigations.

#### CEOS investigations:

- ➡ 74% involved foreign government;
- ➡ 35 involved more than one district; and
- ➡ 11% involved more than one investigative agency

The Department recognizes technology presents unforeseen potential, both in terms of advanced tools and heightened obstacles for combating sophisticated offenders. It expects that there will continue to be rapid

advancements in the volume and cost of digital storage media, Internet speed, evidence-eliminating software, encryption, anonymization, and third party data storage, all of which will continue to make it more difficult to locate offenders. The Internet poses an increasingly acute challenge to the collection and exchange of digital evidence. Impediments to the international exchange of evidence must continue to be identified and addressed so that domestic and international investigations can move forward quickly and successfully.

Moving forward, the Department will increase USMS investigations and apprehensions of non-compliant sex offenders; increase Office on Violence Against Women (OVW) grantees' engagement in community response; provide guidance to states and localities to further enhance the AMBER Alert system; strengthen relationships among federal, state, local, tribal, and international government and community-based agencies; and lead an interagency to address crimes against the elderly. In addition, the Department remains committed to its Vulnerable People Priority Goal to protect vulnerable populations by increasing the number of investigations and litigation matters concerning child exploitation, human trafficking, and non-compliant sex offenders; and by improving programs to prevent victimization, identify victims, and provide services.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	3,912	4,230	4,261	4,275	5,008	5,158	5,416
Actual	4,388	4,546	4,950	5,035	5,426	N/A	N/A

**Discussion of FY 2014 Results:** In FY 2014, the Department exceeded its target by over 8 percent. With the addition of OVW Sexual Assault Services program data, the Department increased its outreach and improved the quality of victim services.

**Planned Future Performance:** In 2014, the Department announced a nationwide tour of OVW grant recipients, through May 2015. The tour will engage with communities dedicated to ending violence against women through coordinated community response teams. Department officials will see how best practices are playing out across the nation – especially in areas such as prosecution, law enforcement, victim services, cultural competency, language access, prevention and public awareness.

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

**Data Validation, Verification, and Limitations:** OVW has undertaken a significant effort to implement a system for measuring the effectiveness of projects supported by the Violence Against Women Act (VAWA) grant monies. The VAWA Measuring Effectiveness Initiative is an intensive effort to improve how OVW measures and monitors the work of grantees. Since 2001, OVW has had a cooperative agreement with the Muskie School of Public Service's Catherine E. Cutler Institute for Child and Family Policy (the Muskie School) to develop and implement state-of-the-art reporting tools to capture the effectiveness of VAWA grant funding. Through the years, the VAWA Measuring Effectiveness Initiative has developed, revised, and refined computerized progress report forms for grantees to collect this information and report online through the Grants Management System. OVW and the Measuring Effectiveness Initiative tailored each grant program's form to reflect the different statutorily authorized activities that grantees perform, as well as to collect

uniform information on victims served, demographics, and common activities that occur across several programs. These progress report forms provide OVW with comprehensive and consistent data regarding grantee activities.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	75%	76%	77%	86%	90%	90%	90%
Actual	87%	89%	91.5%	94.9%	96%	N/A	N/A

**Discussion of FY 2014 Results:** In FY 2014, DOJ exceeded its target of 86 percent for recovering children within 72 hours of an issuance of an AMBER Alert, reaching a recovery rate of 96 percent.

**Planned Future Performance:** For FYs 2015 and 2016, DOJ has increased the target of recoveries, within 72 hours, from 86 percent to 90 percent. DOJ will accomplish this goal by continuing to promote and strengthen relationships among federal, state, local, tribal and international law enforcement agencies.

**Definition:** The number and percent of children that are recovered within 72 hours of an issuance of an AMBER Alert. Over 90 percent of the total number of successful recoveries of abducted children to date has occurred since October 2002, when AMBER Alerts became a coordinated national effort.

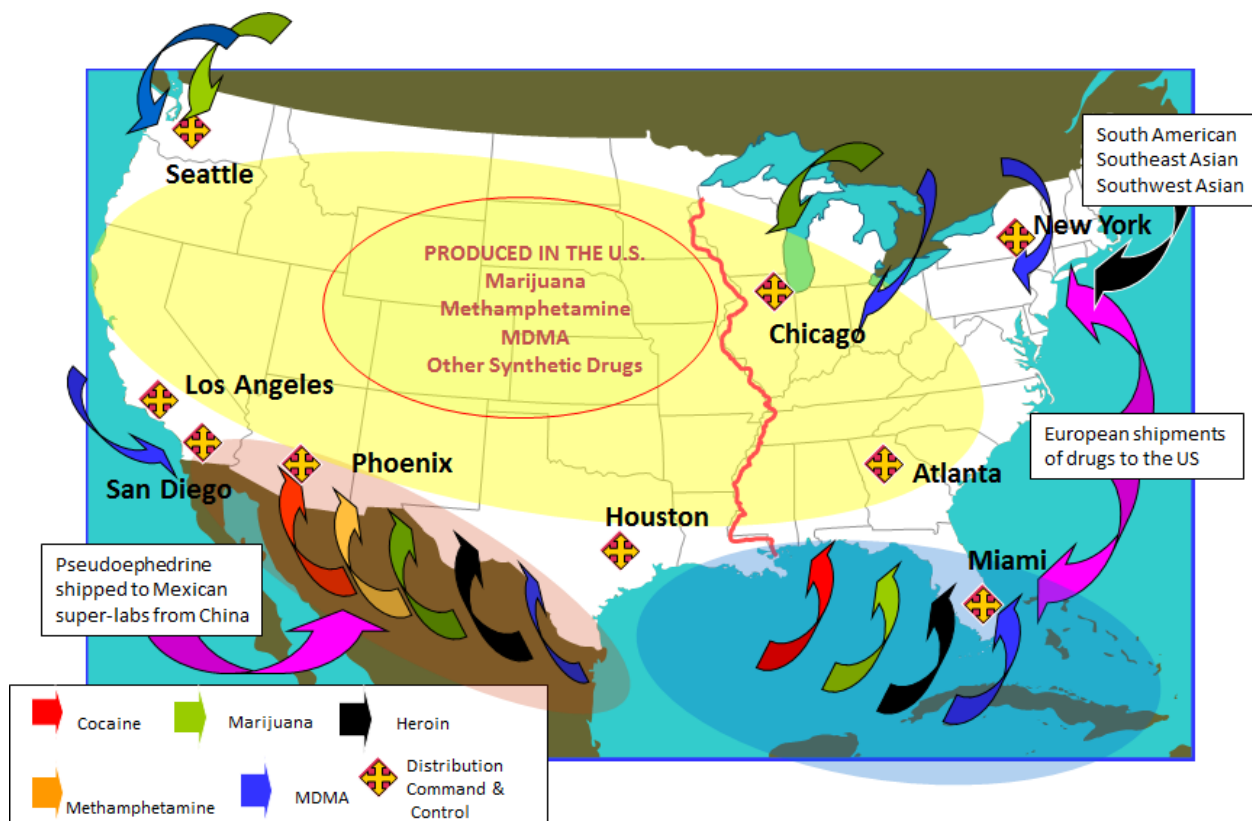
**Data Validation, Verification, and Limitations:** The Office of Justice Programs' (OJP) Office of Juvenile Justice and Delinquency Prevention (OJJDP) works closely with the National Center for Missing and Exploited Children (NCMEC) and Fox Valley Technical Center to provide in-depth training on OJJDP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

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



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

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



Map above is DEA's most recent domestic drug threat assessment map. The map provides a snapshot of the highly dynamic drug trafficking environment in the United States and highlights the challenges in reducing the nation's illicit drug supply. The map is based on intelligence relating to the demand for illegal drugs and their suppliers and distributors.

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

### **Strategic Objective Review Summary of Findings:** On track and making satisfactory progress

While the overall rate of drug use has dropped by 35% since 1979 according to the National Survey on Drug Use and Health, there has been progress in combating illegal drug use in the United States by the Department. This strategic objective focuses on disrupting and dismantling the largest drug trafficking organizations affecting the United States. Since 2003, OCDETF components have identified and targeted 179 CPOTS. In FY 2014, DEA, FBI, and OCDETF disrupted or dismantled 639 CPOT-linked organizations. Additionally, DEA disrupted or dismantled more than 3,150 other Priority Target Organizations. From FY 2005 – FY 2014, DEA has denied over \$29.6 billion in revenue to drug trafficking organizations through asset and drug seizures. DEA, together with the USAOs routinely pursues significant regulatory, civil, and criminal actions related to the diversion of controlled substances pharmaceuticals and precursor chemicals. In FY 2014, DEA's Diversion Control Program completed 2,392 administrative sanctions, supported 66 civil fines, and initiated 1,965 criminal cases. FBI, ATF, and the USMS also perform important roles in drug enforcement through their expertise in, investigation of gangs, organized crime, white collar, public corruption and criminal enterprises with links to drug trafficking organizations, and fugitive apprehension. Over 90 percent of all criminal and drug cases are favorably resolved by the USAOs. Through its partnerships with foreign, federal, state, and local law enforcement agencies, the Department provides training, investigative expertise, and is used as a force multiplier in carrying out drug enforcement efforts.



