

**FY 2010 Performance Results
As of 31 December 2010**

Performance Measures by Strategic Goals:

Strategic Goal I: Prevent Terrorism and Promote the Nation's Security

| | FY 2010 Revised Actual | FY 2011 Revised Target | FY 2012 Target |
|--|---------------------------|---------------------------|----------------|
| [] Designates the reporting entity | | | |
| Terrorist acts committed by foreign nationals against U.S. interests within U.S. borders [FBI] [Discontinued] ¹ | Zero | Not Applicable | Not Applicable |
| Catastrophic acts of terrorism [FBI] [Title Refined] ² | Zero | Zero | Zero |

Strategic Goal II: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People

| | FY 2010 Revised Actual | FY 2011 Revised Target | FY 2012 Target |
|---|---------------------------|---------------------------|------------------|
| [] Designates the reporting entity | | | |
| Number of organized criminal enterprises dismantled [FBI] | 37 | 99 | 99 |
| Number of children depicted in child pornography identified by the FBI [FBI] | 246 | 140 | 155 |
| Percentage of firearms investigations resulting in a referral for criminal prosecution [ATF] [to be discontinued] ³ | 56% | Not Applicable | Not Applicable |
| DOJ's reduction in the supply of illegal drugs available for consumption in the U.S. [OCDETF] [Discontinued] ⁴ | Not Applicable | Not Applicable | Not Applicable |
| Consolidated Priority Organizations Target (CPOT)-linked drug trafficking organizations [DEA, FBI (Consolidated data - OCDETF)] | | | |
| Dismantled | 182 | 149 | 157 |
| Disrupted | 365 | 281 | 318 |
| Number of high-impact Internet fraud targets neutralized [FBI] | 12 | 13 | 15 |
| Number of criminal enterprises engaging in white-collar crimes dismantled [FBI] | 309 | 200 | 230 |
| Percent of cases favorably resolved: [ENRD, ATR, CRM, USA, TAX, CIV, CRT (Consolidated data - JMD/Budget Staff)] | | | |
| Criminal Cases | 94% | 90% | 90% |
| Civil Cases | 85% | 80% | 80% |
| Percent of assets/funds returned to creditors: [USTP] | | | |
| Chapter 7 | TBD ⁵ | 58% | TBD ⁵ |
| Chapter 13 | TBD ⁵ | 84% | TBD ⁵ |
| Number of homicides per site (funded under the Weed and Seed program) [OJP] | TBD ⁵ | Not Applicable | Not Applicable |
| Percent reduction in DNA backlog (casework only) [OJP] | 29% | 25% | 25% |
| Percent of children recovered within 72 hours of an issuance of an AMBER alert [OJP] | 86.9% | 76% | 77% |

Strategic Goal III: Ensure the Fair and Efficient Administration of Justice

| | FY 2010 Revised Actual | FY 2011 Revised Target | FY 2012 Target |
|---|------------------------------|------------------------------|------------------------------|
| [] Designates the reporting entity | | | |
| Number of participants in the Residential Substance Abuse Treatment (RSAT) Program [OJP] | TBD ⁷ | 28,000 | 30,000 |
| Graduation rate of program participants in the Drug Courts Program (adult drug court participants only) [OJP] | 53% | 73% | 75% |
| Ensure judicial proceedings are not interrupted due to inadequate security [USMS] | Zero | Zero | Zero |
| Total primary fugitives apprehended or cleared [USMS] | | | |
| Number | 36,126 | 35,000 | 33,000 |
| Percent | 56% | 56% | 55% |
| Per day jail costs [OFDT] | \$70.59 | \$72.29 | \$75.77 |
| Percent of system-wide crowding in federal prisons [BOP] | 37% | 39% | 38% |
| Ensure zero escapes from secure BOP facilities [BOP] | Zero | Zero | Zero |
| Comparative recidivism for Federal Prison Industries (FPI) inmates versus non-FPI inmates [FPI / BOP provides data] | | | |
| Percentage less likely to recidivate: | | | |
| 3 years after release | 18% | 15% | 15% |
| 6 years after release ⁸ | 19% | Not Applicable | Not Applicable |
| Rate of serious assaults In federal prisons (per 5,000 Inmates) [BOP] | 13/5,000 Assaults/Inmates | 16/5,000 Assaults/Inmates | 16/5,000 Assaults/Inmates |
| Inspection results—Percent of federal facilities with American Correctional Association (ACA) accreditations [BOP] | 99% | 99% | 99% |
| Percent of Executive Office for Immigration Review (EOIR) priority cases completed within established timeframes [EOIR] | | | |
| Asylum (Discontinued) ⁹ | Not Applicable | Not Applicable | Not Applicable |
| Institutional Hearing Program | 87% | 85% | 85% |
| Detained Cases – Immigration Court ¹⁰ | 89% | 85% | 85% |
| Detained Appeals | 93% | 90% | 90% |

