

# **FY 2023 Annual Performance Report / FY 2025 Annual Performance Plan**

**U. S. Department of Justice**



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# Section I: Overview



# Mission, Values, and Strategic Goals

## Mission

The mission of the Department of Justice is to uphold the rule of law, to keep our country safe, and to protect civil rights.

## Values

- **Independence and Impartiality.** The Justice Department works each day to earn the public's trust by following the facts and the law wherever they may lead, without prejudice or improper influence.
- **Honesty and Integrity.** The Justice Department's employees adhere to the highest standards of ethical behavior, mindful that, as public servants, we must work to earn the trust of, and inspire confidence in, the public we serve.
- **Respect.** The Justice Department's employees value differences in people and in ideas and treat everyone with fairness, dignity, and compassion.
- **Excellence.** The Justice Department works every day to provide the highest levels of service to the American people and to be a responsible steward of the taxpayers' dollars.

## Strategic Goals and Objectives

The Department's strategic and annual planning processes stem from its mission and values. The Department embraces the concepts of performance-based management. At the heart of these concepts is the understanding that improved performance is realized through greater focus on the mission, agreement on goals and objectives, and timely reporting of results. In the Department, strategic planning is the first step in an iterative planning and implementation cycle. The Department's FYs 2022–2026 Strategic Plan provides the overarching framework for component-specific plans as well as annual performance plans, budgets, and reports. The Strategic Plan is available electronically on the Department's website at <https://www.justice.gov/doj/doj-strategic-plan-2022-2026>.

# About DOJ



**Organization:** Under the leadership of the Attorney General of the United States, the Justice Department is composed of approximately 40 separate component organizations and over 114,000 employees. Headquartered at the Robert F. Kennedy Building in Washington, D.C., the Department maintains field offices in all states and territories across the United States and in more than 50 countries around the world.

**Statutory Authority:** The Judiciary Act of 1789 created the Office of the Attorney General. In 1870, after the post-Civil War increase in the amount of litigation involving the United States necessitated the very expensive retention of a large number of private attorneys to handle the workload, a concerned Congress passed the Act to Establish the Department of Justice, setting it up as "an executive department of the government of the United States" with the Attorney General as its head. The Act gave DOJ control over all criminal prosecutions and civil suits in which the United States had an interest. In addition, the Act gave the Attorney General and the Department control over federal law enforcement, establishing the Attorney General as the chief law enforcement officer of the federal government. The Act is the foundation upon which DOJ still rests. However, the structure of the Department has changed and expanded over the years, with the addition of the Deputy Attorney General and the Associate Attorney General, as well as the formation of the components. Unchanged is the steadily increasing workload of the Department. It has become the world's largest law office and the central agency for enforcement of federal laws.

# Strategic Goals and Objectives

## ***Goal 1: Uphold the Rule of Law***

- 1.1 Protect Our Democratic Institutions
- 1.2 Promote Good Government

## ***Goal 2: Keep Our Country Safe***

- 2.1 Protect National Security
- 2.2 Counter Foreign and Domestic Terrorism
- 2.3 Combat Violent Crime and Gun Violence
- 2.4 Enhance Cybersecurity and Fight Cybercrime
- 2.5 Combat Drug Trafficking and Prevent Overdose Deaths
- 2.6 Protect Vulnerable Communities

## ***Goal 3: Protect Civil Rights***

- 3.1 Protect the Right to Vote
- 3.2 Combat Discrimination and Hate Crimes
- 3.3 Reform and Strengthen the Criminal and Juvenile Justice Systems
- 3.4 Expand Equal Access to Justice
- 3.5 Advance Environmental Justice and Tackle the Climate Crisis