Confronting the challenges of increased marijuana, heroin, and prescription drug abuse requires a mix of prevention, treatment, and enforcement efforts similar to what has already been successful in disrupting and dismantling drug trafficking organizations. As demonstrated by the growing number of designer synthetic drugs, new drug threats will continue to emerge, requiring an on-going evolution of how the Department deploys regulatory and law enforcement tools to meet these threats. The Department is committed to continuing its focus on the most significant drug trafficking organizations, building its foreign, federal, state and local law enforcement agency partnerships, initiating and/or assisting in investigations where possible, and sharing intelligence to its law enforcement partners through established DOJ organizations such as DEA's Special Operations Division, the El Paso Intelligence Center, and the OCDETF Fusion Center.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target (dismantled)	149	157	145	145	150	150	150
Actual (dismantled)	182	198	171	219	208	N/A	N/A
Target (disrupted)	281	318	340	340	350	350	350
Actual (disrupted)	367	414	446	500	431	N/A	N/A

**Discussion of FY 2014 Results:** The Department successfully dismantled 208 CPOT-linked organizations in FY 2014, exceeding the target for dismantlements by 39 percent. The Department disrupted 431 CPOT-linked organizations in FY 2014, exceeding the target for disruptions by 23 percent. A total of 639 CPOT-linked organizations were either dismantled or disrupted during FY 2014. This achievement exceeded the Department's goals for disruptions and dismantlements.

In addition to making important gains against CPOT-linked organizations in FY 2014, OCDETF agencies continued to achieve significant successes against the CPOTs themselves. Over the course of the last year, 11 CPOT targets were dismantled and 10 CPOT targets were disrupted. Furthermore, three CPOTs were extradited to the United States and 11 others were arrested. The CPOT targets disrupted and dismantled in FY 2014 generated over 200 OCDETF investigations, resulting in over 2,300 convictions, combined. One of those investigations resulted in over \$140 million in property seizures and over \$118 million in property forfeitures. Law enforcement activity targeting these CPOTs involved complex and coordinated intelligence driven investigations, with cooperation between U.S. law enforcement agencies and international partners due to the global nature of these transnational drug trafficking organizations.

The Department's FY 2014 successes against dismantling CPOT-linked drug trafficking organizations, as well as the significant enforcement actions against CPOTs themselves, have resulted in keeping multi-ton quantities of illegal drugs from ever entering the United States.

**Planned Future Performance:** The Department will continue to prioritize efforts to disrupt and dismantle CPOT-linked drug trafficking organizations despite diminishing resources. The

Department anticipates this may be challenging as the Department realizes the full impact of reduced funding levels and the inability to backfill critical positions.

The CPOT List is an important management tool for the Department that enables agencies to focus enforcement efforts on specific targets that are believed to be primarily responsible for the nation's illegal drug supply. It is through the disruption and dismantlement of these major drug trafficking and money laundering organizations that the Department will have its greatest impact on the overall drug supply. To achieve this important goal, the Department plans to continue to provide leadership and coordination of comprehensive, multi-jurisdictional investigations and conduct intelligence efforts that include cross-agency integration and analysis of data to create detailed intelligence profiles of targeted organizations so that actionable leads are identified and provided in a carefully coordinated effort. The Department has set ambitious targets for this measure, has designated the dismantlement and disruption of CPOT-linked drug trafficking organizations as a priority, and will continue to maintain its system of review to ensure accountability for the reporting of this measure.

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

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

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

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

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

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

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

### Strategic Objective Review Summary of Findings: On track and making satisfactory progress

The Department has adopted a comprehensive approach to combating white collar crime that is built upon the full spectrum of its criminal and civil authorities, tools, and capabilities. In FY 2014, the Department obtained successful resolution of public corruption, economic crime (including financial, healthcare, intellectual property, and high-tech fraud), and transnational organized crime cases. In July 2014, the Department reached a \$7 billion settlement with Citigroup Inc. to resolve civil claims related to residential mortgage-backed security activities between 2006 and 2007. The resolution included a \$4 billion civil penalty – the largest penalty to date under the Financial Institutions

#### Citigroup settlement:

- \$7 billion total settlement
- \$4 billion civil penalty
- Largest penalty ever under the FIRREA

Reform, Recovery and Enforcement Act (FIRREA) – and requires Citigroup to provide relief to underwater homeowners, distressed borrowers, and affected communities.

Also in FY 2014, the Department reached a historic settlement with Bank of America totaling over \$16.6 billion in penalties and consumer relief for financial fraud leading up to and during the financial crisis. The

Department charged over 4,000 individuals with mortgage fraud, and over 3,200 have been adjudicated guilty (with many cases still awaiting disposition) with a 93 percent conviction rate.



Challenges in this area include rapid developments in federal campaign finance law that could lead to new and different opportunities for federal election offenses; the fact that money laundering and forfeiture laws have failed to keep pace with the rapidly evolving methods criminals use to generate, move, and conceal illicit proceeds; and the amorphous laundering and forfeiture laws have failed to keep pace with the rapidly evolving methods criminals use to generate, move, and conceal illicit proceeds. In response, the Department will leverage the expertise of CRM's Public Integrity Section across more cases, consultations, and trainings with the USAOs and continue its commitment to the Department's Financial and Healthcare Fraud Priority Goal by reducing by 3% the number of financial and healthcare fraud investigations pending longer than two years.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	160	250	360	385	368	385	TBD
Actual	236	368	409	421	464	N/A	N/A

**Discussion of FY 2014 Results:** The FBI exceeded its FY 2014 goal for number of dismantlements of criminal enterprises engaging in white-collar crimes. The FBI's success was due to the investigative efforts of its workforce coupled with the use of sophisticated investigative techniques.

**Planned Future Performance:** The FBI expects to continue its coordinated operational activities targeting criminal enterprises engaged in white-collar activities, and therefore, expects to meet or exceed the FY 2015 target of 385 dismantlements.

**Definition:** Dismantlement means that the targeted organization's leadership, financial base, and supply have been destroyed, such that the organization is incapable of operating and/or reconstituting itself.

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



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

	FY 2013	FY 2014	FY 2015	FY 2016
Target	85%	85%	85%	85%
Actual	85%	85%	N/A	N/A

**Discussion of FY 2014 Results:** The Civil Division (CIV) continued its strong performance in FY 2014. Its success is demonstrated by the Federal Government's record-breaking recoveries. The Federal Government recovered the vast majority of the amounts sought in cases ranging from Medicaid fraud to fraud involving the procurement of goods and services for the Department of Defense (DOD). Specifically, the outcomes in CIV's fraud casework helped DOD obtain billions of dollars in recoveries. The largest collections arose out of the Department's ongoing financial and mortgage fraud work. Specifically, settlements by the Residential Mortgage-Backed Securities Working Group with Bank of America, Citigroup, and JPMorgan secured tens of billions of dollars for the government. In another notable case, the government, along with 49 states and the District of Columbia, reached a \$968 million agreement (including \$418 million recovered under the False Claims Act) with SunTrust Mortgage to address mortgage origination, servicing, and foreclosure abuses and is pending court approval.

The Civil Division health care fraud enforcement efforts also resulted in significant recoveries in FY 2014. Examples of CIV's work in this priority area include: Johnson & Johnson paying \$2.2 billion to resolve allegations that the company and its subsidiaries illegally promoted prescription drugs; Community Health Systems Inc., the nation's largest operator of acute care hospitals, agreeing to pay \$98 million to resolve allegations that the company knowingly overbilled government health care programs for inpatient services, and Boston Scientific paying \$30 million to settle allegations that a subsidiary knowingly sold defective heart devices that were eventually implanted into Medicare patients.

CIV also recovered hundreds of millions of dollars the Federal Government overpaid because of fraud in the procurement of goods and services. For example, in FY 2014, the Division obtained an \$80 million False Claims Act judgment against BNP Paribas, a global financial institution, for submitting false claims for commodity export guarantees issued by the U.S. Department of Agriculture. CIV attorneys also recovered tens of millions of dollars on behalf of DOD after it was learned that DOD paid inflated prices, or procured goods and services that were grossly deficient or not provided.

**Planned Future Performance:** CIV plans to use its leadership role in the Financial Fraud Enforcement Task Force to continue to aggressively pursue fraud in FY 2015 and FY 2016. The Task Force's Residential Mortgage-Backed Securities Working Group is the Federal Government's preeminent effort to investigate false or misleading statements, deception, or other misconduct by market participants in the creation, packaging, and sale of mortgage-backed securities. CIV plans to continue to work with its government partners to prevent duplicative efforts and ensure that scarce investigatory and litigation resources are targeted to areas that will continue to produce significant recoveries for the government. For example, CIV attorneys and staff will continue their groundbreaking financial investigations. CIV is expected to meet its performance targets because its experienced attorneys and staff have a successful track record in pursuing complex financial

investigations and litigation, and will use their expertise to identify the best legal claims for the government.

**Definition:** Affirmative monetary cases are civil matters in which the Government seeks to recover a sum of money from a defendant. These cases typically involve waste, fraud, and abuse of federal funds. This measure shows the portion of CIV cases (60 percent) in which the government received at least 85 percent of the money it sought in affirmative monetary cases. In FY 2014, in affirmative, monetary cases handled by the Civil Division, CIV recovered at least 85% of the money it sought in 61% of the cases. The data includes cases handled only by the CIV and cases handled jointly with the USAOs.