¹ Measure was consolidated into catastrophic acts of terrorism.

² Includes both domestic and international terrorist acts.

³ ATF is discontinuing this measure and will be replaced with a new outcome measure linked to ATF strategic plan's goals and objectives.

⁴ Baseline amounts for the supply of illegal drugs available for consumption in the United States have not been measurable. Therefore, the Department is no longer planning to report on its effect on the reduction of the supply of illegal drugs available for consumption in the United States

⁵ Data lag one year due to the requirement to audit data submitted by U.S. Trustees prior to reporting. U.S. Trustees may discontinue the reporting of assets returned to creditors and replace them with measures that more clearly indicate program accomplishments.

⁶ Data are collected on a calendar year basis and reported with a one year lag. This measure will be replaced with a new outcome measure which collects and analyzes the number of homicides, robberies, aggravated assaults, burglaries, weapons offenses, and drug arrests on the Weed and Seed site, and calculates and tracks the average change in proportion to the overall crime rate of the jurisdiction. Previous measure only reported on homicides because data on the other offenses were harder to collect.

⁷ Data are collected on a calendar year basis and reported with a one year lag.

⁸ BOP will only report on the 3-year measure beginning in FY 2011. Resources are unavailable to allow the more resource intensive recidivism definition for both the 3 and 6-year follow-up periods.

⁹ At the end of FY 2009, EOIR discontinued this measure. The agency shifted its highest priority to the detained caseload. These cases are the highest priority for EOIR because individuals involved in these proceedings are being detained at the expense of the United States government.

¹⁰ The measure, "Detained Cases – Immigration Court," is technically a new measure because the pool of cases has changed from previous years. The pool of cases in previous years was based only on detained cases that did not have applications for relief submitted by the alien and the timeframe was 30 days. Beginning in FY 2010, the new pool of cases is based on all detained cases and the timeframe within 60 days.

Discussion of FY 2010 Performance Results

Performance Measure: DISCONTINUED/CONSOLIDATED MEASURE: Terrorist Acts Committed by Foreign Nationals Against U.S. Interests (within U.S. Borders)

FY 2010 Target: 0

FY 2010 Actual: 0

Discussion of FY 2010 Results: This measure has been discontinued and consolidated into the measure, “Catastrophic Acts of Terrorism,” starting in FY 2010. The measure, “Catastrophic Acts of Terrorism” (which formerly was called, “Catastrophic Acts of Domestic Terrorism”), includes both domestic and international terrorist acts, and replaces similar measures reporting all acts of international terrorism committed by foreign nationals within U.S. borders and *catastrophic acts of domestic terrorism*.

Performance Measure: TITLE REFINED: Catastrophic Acts of Terrorism

FY 2010 Target: 0

FY 2010 Actual: 0

Discussion of FY 2010 Results: Catastrophic Acts of Terrorism (*Formerly* Catastrophic Acts of Domestic Terrorism) – now includes both domestic and international terrorist acts, and replaces similar measures reporting all acts of international terrorism committed by foreign nationals within U.S. borders and catastrophic acts of domestic terrorism. The FBI achieved its target for this measure in FY 2010.