**Data Validation, Verification, and Limitations:** CIV regularly reviews case listings and interviews attorneys concerning the status of each case. Case data is added to an internal database and quality is checked by technical staff. Attorney managers review monthly reports for data completeness and accuracy. Contractors and CIV analysts verify representative samples of data. However, the scope of the data is limited because when a case is completed, it is not automatically entered into the electronic database, and incomplete data can cause the system to under-report case closures. In addition, CIV software is designed to report data in limited ways, and analysts sometimes need to make manual adjustments to comply with reporting requirements. Some data limitations exist despite the existence of quality control and quality assurance procedures to accurately and timely gather the data. Most significantly, incomplete data can cause the system to under-report case terminations. Case terminations are recorded in an electronic database, but if there is a lag in filling out the forms and entering the information into the database, the number of terminations or cases resolved reported may be low at any point in time.

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

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

### **Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

In FY 2014, the Department continued its commitment to upholding the civil and constitutional rights of all Americans. The Department's investigation into the disciplinary practices of the Meridian, Mississippi public school system resulted in a first-of-its-kind settlement with Meridian, MS to prevent and address racial discrimination in school discipline. The Department obtained more than \$875,000 in monetary relief and damages for victims of workplace sex discrimination and collected nearly \$900,000 in civil penalties from employers that discriminated against immigrants who are legally authorized to work in the United States.

DOJ won a \$2.5 million settlement against Saint Bernard Parish, Louisiana, to resolve lawsuits alleging that defendants sought to limit or deny rental housing to African-Americans in the aftermath of Hurricane Katrina. In addition, DOJ worked with the Consumer Finance Protection Bureau (CFPB) to reach a \$98 million settlement with Ally Bank and Financial for pricing discrimination in its automobile lending practices. This complaint was the Department's first against a national auto lender as well as its first joint fair lending enforcement action with the CFPB. The Department also reached a \$60 million settlement with Sallie Mae on behalf of 60,000 servicemembers who Sallie Mae charged more than six percent interest on student loans in violation of a six percent cap imposed by the Servicemembers Civil Relief Act.

Accomplishments include the Department's first complaint against an auto lender and first joint lending enforcement action with the CFPB, a settlement on behalf of 60,000 servicemembers who were overcharged on student loan interest, and a novel agreement to address rights of people with disabilities to obtain public employment in the broader community.

The Department also brought over 70 human trafficking cases, 53 of which involved sex trafficking. The Department also entered into a first-of-its-kind agreement with Rhode Island and the Providence

Public School District to address rights of people with disabilities to obtain public employment and daytime services in the broader community, rather than in segregated sheltered workshops and facility-based day programs exclusively for people with disabilities.

As far as challenges are concerned, the core provision of the Voting Rights Act was invalidated by the Supreme Court in *Shelby County v. Holder*. As a result of the Supreme Court's ruling, certain states and localities with a history of voting discrimination are no longer required to seek federal permission before changing their voting rules and practices. In addition, heightened attention to voting rights in general has spurred some state governments and legislatures to enact laws that restrict voting rights in a variety of ways, thereby increasing the number of matters the Department investigates and the number of public inquiries to which DOJ must respond. Finally, resource constraints limit the Department's ability to investigate matters, provide training to the field, and engage in staff professional development. Despite budgetary and staffing constraints, the Department has advanced civil rights protections through enforcement activity, policy changes, and training and guidance in significant ways. The Department has tackled issues of historical and national significance such as voting rights, immigration reform, and civil rights for Lesbian, Gay, Bisexual and Transgender persons and have not shied away from difficult matters and cases.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	85%	85%	85%	85%	85%	85%	85%
Actual	89%	84%	94%	100%	90%	N/A	N/A

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	85%	85%	85%	85%	85%	85%	85%
Actual	95%	97%	98%	93%	99%	N/A	N/A

**Discussion of FY 2014 Results:** The Civil Right Division's (CRT) Criminal Section continues to achieve results. Each year, the Division receives more than 10,000 complaints alleging criminal interference with civil rights. In FY 2014, the Division filed 132 criminal cases, its second-highest number ever. Further, the Division filed 38% more criminal civil rights prosecutions in the last six fiscal years (742 indictments in FY 2009 - FY 2014) than the previous six years (537 indictments in FY 2003 - FY 2008).

The Division's civil litigating sections reached record settlements in the year, issuing guidance and technical assistance documents and engaging in training and outreach. In the enforcement arena, the Division resolved 99% of its cases successfully, 14 percent more than its FY 2014 target of 85 percent. The Division's successful civil enforcement program also saw a number of settlements involving significant sums of money and/or relief for large numbers of individuals. This includes resolution of three statewide American Disability Act (ADA) *Olmstead* settlements and filing of one new ADA *Olmstead* lawsuit. Since 2009, the Division's ADA *Olmstead* settlements are affecting the lives of over 46,000 people with disabilities.

**Planned Future Performance:** The Division supports Strategic Objective 2.5 by advancing three basic principles: 1) protecting the most vulnerable among us by ensuring that all in America can live free from fear of exploitation, discrimination, and violence; 2) safeguarding the fundamental infrastructure of democracy by protecting the right to vote and access to justice, by ensuring that communities have effective and democratically accountable policing, and by protecting those who protect us; and, 3) expanding opportunity for all people by advancing the opportunity to learn, the opportunity to earn a living, the opportunity to live where one chooses, and the opportunity to worship freely in one's community.

CRT will continue to pursue its core principles by expanding several key enforcement areas. The Division will pursue existing cases and look for new opportunities to effectuate each of these principles. The Division will continue to build strategic partnerships with USAOs, other federal, state and local agencies, foreign governments and private organizations. Such partnerships expand the Division's ability to expand its enforcement efforts and bring new cases. In addition, the Division will seek new opportunities to engage in technical assistance, training and outreach to prevent civil rights violations. Specifically, the Division will:

- **Protect victims of human trafficking and prosecute traffickers.** CRT will continue to expand its already successful human trafficking program by coordinating the launch of Phase II of the ACTeam Initiative beginning in 2015. It is anticipated that significant CRT resources will be necessary to implement Phase II of the ACTeam Initiative while continuing to support the highly productive Phase I ACTeam Districts.
- **Ensure effective and accountable policing:** Given the enhanced national attention to policing practices, the Division will continue to devote substantial resources to address unconstitutional policing practices throughout the country. As part of this work, the Division will continue to analyze successful outcomes from past cases to develop best practices for encouraging effective and accountable policing.
- **Protect students from sexual assault:** Protecting students from sexual harassment and assault is a high priority for the Division. CRT is a member of the White House Task Force to Protect Students from Sexual Assault. The Division will engage in compliance reviews, outreach, technical assistance and litigation to address the increasing number of complaints of sexual harassment, including assault, in primary and secondary schools, and institutions of higher learning.
- **Ensuring equal employment opportunity for all.** The Division will seek additional opportunities to educate workers and employers about the anti-discrimination provision of the Immigration and Nationality Act. This work involves enforcement, technical assistance, training, and outreach.

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

**Data Validation, Verification and Limitations:** The data source for this measure is the Civil Rights Division's Interactive Case Management System (ICM). The ICM is the official workload system of record for CRT and is used to generate key data for both internal and external inquiries. The ICM captures and reports on the level of effort that attorneys and professionals dedicate to matters and case-related tasks. Senior managers of the Division are responsible for ensuring the

accuracy of data contained in the ICM. Ad Hoc reviews are also conducted. Due to reporting lags, case closures for any given year may be under or over-reported.

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

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

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

**Strategic Objective Review Summary of Findings:** The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is making noteworthy progress

The Department vigorously and successfully defended the interests of the United States and protected the federal fisc in FYs 2013 and 2014. The Department has a powerful array of legal components dedicated both to affirmatively enforcing our nation's criminal and civil laws and to defending the law and the actions of United States. The Department obtained judgments favorable to the United States in more than 75,000 defensive cases, out of approximately 89,000 cases terminated, saving

### In FY 2014, the Department:

- ▶ Filed over 61,000 criminal cases
- ▶ Pressed charges against 84,000 defendant
- ▶ Collected over \$2.89 billion in criminal debts

more than \$3.5 billion in medical malpractice cases alone, and reached a landmark settlement with JPMorgan concerning mortgage fraud representing the largest settlement with a single entity in American history. Additionally, Johnson & Johnson Company and its subsidiaries will pay more than \$2.2 billion to resolve criminal and civil liability arising from allegations relating to prescription drugs.

DOJ also settled the largest government contract case ever filed, a \$4.8 billion suit involving the A-12 stealth aircraft, receiving aircraft and services valued at over \$400 million and paying nothing; obtained just over \$1 billion in criminal fines in the antitrust area; collected more than \$1.2 billion and retained over \$977 million in tax refunds that otherwise would have been paid out, not to mention success in investigations and prosecutions of offshore tax evaders and users of secret offshore accounts; imposed nearly \$12.7 million in penalty resulting from vessel pollution; voided unfounded environmental claims of more than \$6.8 billion; entered into several significant national settlements and brought concerted enforcement actions to address issues



such as misconduct by professional firms and creditors, particularly mortgage servicers, breaches of consumer privacy protections, and improper conduct by debtors; and processed close to 2,000 petitions for pardon after completion of sentence and commutation of sentence, notwithstanding small size of staff.

The Department will use the best technology available to improve efficiency, notably including its litigation support program to review and analyze documents and electronic evidence. In addition, DOJ will continue to aggressively represent the Federal Government in lawsuits and pursue affirmative cases in all areas – such as financial and health care fraud, antitrust violations, environmental crimes, tax evasions, and bankruptcy abuse.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	90%	90%	90%	90%	90%	90%	90%
Actual	94%	93%	92%	92%	95%	N/A	N/A

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	80%	80%	80%	80%	80%	80%	80%
Actual	85%	85%	81%	85%	96%	N/A	N/A

**Discussion of FY 2014 Results:** In FY 2014, the Antitrust Division (ATR) exceeded the Department’s targets for both criminal and civil cases favorably resolved. The Division experienced key criminal wins in real estate foreclosure auctions, automotive parts, ocean shipping, and LIBOR (London Interbank Offered Rate) wholesale interest rates. Favorable resolution in the Division’s civil program included positive outcomes in matters involving industries as diverse as broadcast television, passenger airlines, and telecommunications.

The Civil Division (CIV) continued to favorably resolve the overwhelming majority of the cases it handled (approximately 86 percent of CIV caseload is defensive). CIV’s defensive non-monetary cases include immigration removal orders, challenges to federal laws, and the confidentiality of national security information. CIV’s defensive monetary cases include thousands of tort claims filed against federal agencies, billing disputes with government contractors, and major financial litigation with tens of billions of government dollars at stake. A loss in any monetary case could result in the payment of unwarranted damages and encourage similar lawsuits in the future. In FY 2014, CIV defeated at least 85 percent of the dollar amounts sought by plaintiffs in 90 percent of its defensive monetary cases. This success saved the Government from paying billions of dollars to opposing parties. In cases resolved during FY 2014, CIV defeated over \$15 billion sought by opponents.

The Division’s affirmative monetary cases enforce laws designed to punish individuals and companies that overbill federal programs like Medicare and Medicaid; recover billions of federal

funds; and uphold the integrity of the federal procurement process by filing lawsuits against contactors that misrepresent their work, provide deficient services, or overbill federal agencies.

The Environmental and Resources Division (ENRD) successfully prosecuted 79 defendants, a success rate of 91%. These cases included that of Zhifei Li, the owner of an antique business in China, who pleaded guilty to being the organizer of an illegal wildlife smuggling conspiracy in which 30 rhinoceros horns and numerous objects made from rhino horn and elephant ivory worth more than \$4.5 million were smuggled from the United States to China.

Regarding civil-related cases, ENRD achieved a favorable outcome of 93 percent, including a major Clean Air Act case settled with Houston-based CITGO Petroleum Corporation, in which the company agreed to pay a \$737,000 civil penalty and to implement projects to reduce harmful air pollution. In addition to the penalty, the CITGO settlement requires the company to implement projects that are expected to reduce emissions of volatile organic compounds, including toxics, by more than 100 tons over the next five years.

One of the Tax Division's (TAX) top litigation priorities continues to be the concerted civil and criminal effort to combat the serious problem of non-compliance with our tax laws by US taxpayers using secret offshore accounts – a problem that a 2008 Senate report concluded costs the U.S. Treasury at least \$100 billion annually. In May 2014, the Tax Division obtained a historic guilty plea and a total payment of \$2 billion in restitution and a fine from Credit Suisse AG, the second largest bank in Switzerland, for assisting thousands of U.S. clients to evade their taxes by maintaining undeclared bank accounts for them and helping them conceal those undeclared accounts from the U.S. government through various means. In addition, the Division has taken enforcement actions against numerous bankers, attorneys, facilitators, investment advisors and account holders in connection with activities conducted by banks located in Switzerland, India, Israel and the Caribbean.

In addition, in August 2013, the Department announced a Program for Non-Prosecution Agreements or Non-Target Letters for Swiss Banks, under which most Swiss banks have an opportunity to resolve potential criminal exposure in return for providing substantial cooperation to the Department, including submission of detailed information regarding those who may have committed tax and tax-related violations. Since that time, TAX has devoted resources to resolving the requests of banks coming forward to address their potential criminal exposure. The Division also ensures that the public is aware of the comprehensive offshore initiative. Indeed, the IRS credits the publicity surrounding this initiative with prompting a huge increase in the number of taxpayers who have “come in from the cold” and voluntarily disclosed to the IRS their previously hidden foreign accounts.

**Planned Future Performance:** In FY 2015 and FY 2016, ATR expects to continue to meet or exceed favorable resolution targets for cases in its civil and criminal programs. Building on its successful realignment of operations for its regional offices and Washington DC headquarters, the Division plans to continue hiring attorney and paralegal staffing to effectively support investigations. The planned hiring will enable the Division to directly address antitrust matters in the U.S. economy including investigations into financial fraud and related investigations in the foreign currency exchange market, real estate foreclosure auctions; intellectual property; transportation systems, including domestic and international airline alliances, automobile parts manufacturing, and ocean shipping; and technology-related industries including telecommunications, hardware manufacturing and software applications.

Achieving favorable outcomes in some of the government's most complex cases requires high caliber attorney and non-attorney personnel, as well as cutting edge litigation support services. In FY 2015 and FY 2016, CIV will continue to recruit and retain highly skilled attorneys and support staff to achieve its performance targets, and provide them with training opportunities to refine and enhance their skills. In addition, CIV will use the best technology available to improve efficiency, notably including its litigation support program to review and analyze documents and electronic evidence. CIV plans to use the resources discussed above to advance Administration priorities.

Vigorous prosecution remains the cornerstone of the Department and ENRD's integrated approach to ensuring broad-based environmental compliance. It is the goal of investigators and prosecutors to discover and prosecute criminals before they have done substantial damage to the environment (including protected species), seriously affected public health, or inflicted economic damage on consumers or law-abiding competitors. The Department's environmental protection efforts depend on a strong and credible criminal program to prosecute and deter future wrongdoing. Highly publicized prosecutions and tougher sentencing for environmental criminals are spurring improvements in industry practice and greater environmental compliance. Working together with federal, state and local law enforcement, the Department is meeting the challenges of increased referrals and more complex criminal cases through training of agents, officers and prosecutors, outreach programs, and domestic and international cooperation. The success of the Department ensures the correction of pollution control deficiencies, reduction of harmful discharges into the air, water, and land, clean-up of chemical releases, abandoned waste, and proper disposal of solid and hazardous waste. In addition, the Department's enforcement efforts help ensure military preparedness, safeguard the quality of the environment in the United States, and protect the health and safety of its citizens.

The Tax Division will continue to employ all the tax enforcement tools at its disposal to protect the integrity of the tax system. To that end, TAX will continue to be responsive to shifts in tax schemes and to expand existing programs, thus achieving greater benefits, including enhanced voluntary compliance and reductions in the Tax Gap. Comprehensive enforcement of the tax statutes against individuals and businesses attempting to evade taxes, failing to file returns, and/or submitting false returns, are at the core of the Division's mission. Full, fair and consistent enforcement of the internal revenue laws serves the goals of both specific and general deterrence and helps us meet our commitment to all taxpayers who comply with their tax reporting, filing and payment obligations.

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

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

# III

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

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

<b>Summary of Goal 3 Performance Results</b>				
<b>Strategic Objective</b>	<b>Measure Name</b>	<b>Page Number</b>	<b>FY 2014 Target</b>	<b>FY 2014 Actual</b>
3.1	Percent of grantees implementing one or more evidence-based programs [OJP/OJJDP]	II-47	53%	TBD <sup>3</sup>
3.2	Assaults against protected court members [USMS]	II-50	0	0
3.3	Percent of system-wide crowding in federal prisons [BOP]	II-53	33%	30%
3.4	Number of inmate participants in the Residential Drug Abuse Treatment Program [BOP]	II-56	16,812	18,102
	Percent of youths who exhibit a desired change in the targeted behavior [OJP]	II-57	71%	TBD <sup>3</sup>

<sup>3</sup>FY 2014 data will be available in March 2015.

Strategic Objective	Measure Name	Page Number	FY 2014 Target	FY 2014 Actual
3.5	Percent and number of USMS federal fugitives apprehended or cleared [USMS]	II-59	58% / 30,711	63% / 30,792
	Number of red and green notices published on U.S. fugitives and sex offenders [INTERPOL Washington]	II-61	Red – 487 Green - 792	Red-431 Green-655
3.6	Number of training sessions or presentations given with the goal of building the capacity of foreign law enforcement, prosecutors, and judicial systems regarding the investigation and prosecution of serious criminal offenses, including genocide and mass atrocities [CRM]	II-63	N/A <sup>4</sup>	1,237
3.7	Percent of Institutional Hearing Program cases completed before release [EOIR]	II-66	85%	79%
	Percent of detained cases completed within 60 days [EOIR]	II-67	85%	74%
	Percent of detained appeals completed within 150 days [EOIR]	II-68	90%	93%
3.8	Number of meetings conducted with the Tribal Nations Leadership Council and the OTJ to further the government-to-government relationship between tribes and the Department, obtain perspective on the Department's activities in Indian Country, and raise issues that have tribal implications [OTJ]	II-70	14	12
	Number of individuals in Indian Country that are receiving substance abuse treatment services (in-patient or out-patient), including Healing-to-Wellness Court [OJP]	II-71	N/A <sup>4</sup>	1,124

<sup>4</sup> Target cannot be evaluated because this is the first year that a baseline has been established.