Performance Measure: Number of Organized Criminal Enterprises Dismantled

FY 2009 Revised Actual: 43 (Previous Actual: 39)

FY 2010 Target: 36

FY 2010 Actual: 37

Discussion of FY 2010 Results: The FBI met its performance target for FY 2010. Three notable dismantlements are listed below:

The FBI’s Dallas Field Office and the Denton County Sheriff’s Office conducted an OCDETF investigation entitled Operation Bad Dream which targeted the Albanian Organized Crime (AOC) group of Benny Lusha. The Benny Lusha Organization (BLO) was involved in international narcotics trafficking, human smuggling, interstate transportation of stolen property, public corruption, money laundering, mortgage fraud, and income tax fraud. Operation Bad Dream was closely coordinated with other investigations of AOC associates of the BLO. The BLO obtained narcotics from Mexican sources and distributed narcotics throughout the United States and Europe. Drug proceeds were laundered through front businesses and real estate. To date, \$170,000 in bribe money and \$610,000 of narcotics proceeds have been seized. The trial of the two alleged BLO leaders is set for January 2011.

The Cleveland Field Office of the FBI, along with the Toledo Police Department, executed search warrants on three Toledo area clothing and shoe retail locations. The purpose of the search warrants was to seize counterfeit merchandise sold from these locations. Approximately \$1.1 million worth of counterfeit merchandise was seized from the three locations. Several Ohio, Michigan, New York and China distributors were identified as being suppliers of counterfeit goods. The investigation concluded with four federal informations and four federal convictions.

The FBI, DEA, Secret Service and Cambodian National Police (CNP) jointly conducted an investigation targeting an Asian Criminal Enterprise involved in distributing heroin, ecstasy, and North Korean

counterfeit U.S. currency known as “Supernotes.” In October 2009, the FBI conducted a buy/bust in Phnom Penh, Cambodia, of two kilograms of heroin. Subsequently, the CNP conducted search warrants at five separate locations, including a "Mega Lab" for the production of crystal methamphetamine. Agents seized an additional fifteen kilograms of Asian heroin, two kilograms of crystal methamphetamine, over one ton of precursor chemicals and the equipment to manufacture crystal methamphetamine. Eleven indictments were issued in Cambodia and eight arrests were made, including the head of the CNP Anti-Narcotics Division. The source of the Supernotes was identified and indicted, but remains a fugitive.

Performance Measure: Number of Children Depicted in Child Pornography Identified by the FBI

FY 2010 Target: 130

FY 2010 Actual: 246

Discussion of FY 2010 Results: The FBI significantly surpassed its target for this measure. The FBI continues its collaboration with the National Center for Missing & Exploited Children’s (NCMEC) Child Victim Identification Program (CVIP) and CyberTipline as well as successful FBI initiatives such as the Innocent Images International Task Force and the Endangered Child Alert Program (ECAP).

CVIP serves as the national clearinghouse for child pornography cases and the main point of contact to international agencies regarding victims of child pornography. CyberTipline operates a Congressionally-mandated reporting website for child sexual exploitation, including child pornography and online enticement.

The Innocent Images National Initiative (IINI), a component of the FBI’s Cyber Crimes Program, is an intelligence-driven, proactive, multi-agency investigative initiative to combat the proliferation of child pornography and/or child sexual exploitation using online computers. A major contributor to IINI’s FY 2010 performance is IINI’s presence at NCMEC. Currently, IINI details one agent and three investigative specialists to NCMEC. An actionable lead relayed to the Jacksonville Division in late FY 2010 from a NCMEC CyberTipline Report has led to the identification of 24 child victims.

In 2004, the FBI initiated the Innocent Images International Task Force (IIITF) to promote and develop a coordinated international law enforcement response against Online Child Sexual Exploitation (OCSE). The IIITF is intended to develop a cadre of international law enforcement experts to formulate and deliver a unified global response against OCSE. Since its inception, IIITF has been instrumental to the successful initiation and resolution of several high profile, complex OCSE investigations with a global footprint. The expanding IIITF is comprised of 70 task force officers from 33 countries.

ECAP, an aggressive approach to identify unknown individuals involved in the sexual abuse of children and the production of child pornography, became operational in February 2004. ECAP uses national and international media exposure of unknown adults featured in child pornography and displays their faces on the “Seeking Information” section of the FBI website in hopes that someone can identify them. To date, exposure of these subjects has led to the successful identification and arrest of several previously-unknown child pornography subjects and the identification of more than 30 child victims.