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

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

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

#### **Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

To curb the growth of gangs and related criminal activity, the Department's National Gang Intelligence Center (NGIC) integrates gang intelligence from across federal, state, and local law enforcement to curb the growth of gangs and related criminal activity. With a 25 percent increase in online queries, NGIC has progressed towards meeting its target for evidence-based programs. Some grantees have embraced evidence-based policing to combat crime by conducting data-driven, problem-led, place-based policing activities using a crime-based plan. Evidence-based Hot Spot Policing is used, along with social services agencies, to increase situational prevention strategies involving environmental adaptations for quality of life concerns. The National Integrated Ballistic Information Network (NIBIN), managed by ATF, provides law enforcement with automated ballistic imaging technology for the purpose of identifying, targeting, and prosecuting shooters and the individuals and criminal organizations that supply firearms for use in criminal activity. NIBIN has adopted several changes to improve outcomes, including refining its measures of success. NIBIN is a main contributor to the Department's Violent Crime Priority goal, to reduce gun-related violent crime, which is trending in a positive direction.

The Department supports community policing efforts with trainings and grant funds through the Coordinated Tribal Assistance Solicitation (CTAS) Program, which awarded 86 grants totaling \$26.3 million to Tribes and Tribal consortia to expand the implementation of community policing and meet the most serious needs of law enforcement in Tribal Nations. CTAS has supported training for 2,500 federal, state and tribal stakeholders across 16 states. In addition to CTAS efforts, the Community Oriented Policing Services (COPS) hiring programs increased the number of policing officers and grantee capacity to implement community policing strategies within the three primary

elements of community policing: problem-solving; partnerships; and organizational transformation. COPS supported law enforcement hiring practices aimed toward: 1) hiring school resource officers, 2) hiring post 9/11 veterans as officers, and/or 3) addressing Homicide/Gun Violence problem areas.

DOJ's Office of Overseas Prosecutorial Development, Assistance and Training (DOJ-OPDAT) legal advisors conducted over 800 programs and trainings with criminal justice system counterparts from 89 countries, while the International Criminal Investigative Training Assistance Program (DOJ-ICITAP) law enforcement advisors conducted more than a 1,000 training events with security and law enforcement counterparts in 35 countries, which were designed to build capacity, improve international cooperation, and establish long-term relationships with partner nations. DOJ provided international assistance in criminal matters to U.S. and foreign investigators, prosecutors, and judicial authorities with respect to international extradition of fugitives and evidence gathering, and ensured that the United States met its reciprocal obligations.

**Key strategies for this objective include:**

- supporting evidence-based practices;
- enhancing community engagement;
- developing targeted tactical interventions to address well-defined problems; and
- conducting root cause analyses for program improvements.

While this strategic objective remains on track the Department's most significant challenge is that the workload has increased dramatically. U.S. resources, including personnel and technology, have not kept pace with this increased demand. Over the past decade the number of requests for assistance from foreign authorities has increase nearly 60 percent, and the number of requests for computer records has increased tenfold. Despite the increased workload, the Department continues to find opportunities to support evidence-based practices and innovation, including state and local partners in transitioning to best practices through maturity models; leveraging existing resources to maximize training efforts, especially by engaging foreign governments with conditions supporting sustainable security sector progress and alignment of programs with U.S. national security priorities.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	50%	51%	52%	53%	53%	53%	53%
Actual	54%	43%	45%	66%	TBD	N/A	N/A

**Discussion of FY 2014 Results:** Over the past few years, efforts have grown to carefully take the evidence into consideration when developing programs aimed at preventing or reducing juvenile delinquency and related risk factors. As 2014 actual rates are not available until March 2015, OJP is using FY 2013 actuals. In FY 2013, DOJ exceeded the target of 53 percent as 66 percent of grantees implemented one or more evidence-based programs.

**Planned Future Performance:** Ambitious targets and timeframes have been established for this measure. These targets were formulated using an analysis of performance measure data collected from OJJDP's various grant programs that report in the Data Collection and Technical Assistance



Tool (DCTAT). Strategies to reach this target include requiring the use of evidence-based practices in some key upcoming competitive solicitations (such as mentoring and drug courts), as well as using stronger language in OJJDP's Formula and Block Grant solicitations encouraging the use of evidence-based practices. In addition, OJJDP relaunched its Model Programs Guide in 2014, with a more user-friendly navigation, updated and expanded literature reviews, and information regarding an array of evidence-based strategies and programs. In addition, OJJDP continues to support the development of new evidence through ongoing evaluation activities. As results are shared, it is expected that more localities will adopt the most effective practices. Finally, OJJDP is also aware that many States have recently passed legislation which encourages or requires the use of evidence based programs.

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

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

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

Data validation and verification is done on OJJDP performance measures in six assessment areas: data definitions; standards and procedures; data reporting; data entry and transfer; data quality and limitations; and data security and integrity. Once the data validation and verification review is complete, the data are analyzed to understand the availability, accuracy, and quality of the data collected for the program. The analysis is used by OJJDP program staff to make recommendations for training and technical assistance for grantees to help in future data collection or in providing support to grantees.

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

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

#### **Strategic Objective Summary of Findings: On track and making satisfactory progress**

The USMS works closely with the U.S. Courts, U.S. Attorneys, and federal, state, and local law enforcement to ensure security for the judiciary, court personnel, witnesses, and other court participants. These partnerships are a major component of successful performance in protecting the federal judicial system. USMS met its outcome target by not allowing an assault against a protected court member in FY 2014. In consultation with the Administrative Office of the U.S. Courts (AOUSC) and the Judicial Conference's Committee on Judicial Security, USMS completed a review of the approximately 5,200 contracted Court Security Officer (CSO) workforce, which resulted in a more effective and efficient manner to formulate and allocate CSO resources. USMS also takes an active role in educating protectees on roles and responsibilities, which increases communication, participation, and mitigates overall risk, and provides protectees with annual training on topics including threats and inappropriate communications.

Some challenges regarding this strategic objective include threats to the judicial process that can move across jurisdictions and communicate with targets at various levels. The ever increasing availability and capability of technology and information is both a challenge and an opportunity to the effective protection of the judicial process.

To counter these challenges, local threat working groups, comprised of federal, state and local partners, will share information and intelligence on subjects or groups who could pose a threat to the judicial process. USMS will also foster relationships with agencies such as the U.S. Secret Service, U.S. Capitol Police, Federal Protective Service, Diplomatic Security Service, and Transportation Security Administration, as well as private companies that have "screening" or other physical security responsibility to pursue the latest technology that can be used to protect its facilities.

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**Measure Name:** Assaults against protected court members [USMS]

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	0	0	0	0	0
Actual	0	0	0	N/A	N/A

**Discussion of FY 2014 Results:** The USMS maintains the integrity of the federal judicial system by: 1) ensuring that U.S. Courthouses, federal buildings, and leased facilities occupied by the federal judiciary and the USMS are secure and safe from intrusion by individuals and technological devices designed to disrupt the judicial process; 2) guaranteeing that federal judges, attorneys, defendants, witnesses, jurors, and others can participate in uninterrupted court proceedings; 3) assessing inappropriate communications and providing protective details to federal judges or other members of the judicial system; 4) maintaining the custody, protection, and security of prisoners and the safety of material witnesses for appearance in court proceedings; and 5) limiting opportunities for criminals to tamper with evidence or use intimidation, extortion, or bribery to corrupt judicial proceedings.

The USMS created a dedicated unit to research, test, and evaluate new equipment standards to ensure judicial security remains on the cutting edge. Standardized training was developed for personal security awareness for the workplace, home, off-site, and for those under USMS protection. In addition, personal security awareness training will continue to be conducted at the onset of a protective detail and protective investigation for the protectee and their family. Personal security training will also be provided when residential security surveys are conducted. The USMS developed and distributed 10,000 copies of a pocket security guide, completed and distributed a Workplace Security video and is working partnership with the AOUSC to develop an Internet Security video. In addition, an Off-Site Security Book is in the publishing phase of completion. The USMS established a training program on formal mitigation strategies to ensure proper implementation of protection measures. The USMS assessed current capabilities of the Investigative Operations Division, Sex Offender Investigations Branch - Behavioral Analysis Unit and the potential to leverage this asset to protective and other USMS missions. The program met its target of zero assaults.

Protection is accomplished by anticipating and deterring threats to the judiciary and the continuous development and employment of innovative protective techniques. The USMS also develops and provides personal security awareness training to all court members.

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

**Definition:** Assaults against protected court members are any criminal assaults motivated by the protectee's status within the court.

**Data Validation, Verification, and Limitations:** Numbers are calculated based on case reporting from Justice Detainee Information System and are validated against Judicial Security Division/Office

of Protective Intelligence case tracking records. This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

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

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

#### **Strategic Review Summary of Findings: On track and making satisfactory progress**

Just over a year after the August 2013 launch of the Department's Smart on Crime initiative – which shifted prosecutorial resources to cases with the most significant federal interests; effectively lowered sentences for low-level, nonviolent drug offenders; and encouraged the use of alternatives to incarceration in appropriate cases – the prison population has decreased for the first time since 1980. While the Smart on Crime initiative no doubt has made some progress, the Department is working to measure its effectiveness and impact, the full results of which are likely to be seen over a period of several years.

The Department expects a further decrease in the federal prison population (from FY 2014):

- By 5,100 in FY 2015
- By 10,000 in FY 2016

Reductions in the population help address a second critical concern for BOP: the number of staff available to supervise and provide evidence-based programs and services to inmates. As the population goes down, the ratio of inmates to staff members also goes down, thereby increasing the safety of staff, inmates, and the general public. Last year's reduction in the inmate population decreased system-wide crowding in BOP's prisons to 30 percent, the lowest it has been since 1998. Despite the overall reduction, crowding remains a concern at medium and high security institutions which are operating at 39 percent and 52 percent above rated capacity, respectively.

The United States Sentencing Commission voted unanimously in April 2014 to amend the guidelines to lower the base offense levels in the Drug Quantity Table across drug types, which may mean lower sentences for most drug offenders going forward. In July 2014, the Commission decided that judges could extend that reduction to offenders currently in prison, but with a requirement that reduced sentences cannot take effect until November 1, 2015. Under the guidelines, no offender would be released unless a judge reviews the case to determine whether a reduced sentence poses a risk to public safety and is otherwise appropriate. This measured approach reduces prison costs and populations and responds to statutory and guideline changes while safeguarding public safety.

The USMS initiated reviews of USMS prisoner suicides and provided training to districts and local jail personnel in suicide prevention. The cost of transporting prisoners within the federal system has also been reduced. The USMS/Justice Prisoner and Transportation System which has overall

responsibility for transporting prisoners revamped its aircraft capacity from a leasing option to owned aircraft saving \$3.9 million in the first two quarters of FY 2014.

USMS faces similar challenges, particularly at the Southwest Border with illegal immigration related issues and the constant pressure on USMS to provide detention space for all its detainees. There is considerable national interest in shifting the trend of the past 30 years, and the Department and Congress are supportive of measures that would help decrease the federal prisoner population.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	40%	38%	37%	38%	33%	24%	15%
Actual	37%	39%	38%	36%	30%	N/A	N/A

**Discussion of FY 2014 Results:** The target crowding level was developed using the DOJ Strategic Plan goal to reduce system-wide crowding in BOP facilities to 15 percent by 2018. During FY 2014, the overall BOP population decreased by 5,149 inmates. The BOP achieved its target for FY 2014 by increasing capacity (3,077 beds) to achieve a 6 percent reduction in system-wide crowding from FY 2013. Reducing crowding remains a high priority for DOJ.

**Planned Future Performance:** To manage crowding, BOP continues to rely on a combination of contracts with private, state, and local vendors; increasing use of residential reentry centers and home confinement; expansions of existing facilities where infrastructure permits; acquisition and renovation of existing structures, as funding permits. The Department recognizes that the BOP's crowding management efforts must be teamed with targeted programs that are proven to reduce recidivism and promote effective re-entry.

**Definition:** The crowding levels are based on a mathematical ratio of the number of inmates divided by the rated capacity of the institutions at each of the specific security levels. The percent of crowding represents the rate of crowding that is over rated capacity. For example, if an institution had a number of inmates that equaled the rated capacity, this would represent 100 percent occupancy, which equals zero percent crowding. Any occupancy above 100 percent represents a percentage of crowding. System-wide: represents all inmates in BOP facilities and all rated capacity, including secure and non-secure facilities, low, medium, and high security levels, as well as administrative maximum, detention, medical, holdover, and other special housing unit categories. Minimum security facilities: non-secure facilities that generally house non-violent, low risk offenders with shorter sentences. These facilities have limited or no perimeter security fences or armed posts. Low security facilities: double-fenced perimeters, mostly dormitory housing, and strong work/program components. Medium security facilities: strengthened perimeters, mostly cell-type housing, work and treatment programs and a lower inmate-to-staff ratio than low security facilities. High security facilities: also known as U.S. Penitentiaries, highly secure perimeters, multiple and single cell housing, lowest inmate-to-staff ratio, close control of inmate movement.

**Data Validation, Verification, and Limitations:** Subject matter experts review and analyze population and capacity levels daily, both overall and by security level. BOP institutions print a SENTRY report, which provides the count of inmates within every institution cell house. The report further subdivides the cell houses into counting groups, based on the layout of the institution. Using

this report, institution staff conducts an official inmate count five times per day to confirm the inmate count within SENTRY. The BOP Capacity Planning Committee (CPC) comprised of top BOP officials, meets quarterly to review, verify, and update population projections and capacity needs for the BOP. Offender data are collected regularly from the AOUSC by the BOP Office of Research and Evaluation in order to project population trends. The CPC reconciles bed space needs and crowding trends to ensure that all available prison space is fully utilized, both in federal prisons and in contract care.





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

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

#### **Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

The fundamental principles underlying Strategic Objective 3.4 is articulated most fully in the Attorney General's Smart on Crime Initiative which is designed to help ensure that federal criminal laws are enforced fairly and more efficiently. The Department has achieved a number of important milestones in support of Objective 3.4 and the Smart on Crime Initiative. The USAOs have all designated a Prevention and Reentry Coordinator per requirement of the Smart on Crime Initiative. The Department has also issued the Second Edition of the Reentry Toolkit for USAOs which provides many examples of successful reentry activity undertaken by USAOs around the country, including reentry outreach initiatives and reentry courts. In addition, the Department has expanded the use of diversionary court programs and instituted a Director's Award to provide national recognition for outstanding examples of prevention and/or reentry work in USAOs. Also, the Department continued efforts to improve the effectiveness and efficiency of parole supervision for those federal prisoners sentenced before 1987 and defendants convicted of D.C. Code offenses after 1998.

As the Department continues to implement the Smart on Crime Initiative, there are challenges in knowing how the initiative will manifest in criminal case metrics going forward. Efforts to prioritize the most serious cases with the most substantial federal interest may result in fewer cases charging low level federal criminal conduct. Other challenges will arise such as the uncertainty of whether an increase in cases charging more serious conduct may generate higher sentences; difficulty in evaluating the competing causal impact of both the Smart on Crime Initiative and the amendments to the sentencing guidelines for drug cases put forth by the U.S. Sentencing Commission; and the uncertainty of knowing long term cost-benefit calculus of reentry and diversion programs. While cost savings are clear, its effectiveness in reducing recidivism is not fully known at this point. The Department will continue to develop or update existing district-specific guidelines for determining when federal prosecutions should be brought and in what priority area. The Department will also update the U.S. Attorneys Manual, a policy manual that broadly guides all aspects of federal criminal prosecution policy, to ensure consistency with the guidance included in the Smart on Crime Initiative.

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

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	18,500	16,044	16,812	18,229	18,325
Actual	14,482	15,891	18,102	N/A	N/A

**Discussion of FY 2014 Results:** In the FY 2013-2014 timeframe, BOP increased the RDAP by 18 new programs resulting in over 2,000 more participants in FY 2014. The RDAP target was exceeded due to the full implementation of the FY 2013/2014 program expansion. The expansion consisted of 18 additional RDAPs, including an additional dual diagnosis program, 4 high security RDAPs, and 2 Spanish speaking RDAPs. The new RDAPs were “phased in” over a nine month period and for this reason, the full impact of the program expansion was not realized until June 2014, when the new programs reached full capacity. The resources received in the previous budgets were essential to the expansion of drug treatment capacity.

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

**Definition:** RDAP data reported is the actual number of BOP inmates who participated in the RDAP within the fiscal year.

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

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	68%	69%	70%	71%	71%	72%	72%
Actual	85%	80%	76%	71%	TBD	N/A	N/A

**Discussion of FY 2014 Results:** FY 2014 actual rate will not be available until March 2015. Because of data lag, the final FY 2013 actual rate was not reported until March 2014. The FY 2013 target for this measure was achieved, likely due to an increase in the percentage of grantees implementing evidence-based programs and practices.

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

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

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

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

consistent. In addition, the DCTAT system also performs arithmetic error checks and identifies other outliers (such as extremely high numbers of youth served) for further inquiry.

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

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

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

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

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

#### Strategic Objective Review Summary of Findings: On track and making satisfactory progress

As a result of the Presidential Threat Protection Act of 2000 (Public Law No 106-544), the USMS Investigative Operations Division established seven strategically located, Congressionally-funded Regional Fugitive Task Forces throughout the country, while maintaining 60 district-led fugitive task forces. These task forces operate with a "force multiplier" concept, expanding the capacity of each agency to locate and apprehend violent fugitives by combining the efforts and resources of federal, state, and local law enforcement agencies. Over the last year, the USMS Fugitive Task Force network apprehended more than 110,500 fugitives. Of the total number apprehended, more than 75,000 were fugitive felons that were wanted by a state or local law enforcement agency, thus reducing violent crime and protecting the public safety in communities across the United States. The Department supplements its international fugitive apprehension efforts through a strategic partnership with INTERPOL Washington. USMS personnel detailed to INTERPOL Washington's Alien/Fugitive Division use INTERPOL Red Notices to assist in locating, apprehending, and returning fugitives wanted by the U.S. that are located in foreign countries, and fugitives wanted by foreign countries that are located in the U.S.

As evidenced by the loss of two Deputies and seven Task Force Officers in 2011, challenges include officer safety, as apprehending violent fugitives continues to be a dangerous mission. To improve officer safety and reduce injuries during fugitive investigations, USMS developed comprehensive agency-wide training and made significant investments in safety equipment, including ballistic vests, shields, and helmets.