Performance Measure: Percentage of Firearms Investigations Resulting in a Referral for Criminal Prosecution

FY 2010 Target: 60%

FY 2010 Actual: 56%

Discussion of FY 2010 Results: ATF's target goal of referring for criminal prosecution 60% percent of its investigations within the firearms programs area fell short by 4 percentage points (56%). However, during this reporting period ATF increased its commitment to Southwest Border firearms interdiction initiatives, detailing 80 special agents, investigators, and intelligence personnel to the Phoenix/Tucson Gunrunner Impact Teams (GRIT) from May to August 2010. ATF is the Federal law enforcement agency with unique expertise and statutory authority to enforce Federal firearms laws. Nearly meeting the 60% goal while simultaneously expanding its commitment to investigating and disrupting Southwest border firearms trafficking and related violent crime demonstrates that ATF has a significant impact on reducing firearms violence through investigations and the referral of criminals for prosecution.

Performance Measure: DISCONTINUED MEASURE: DOJ's Reduction in the Supply of Illegal Drugs Available for Consumption in the United States

FY 2010 Target: Progress toward establishing baseline

FY 2010 Actual: See Discussion of FY 2010 Results

Discussion of FY 2010 Results: The Department will no longer report on this measure. Measuring reduction in the drug supply is a complex process because supply reduction is a reflection of a number of factors. Drug seizures, eradication efforts, precursor chemical interdictions, cash and asset seizures, increased border/transportation security, international military operations, social and political forces, climatic changes, and even natural disasters all impact the drug supply at any given time. The Department's strategy focuses on incapacitating entire drug networks by targeting their leaders for arrest and prosecution, by disgorging the profits that fund the continuing drug operations, and by eliminating the international supply sources. Although the Department's efforts ultimately have a lasting impact upon the flow of drugs in the United States, it is not possible to confidently gauge base amounts for the supply of illegal drugs available for consumption in the United States in order to estimate a valid reduction percentage due to the numerous factors involved. Therefore, the Department is no longer planning to report the percentage amount of its reduction of the supply of illegal drugs available for consumption in the United States.

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

Revised FY 2009 Actual:

Dismantled: 143

Disrupted: 276

FY 2010 Target:

Dismantled: 149

Disrupted: 281

FY 2010 Actual:

Dismantled: 176

Disrupted: 365

Discussion of FY 2010 Results: The Department achieved unprecedented results during FY 2010 in dismantling and disrupting CPOT-linked drug trafficking organizations. The Department dismantled 176 CPOT-linked organizations in FY 2010, exceeding its target by 18%. This is a 23% increase over the 143 dismantled in FY 2009, the highest number reported prior to FY 2010. The Department disrupted 365 CPOT-linked organizations in FY 2010, exceeding its target by 30%. This is a 32% increase over the 276 reported in FY 2009 and a 22% increase over the 299 reported in FY 2008, the highest number reported prior to FY 2010.

During FY 2010, in addition to making important gains against CPOT-linked organizations, the Department continued to achieve significant successes against the CPOTs themselves. These results against CPOT targets have included the dismantlement of a dangerous Colombian drug kingpin who ruled a vast drug empire and moved millions of dollars worth of cocaine and heroin intended for the United States and Europe and disruptions to leadership of the Sinaloa Cartel, Los Zetas, a significant global heroin drug trafficker in Afghanistan known to fund the terrorist activities of the Taliban, and a major Jamaican Narcotic trafficker. Law enforcement activity targeting these CPOTs involved complex and coordinated intelligence driven investigations, with the exceptional cooperation of U.S. law enforcement agencies and international governments.

The Department's FY 2010 unprecedented successes dismantling or disrupting 541 CPOT-linked drug trafficking organizations, a 29% increase over the 419 dismantled or disrupted in FY 2009, the highest number reported prior to FY 2010, as well as the significant enforcement actions against CPOTs themselves have resulted in keeping multi-ton quantities of illegal drugs such as cocaine, heroin, marijuana and methamphetamine from ever entering the United States.

Performance Measure: Number of High-Impact Internet Fraud Targets Neutralized

FY 2010 Target: 13

FY 2010 Actual: 12

Discussion of FY 2010 Results: The FBI did not reach the target for this measure in FY 2010, due to the extent of IC3 resources needed to support high profile cases throughout the national and international law enforcement communities. Throughout FY 2010, many arrests were made in at least two very large investigations; one of which involved 390 FBI-wide investigations. Due to the 390 investigations conducted throughout the field, the resources of several analysts were required. While this was a large focus for the IC3 this fiscal year, it is anticipated that less time will be allocated to this initiative in the future given that the arrests have already been made.

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

FY 2009 Revised Actual: 250 (Previous Actual: 234)

FY 2010 Target: 160

FY 2010 Actual: 309

Discussion of FY 2010 Results: Congressional enhancements, improved use of intelligence and forensic accountant resources, and the coordinated efforts of the Financial Fraud Enforcement Task Force have contributed to a 24 percent increase in dismantlements over the previous year. In FY 2010, 21 percent of the dismantlements (66) were related to corporate and securities fraud, including high yield investment and Ponzi schemes; 25 percent (76) related to financial institution fraud, including mortgage fraud; and 29 percent (90) related to health care fraud.

Performance Measure: Percent of Cases Favorably Resolved

FY 2010 Target:

Criminal Cases: 90%

Civil Cases: 80 %

FY 2010 Actual:

Criminal Cases: 94%

Civil Cases: 85%

Discussion of FY 2010 Results: The Department exceeded its target for this performance measure. The Department was able to successfully litigate cases involving banking and mortgage fraud, health care

fraud, and cases involving antitrust violators, tax evaders, and environmental polluters. Among the DOJ components sharing responsibilities to achieve this goal are the U.S. Attorneys, and the Antitrust, Civil, Civil Rights, Criminal, Environmental and Natural Resources, and Tax Divisions.

Performance Measure: Percent of Assets/Funds Returned to Creditors for Chapter 7 and Chapter 13

FY 2009 Target: Chapter 7: 58%

Chapter 13: 86%

FY 2009 Actual: Chapter 7: 56%

Chapter 13: 82%

FY 2010 Target: Chapter 7: 58%

Chapter 13: 84 %

FY 2010 Actual: Data will not be available until FY 2011 because of the need to audit data submitted by private trustees prior to reporting.

Discussion of FY 2010 Results: The USTP's goal is to return to creditors the maximum amount possible, recognizing that certain legitimate expenses must be paid, and that returning 100 percent of assets will never be possible. Funds not distributed may include private trustee compensation, professional fees and costs associated with administering the bankruptcy case. These costs directly impact on the amount of assets that are available to be returned.

The USTP periodically reviews and reevaluates its performance targets and the Program's efforts toward reaching them. Beginning in FY 2008, the percentage of assets returned to creditors for chapter 13 bankruptcy filings was increased to 86 percent to reflect a more aggressive target. The actual percentage of funds returned to creditors was 84 percent in FY 2008 and 82 percent in FY 2009. A detailed analysis revealed that the lower percentage of assets returned is due to a decrease in assets available for disbursement while fees paid to debtor attorneys increased by approximately 15 percent over FY 2008, reducing amounts that otherwise could be distributed to creditors. The increased attorney fees account for the majority of the decrease in the amount available for distribution to creditors. Upon reevaluation of this measure, the target for FY 2010 and subsequent years was revised to 84 percent, reflecting a more realistic percentage of returns.

Performance Measure: Number of Homicides per Site (funded under the Weed and Seed Program)

CY 2009 Target: Reduction to 3.7 homicides per site

CY 2009 Actual: 3.9 homicides per site

CY 2010 Target: Reduction to 3.7 homicides per site

CY 2010 Actual: Data for this measure are collected on a calendar year basis and will be available in September 2011.

Discussion of Calendar Year (CY) 2009 Results: The target for CY 2009 was to reduce the average number of homicides per site to 3.7. In CY 2009 there was an average of 3.9 homicides per site. While this result missed the target, almost the entire difference can be attributed to a single site, which reported 45 homicides or almost 10 percent of the 459 homicides reported by 117 active Weed and Seed sites nationwide. Excluding this one site, the average number of homicides was 3.6, which is below the target.