#### In FY 2014, the USMS Fugitive Task Force network apprehended:

- 4,100 homicide suspects
- 10,600 sexual offenders
- 5,200 gang members

Training continues to be the most effective means of ensuring personnel safety while maintaining high levels of quality arrests. In addition to the National Enforcement standard operating procedures (SOPs) and the Enforcement Operations and Leadership Development Training presented to district management, the USMS developed an intensive

training program for Deputy U.S. Marshals in the field that specifically addresses the dangers of arresting violent fugitives. The USMS will continue to review and refine its Enforcement Operations SOPs. USMS will also engage external sources, building partnerships to keep pace with ever-evolving technological innovations.

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

	FY 2013	FY 2014	FY 2015	FY 2016
Target	58% / 31,388	58% / 30,711	58% / 31,018	59% / 31,328
Actual	64% / 32,811	63% 30,792	N/A	N/A

**Discussion of FY 2014 Results:** One of the challenges facing the fugitive apprehension program is the volume of program responsibility. To affect the greatest public protection, the fugitive program focuses on the most egregious federal, state and local offenders. This requires strategic selection of state and local fugitive cases. USMS formulated an agency-wide strategy to disperse Joint Law Enforcement Operations resources. To standardize state and local case adoption, the USMS identified offenses associated with the cases proposed for adoption that are considered the most egregious and have the greatest effect on our communities. An SOP was then established for taskforces outlining the case adoption criteria, procedures and validation. As a result, the USMS has narrowed the scope (and occasionally the quantity) of state and local case adoption to focus on those cases posing a greater risk to communities. The USMS met its target for both number and percent cleared.

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

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

**Data Validation, Verification, and Limitations:** Warrant and fugitive data is verified by a random sampling of National Crime Information Center (NCIC) records generated by the FBI. The USMS coordinates with district offices to verify that warrants are validated against the signed paper records. The USMS then forwards the validated records back to the NCIC. This data is accessible to all districts and updated as new information is collected. Closing a subject/warrant in the Justice Detainee Information System can be a lengthy process as reports have to be written and certain checks (NCIC, detainers, etc.) must be completed prior to the subject/warrant being closed, which can lead to a data lag for this measure.

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

	FY 2013	FY 2014	FY 2015	FY 2016
Target - Red	N/A	487	501	501
Target - Green	N/A	792	816	816
Actual-Red	473	431	N/A	N/A
Actual-Green	570	655	N/A	N/A

**Discussion of FY 2014 Results:** While INTERPOL Washington did not meet its specific target of published Red Notices; the agency processed 490 Red Notice applications, three more than the identified actual goal. Fifty-three of the Red Notice requests were resolved prior to publication, with 21 of the subjects of the applications being arrested or voluntarily returned to face charges; 13 additional applications were either cancelled or delayed by the prosecutor or the prosecutor opted to utilize an INTERPOL Diffusion rather than a Notice, and 19 more applications were completed but held in furtherance of investigative or operational considerations. A number of both Red and Green Notice applications submitted to INTERPOL Washington did not contain sufficient information required for publication of the Notice. Although numerous attempts are made to obtain the required information, it is often beyond INTERPOL Washington's control as to whether or not the information is provided by the investigating agency.

**Planned Future Performance:** INTERPOL Washington will renew its outreach to better publicize the tools and services available to federal, state, local, and tribal law enforcement throughout the U.S. It will also seek to further streamline and clarify the notice application process through the development and implementation of a new, secure, online environment delivered via a collaborative portal between INTERPOL Washington and its domestic law enforcement partners. The portal will enable requestors of Red and Green Notices to complete and submit Notice applications online for review and submission to INTERPOL Washington for final processing.

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

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

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



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

### **Strategic Objective 3.6: Prevent and respond to genocide and mass atrocities and ensure that perpetrators of such crimes are held accountable in the United States, and, if appropriate, their home countries**

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

#### **Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

As part of a recent global effort to end impunity for human rights violators who commit mass atrocities and genocide In FY 2014, the Department of Justice continued to actively engage internationally and domestically in atrocity prevention and response. The Department conducted 727 programs and trainings with criminal justice system counterparts from 93 countries, and 510 training events with security and law enforcement counterparts in 32 countries. Results vary country by country, but legal and law enforcement advisors have observed the continued development of prosecutorial and investigative capacity as well as increased cooperation with numerous jurisdictions in combating serious criminal offenses.

In FY2014, the Department obtained a 22-year prison sentence in an immigration fraud case against a defendant living in Colorado who tortured political prisoners in Ethiopia, and secured a sentence of ten years in prison for a California defendant convicted of immigration fraud who participated in the massacre of 250 villagers in Guatemala. In October 2013, the Department indicted a defendant for immigration fraud in the Eastern District of Michigan who participated in terrorist bombings in Israel that caused two deaths and multiple injuries. In January 2014, the Department indicted a defendant living in Pennsylvania for immigration fraud who presided as a rebel "Minister of Defense" in Liberia over a brutal military campaign during which perceived adversaries were tortured, civilians executed, girls and women raped and forced into sexual slavery, and humanitarian workers murdered. Finally, in April 2014, the Department obtained an immigration fraud indictment in Vermont against defendant who allegedly participated in murder, kidnapping, robbery, and assault in the Bosnian conflict of the 1990s. DOJ also engaged internationally and domestically in atrocity prevention and response, including through the FBI Genocide War Crimes Unit partnership with State Department's Office of Global Criminal Justice to support fugitive investigations of war criminals overseas charged and wanted by International Tribunals.

Mass atrocities occur overseas in chaotic settings, making prevention extraordinarily difficult. Achieving this strategic objective presents immense hurdles and requires "whole of government" approach. The Department will continue outreach strategy to expand human rights-related investigations and cases, as well as cooperation with foreign law enforcement authorities handling human rights cases abroad. DOJ will also continue its participation on the Atrocities Prevention

Board and advance other efforts at interagency communication and cooperation. Regarding human rights violators seeking safe haven in the United States, the Department will continue to defend removal orders and respond to extradition requests whenever appropriate. In addition, DOJ will continue to focus training on countries where the conditions are right for sustainable security sector progress and align programs with U.S. national security priorities.

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

	FY 2013	FY 2014	FY 2015	FY 2016
Target	N/A	N/A	3,675	3,800
Actual	N/A	1,237	N/A	N/A

**Discussion of FY 2014 Results:** In FY 2014, the Department continued to actively engage internationally and domestically in atrocity prevention and response. Please refer to previous page (II-62, Summary of Findings) for details on FY 2014 results.

**Planned Future Performance:** In FY 2015, OPDAT plans to conduct 2,750 overseas trainings, presentations, working group or mentoring sessions, and speaking engagements with criminal justice system counterparts from 80 countries in a variety of substantive areas. This measure encompasses not just programs and trainings, but all of the different types of international technical assistance that OPDAT provides overseas. Taken together, OPDAT's engagements are designed to build the capacity of host countries so that they can become strong international partners in combating serious transnational crime, both on their own and in partnership with the Department of Justice. Rule of law development and justice sector assistance also help bolster the capacity to prevent and/or respond to atrocities.

In FY 2015, the International Criminal Investigative Training Assistance Program (ICITAP) projects to deliver 925 conference and training events for law enforcement counterparts in 42 countries focusing on 13 major disciplines: Academy/ Instructor Development, Basic Police Services, Corrections, Criminal Investigations, Criminal Justice Coordination, Forensics, Information Systems, Marine/Border Security, Organizational Development, Policing in a Democracy, Public Integrity/Anti-Corruption, Tactical Services, Terrorism/Transnational Crime. In addition to the discrete training activity listed above, ICITAP will leverage the engagement of its nearly 100 full-time and Temporary Duty advisors worldwide to provide law enforcement technical assistance in over 40 countries in the aforementioned areas. Like OPDAT, ICITAP's assistance efforts help develop the host-country partner agencies' law enforcement capacity to conduct professional investigations and to serve as better partners with the Department of Justice and the larger U.S. government criminal justice community.

In addition to these goals regarding the target numbers, DOJ aims to:

- Continue outreach strategies to expand human rights-related investigations and cases, as well as cooperation with foreign law enforcement authorities handling human rights cases abroad;
- Continue participation in the Atrocities Prevention Board and advance other efforts at interagency communication and cooperation related to this objective;

- Continue to respond to extradition requests, defend removal orders, and prosecute civil denaturalization cases involving human rights violators, whenever appropriate;
- Work towards the full implementation of Presidential Policy Directive 23 on Security Sector Assistance, which designates DOJ as a presumptive implementer of security sector assistance (SSA) in partner nations involving its “expertise, experience, or counterpart ministries, agencies, or equivalents” and calls for DOJ to participate in policy formulation, planning, assessment, and program design of interagency SSA.

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

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

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

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

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

#### **Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

EOIR's immigration courts represent the Department's front-line presence with respect to the application of immigration law. In FY 2014 EOIR processed a large volume of both detained and non-detained cases. EOIR implemented multiple pilot programs to manage its dockets in the most efficient and effective manner. Several of these pilots proved successful. One successful pilot

##### **In FY 2014:**

- The Department's immigration courts completed close to 168,000 initial cases;
- Board of Immigration Appeals completed nearly 31,000 cases.

eliminated superfluous hearing time in unaccompanied alien children cases while child reunification efforts advanced, minimizing inconvenience to the children and conserving court resources for contested hearings. This pilot was subsequently adopted by DHS. Two other pilots were also successful. These were implemented and will be expanded or explored further, including: a pilot focusing on advancing and grouping cases identified by DHS as non-contested into a non-

contested docket in order to conserve court hearing time for contested cases; and a pilot encouraging pre-trial conferences between parties and judges to help shorten certain individual hearings, conserving docket time.