Performance Measure: Percent Reduction in DNA Backlog

FY 2010 Target: Casework: 25%

FY 2010 Actual: Casework: 29%

Discussion of FY 2010 Results: OJP's FY 2010 target for reducing the DNA casework backlog was set at 25 percent in 2009. In FY 2010, NIJ-funded crime labs reduced the DNA backlog by 29 percent, which

exceeded the target, due to a funding increase of \$2.6 million over the FY 2009 amount. OJP is now collecting updated national backlog data each year, and the trend shows the backlog to be increasing.

Performance Measure: Percent of Children Recovered within 72 Hours of an Issuance of an AMBER Alert

FY 2010 Target: 75%

FY 2010 Actual: 86.9%

Discussion of FY 2010 Results: The total recovery rate within 72 hours of the issuance of an AMBER alert was 86.9 percent for FY 2010. This result exceeds the target of 75 percent by 11.9 percentage points. This is attributable to better coordination and training; increased public awareness of the AMBER program; technological advances; and greater cooperation among law enforcement, transportation officials, and broadcasters.

Additionally, in FY 2010, AMBER alert completed a number of activities. Below are actual AMBER alert accomplishments:

- Number of participants provided AMBER alert training: 2,700
- Number of requestors provided technical assistance: 1,343

Performance Measure: Number of Participants in RSAT

2009 Target: 20,000

2009 Actual: 39,159

2010 Target: 25,000

2010 Actual: Data for this measure is collected on a calendar year basis and will be available in September 2011

Discussion of CY 2009 Results: The target for CY 2009 is to have 20,000 participants in RSAT-funded programs. In CY 2009, there were 39,159 participants in RSAT. In past years, grantees may have undercounted the number of participants, given that they were accustomed to report one entry for all of their open and active awards. In FY 2010, the Bureau of Justice Assistance (BJA) remedied that data collection flaw, and grantees are now reporting on the number of participants for each open and active award. BJA believes these data to be more reliable.

Performance Measure: Graduation Rate of Program Participants in the Drug Courts Program (Adult drug court participants only)

2010 Target: 71%

2010 Actual: 53%

Discussion of 2010 Results: In 2007, BJA started collecting performance data in a system that allowed the data to be aggregated, and did not have any baseline data when the drug court graduation targets were set. Because of this, the targets were established based on research done on mature, well-established drug courts. BJA's graduation rate is based on results from Implementation grantees. BJA did not achieve the target of 71% because BJA Implementation grants establish new drug courts, which are not positioned to show immediate graduation rates because of their infancy. In fact, many of the drug courts reporting for FY 2010 had a significant number of participants who exited the program without graduating (due to illnesses, moves, jurisdiction changes, etc.), further hindering overall performance results. BJA is investigating using the graduation results from its Enhancement and Statewide drug court grantees, which are more mature models, and would consider revising targets appropriately.

Performance Measure: Number of Judicial Proceedings Interrupted Due to Inadequate Security

FY 2010 Target: 0

FY 2010 Actual: 0

Discussion of FY 2010 Results: The USMS met its FY 2010 target of zero interrupted judicial proceedings due to inadequate security. The USMS revised the figure for the FY 2009 performance measure to two interruptions from one interruption reported at the end of last year. The change is a result of a subsequent review of courtroom incidents within the definition of “interruption” as defined below.

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

Revised 2009 Actual: 32,860 or 52%

FY 2010 Target: 33,000 or 53%

FY 2010 Actual: 36,126 or 56%

Discussion of FY 2010 Results: The USMS exceeded its target of 33,000 primary Federal felony fugitives apprehended or cleared by apprehending or clearing 36,126 primary Federal felony fugitives in FY 2010. This resulted in 56% of total primary Federal felony fugitives apprehended or cleared which is more than half of all warrants on hand or received during FY 2010. Among those arrested, 3,610 were for crimes of homicide, 4,857 were gang members, and 11,072 were sex offenders. In addition, the USMS extradited or deported 805 fugitives in FY 2010.

The seven operating RFTF, in addition to the 75 district task forces, are directing their investigative efforts toward reducing the number of violent crimes. These crimes include terrorist activities, organized crime, drugs, and gang violence. The RFTF and District Fugitive Task Forces combined led to the arrest of 81,919 state and local fugitive felons in FY 2010. The USMS initiated 3,025 Federal investigations into the failure of sex offenders to meet their registration requirements.