Like any court system, the volume and nature of EOIR's caseload is driven by the cases brought before it by the parties. Therefore, the caseload is unpredictable and changes to immigration laws have a direct impact on EOIR's operations. The possibility of Comprehensive Immigration Reform also may affect EOIR's ability to handle its current and future caseload. A lack of adjudicatory staff impacts EOIR's ability to timely adjudicate detained immigration court cases, as well as having a significant impact on the non-detained caseload.

In order to address these challenges, EOIR will expand the non-contested docket and pre-trial conference pilots to increase efficiency and conserve more resources for contested hearings. EOIR also has begun the process of hiring 35 immigration judge teams in FY 2015. With attrition and backfill authority, this hiring effort should bring the immigration courts nearer to their authorized level of employees.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	85%	85%	85%	85%	85%	85%	85%
Actual	87%	88%	87%	83%	79%	N/A	N/A

**Discussion of FY 2014 Results:** At the start of FY 2014, EOIR changed its statistical methodology to enhance transparency in its reporting. To that end, cases that had previously been exempt from the priority caseload goal of completing 85 percent of IHP cases prior to the alien's release because of circumstances beyond the control of the immigration judge (such as a Notice to Appear being filed less than four months from an alien's earliest possible release date from an IHP facility) are now included in EOIR's statistics.

**Planned Future Performance:** EOIR will hire 35 immigration judge teams in FY 2015 which will assist the agency in hearing IHP cases in a timely manner. In addition, EOIR is working with the Bureau of Prisons and DHS to renew coordination among the agencies in identifying IHP cases in a timely manner and collaborating to ensure their fair and timely disposition.

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

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

At the start of FY 2012 EOIR began analyzing the need to change its external statistical reporting methodology. In October 2012, the Office of the Inspector General issued a report that dovetailed with EOIR's internal findings regarding the agency's statistical reporting on the processing of immigration cases and appeals. At the start of FY 2014, EOIR changed the way it calculates the percent of its priority caseload completed within the designated timeframe. The data reported for FY 2009 – FY 2012 is the same as what had been reported prior to the FY 2013 Annual Performance Report. The data for FY 2013 and FY 2014 were calculated using the revised methodology to provide clearer data to parties external to EOIR.

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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	85%	85%	85%	85%	85%	80%	80%
Actual	89%	88%	86%	73%	74%	N/A	N/A

**Discussion of FY 2014 Results:** EOIR changed its statistical methodology at the start of FY 2014 to provide clearer data for parties external to EOIR. To that end, cases that had previously been exempt from the priority caseload goal of completing 85 percent of detained immigration court cases within 60 days because of circumstances beyond the control of the immigration judge (such as a pending background check or application adjudication at DHS) are now included in EOIR statistics. In addition, the revised methodology counts not only the days a case was pending at a given court location, but all the days to complete a proceeding from the date the charging document was filed with EOIR to the date of the initial case completion, excluding changes of venue and transfers.

**Planned Future Performance:** After EOIR revised its methodology, the agency also revised its goal for completing detained cases, knowing that completing 85 percent of detained cases within 60 days would no longer be realistic. The new goal in FY 2015 will be to complete 80 percent of detained cases within 60 days. In FY 2015 EOIR will expand the non-contested docket and pre-trial conference pilots to increase efficiency and conserve more resources for contested hearings. In addition, EOIR will continue to detail immigration judges to hear detained cases by video teleconference and in person, as appropriate. Since the border surge began, EOIR has conducted more than 70 such weekly details to South Texas to help address the influx of individuals in immigration proceedings. EOIR also has begun the process of hiring 35 immigration judge teams in FY 2015 and plans to hire more in FY 2016..

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

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

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



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

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target	90%	90%	90%	90%	90%	90%	90%
Actual	93%	94%	97%	97%	93%	N/A	N/A

**Discussion of FY 2014 Results:** The BIA continued to manage its resources carefully to ensure that it exceeded its goal of completing 90 percent of detained appeals within 150 days.

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

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

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

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

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

**Strategic Objective Review Summary of Findings: On track and making satisfactory progress**

The Department strengthens government-to-government relations between tribes and the United States through such bodies such as the Tribal Nations Leadership Council. The Council facilitates dialogue and coordinates efforts between the Department and tribal governments, and provides direct access between tribal leaders across the country and the Department's senior leadership. The Department uses several approaches to coordinate policies, activities, and litigation, both within DOJ and with other federal agencies. The Indian Civil Litigation and Policy Working Group began meeting in spring 2013, and informs litigating and policy-oriented components across the Department of crosscutting or significant Indian law matters and other issues. DOJ and the Department of the Interior/Bureau of Indian Affairs coordination of funding for construction and maintenance of correctional facilities in Indian Country has streamlined processes at both agencies, enabled feedback from Tribes, and led to a long-term approach to developing correctional facilities in Indian Country. Since July of 2013, the DOJ-led working group on American Indian/Alaska Native Children Exposed to Violence has coordinated experts from DOJ, DOI, and Health and Human Services to facilitate the delivery of educational services in the Bureau of Indian Affairs juvenile detention facilities, coordinate services for child victims of crime who come in contact with the federal judicial system, and improve judicial training opportunities on the Indian Child Welfare Act.

On March 7, 2013, President Obama signed into the law the reauthorization of the Violence Against Women Act (VAWA), which contains DOJ-proposed provisions that significantly improve the safety of Native women. In February 2014, the first Tribes were accepted in the VAWA Pilot Project. More than 20 non-Indians have been charged by Tribal prosecutors, and more than 200 defendants have been charged under VAWA's enhanced federal assault statutes. This total includes more than 40 cases involving charges of strangulation or suffocation, which are often precursor offenses to domestic homicide. All Tribes will be able exercise special domestic violence criminal jurisdiction beginning in March of 2015.

Among the significant challenges that the Department faces in regards to this strategic objective are substance abuse and violence. A study by the Centers for Disease Control and Prevention found that

nearly half of all Native American women – 46% – have experienced rape, physical violence, or stalking by an intimate partner. Additionally, and programs with Indian Country-specific resources are vulnerable to changes in administration and changing budget priorities. However, the Department has positioned itself to coordinate efforts that involve other federal agencies by functioning effectively in Indian country and generating goodwill with tribal leaders. Increasingly, other federal agencies have looked to the Department’s approach to working with Tribes and tribal interests, or asked that the Department take a lead on multi-agency initiatives.

The Department seeks to expand DOJ programs and initiatives to include federal partners’ tribal efforts, which will increase the ability of the federal government to make lasting improvements in Indian Country. The Department will continue to monitor activities related to this objective to assess whether additional or modified measures would better reflect progress under this objective, and explore the benefits of developing new measures related to FBI activities in Indian Country. Finally, the Department continues to work to institutionalize the programs and initiatives under this administration that have already resulted in many improvements in Indian Country.

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

	FY 2014	FY 2015	FY 2016
Target	14	14	14
Actual	12	N/A	N/A

**Discussion of FY 2014 Results:** The Office of Tribal Justice (OTJ) met 85% of the target. Two of the anticipated 14 meetings were cancelled due to the Tribal Nations Leadership Council (TNLC) participants’ scheduling conflicts. In both cases, the meetings were scheduled at the request of the TNLC, and were not rescheduled as they fell close to the date of the in-person meeting.

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

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

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

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

	FY 2014	FY 2015	FY 2016
Target	N/A	1,200	1,200
Actual	1,124	N/A	N/A

**Discussion of FY 2014 Results:** A baseline for this measure has been established during FY 2014. This baseline allows for the assessment of whether target objectives have been met in the future fiscal years. This baseline was established through analysis of performance measurement data submitted by Tribal grantees in the Performance Measurement Tool across four quarters, making a full year of data. This value was combined from the following measures reported by grantees who receive funding under Purpose Area 3 of the FY14 CTAS: 1) the number of individuals that began treatment during the reporting period; 2) Healing-to-Wellness Court/Drug Court Participants; 3) Number of individuals who completed a treatment programs. Together the data reported in these measures between October 2013 and September 2014 provide the FY2014 Actual for the number of individuals in Indian Country that are receiving substance abuse treatment services from DOJ ( $n=1,124$ ).

**Planned Future Performance:** In FY 2014, DOJ funded nearly 191 grant awards, covering 9 purpose areas totaling over \$87 million. In FY 2015, DOJ will continue to help strengthen government-to-government relationships between tribes and the United States; improve public safety in Indian Country; and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation through the CTAS. In an ongoing effort to build the success of CTAS, DOJ asked Tribes to further improve and refine the solicitation. All the responses and comments were incorporated in the FY 2015 solicitation. The advantage of this coordinated process is that, when it reviews the Tribe's single application, the Department will have a better understanding of a Tribe's overall public safety needs. DOJ encourages CTAS grantees to use strategic planning to identify public safety, criminal and juvenile justice, and victimization needs, in order to determine gaps in services that the grant programs can address.

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

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