The USMS revised the actual figure for the FY 2009 performance measure to 32,860 from the 31,119 reported at the end of last year. This adjustment is a result of the data lag as district offices continuously review and update new information as it is collected.

Performance Measure: Per Day Jail Costs

FY 2010 Target: \$70.98

FY 2010 Actual: \$70.59

Discussion of FY 2010 Results: Performance was in line with expectation. There were no anomalies that caused increases in the per diem rate.

Performance Measure: System-wide Crowding in Federal Prisons

FY 2010 Target: 40%

FY 2010 Actual: 37%

Discussion of FY 2010 Results: During FY 2010, the BOP population increased by a net of 1,468 inmates. Capacity was added as a result of the final phase of activation at Federal Correctional Institution (FCI) Pollock, LA and the start of the activation at FCI McDowell, WV. As a result, the BOP was able to reach the target for rated capacity and system-wide crowding.

Performance Measure: Escapes from Secure BOP Facilities

FY 2010 Target: 0

FY 2010 Actual: 0

Discussion of FY 2010 Results: During FY 2010, the BOP had no escapes from secure BOP facilities.

Performance Measure: Comparative Recidivism for FPI Inmates vs. Non-FPI Inmates (Percentage less likely to recidivate)

FY 2010 Target: 3 years: 15%

6 years: 10%

FY 2010 Actual: 3 years: 18%

6 years: 19%

Discussion of FY 2010 Results: FPI exceeded the FY 2010 targets of 15% less likely to recidivate at 3 years and 10% less likely to recidivate at 6 years with actual results of 18% and 19% respectively.

Performance Measure: Rate of Serious Assaults in Federal Prisons (per 5,000 Inmates)

FY 2010 Target: 16

FY 2010 Actual: 13

Discussion of FY 2010 Results: The FY 2010 target was met. The actual rate of serious assaults was 13 per 5,000 inmates, lower than the target rate of 16 per 5,000 inmates for FY 2010.

Performance Measure: Inspection Results—Percent of Federal Facilities with ACA Accreditations

FY 2010 Target: 99%

FY 2010 Actual: 99%

Discussion of FY 2010 Results: One hundred fourteen of the BOP's 115 prisons eligible to participate in the reaccreditation program maintained their accreditation. FCI Loretto, PA participated in an accreditation audit in September 2010, and is expected to be granted re-accreditation at ACA's January 2011 Winter Conference. In the latter part of September 2010, FCI McDowell, WV began activating but is not yet eligible for initial accreditation. New institutions are not considered eligible for accreditation status until approximately two years after initial activation.

Performance Measure: Percent of EOIR Priority Cases Completed Within Established Time Frames

FY 2010 Target: 85% for International Hearing Program (IHP) and detained immigration court cases and 90% for detained appeals

FY 2010 Actual:

Immigration Court IHP Cases Completed Prior to Release from Incarceration: 87%

Immigration Court Detained Cases Completed Within 60 Days: 89%

Immigration Court Detained Appeals Completed Within 150 Days: 93%

Discussion of FY 2010 Results: Through careful management of EOIR's resources, the agency exceeded all three of its goals for FY 2010. As part of the Department's high priority performance goal initiative, EOIR has placed its focus on hiring immigration judges so that the agency is able to continue to meet its large detained caseload. EOIR also used video teleconferencing when appropriate to handle the detained immigration court docket, including Institutional Hearing Program cases. The BIA also continued to manage its resources carefully to ensure that it exceeded its goal of completing 90 percent of detained appeals within 150 days. EOIR will continue to look at innovative ways to manage its detained docket, including close coordination with DHS.

Performance Measure: DISCONTINUED MEASURE: Immigration Court Expedited Asylum Cases Completed Within 180 Days

FY 2010 Target: N/A

FY 2010 Actual: N/A

Discussion for FY 2010 Results: At the end of FY 2009, EOIR discontinued this measure. The agency shifted its highest priority to the detained caseload. These cases are the highest priority for EOIR because individuals involved in these proceedings are being detained at the expense of the United States government.