## ***Goal 4: Ensure Economic Opportunity and Fairness for All***

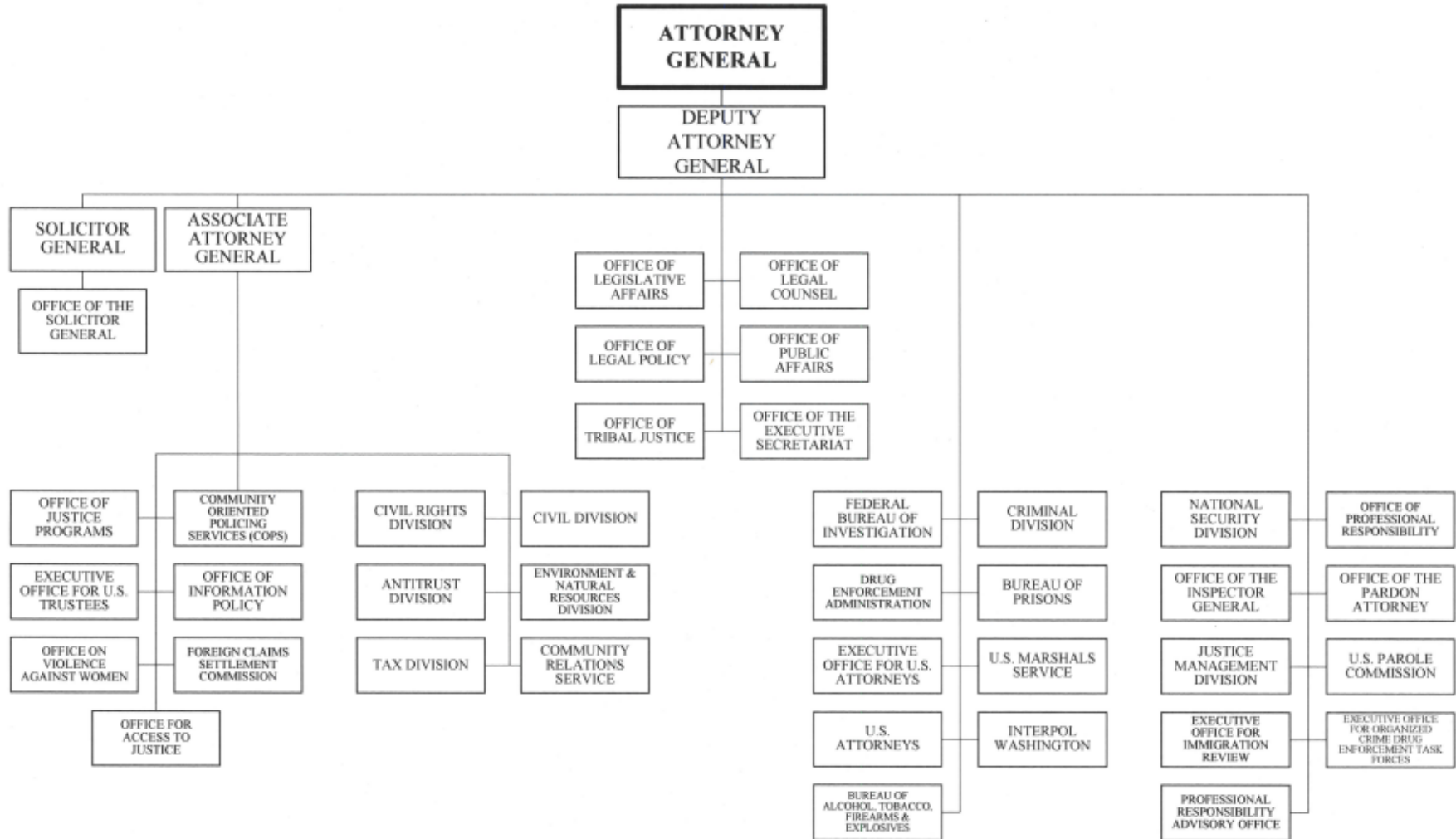
- 4.1 Reinvigorate Antitrust Enforcement and Consumer Protection
- 4.2 Combat Corruption, Financial Crime, and Fraud

## ***Goal 5: Administer Just Court and Correctional Systems***

- 5.1 Administer an Equitable and Efficient Immigration Court System
- 5.2 Maintain a Safe and Humane Prison System

# Organizational Chart

## U.S. DEPARTMENT OF JUSTICE



# Data Reliability and Validity

The Department views data reliability and validity as critically important in the planning and assessment of its performance. As such, the Department makes every effort to ensure completeness and improve reliability of its performance information by doing “data scrubs” (routine examination of current and historical data sets, as well as looking toward the future for trends) to ensure the data we rely on to make day-to-day management decisions are as accurate and reliable as possible and targets are ambitious given the resources provided. To communicate our data limitations and commitment to providing accurate data, this document includes a discussion of data validation, verification, and any identified data limitations for each performance measure presented.

The Department ensures each reporting component providing data for this report meets the following criteria: at a minimum, performance data are considered reliable if transactions and other data that support reported performance measures are properly recorded, processed, and summarized to permit the preparation of performance information in accordance with criteria stated by management. Performance data need not be perfect to be reliable, particularly if the cost and effort to secure the best performance data possible will exceed the value of any data so obtained.

# Top Management and Performance Challenges

Each year, as required by law, the Office of the Inspector General (OIG) identifies management and performance challenges facing the Department. In the FY 2023 Agency Financial Report, the Office of the Inspector General identified seven key areas that represent the most pressing concerns for the Department of Justice. Those are:

- Strengthening Public Trust in the U.S. Department of Justice
- Strategic Management and Operational Challenges in the Federal Corrections System
- Promoting and Safeguarding National Security
- Cybersecurity and Emerging Technology
- Pursuing the Department’s Law Enforcement Mission While Protecting Civil Rights and Civil Liberties
- Improving the Management and Oversight of U.S. Department of Justice Contracts and Grants
- Effectively Managing Human Capital

The Justice Department is fully committed to confronting each of these challenges head-on.

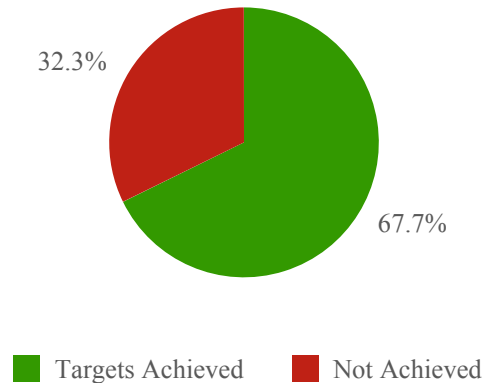


# Summary of FY 2023 Performance

The GPRA Modernization Act requires an agency's strategic plan to be updated every four years and cover a period of no less than four years forward from the fiscal year in which it is submitted. The Department's FYs 2022-2026 Strategic Plan contains five strategic goals and 66 key performance indicators (KPIs) addressing DOJ's priorities towards achieving its long-term outcome goals. The performance measures are summarized in this document. The Department strives to present the highest level of outcome-oriented measures available.

During FY 2023, Departmental components worked to improve the quality and timeliness of quarterly status reporting and operating plans. The chart below and the table that follows summarize the Department's achievement of its FY 2023 key performance measures.

**Achievements of FY 2023 Key Performance Measures\***



\*Only counts measures with reported FY 2023 data

# Goal 1: Uphold the Rule of Law

Strategic Objective	KPI (Reporting Component)	FY 2023 Target	FY 2023 Actual	Status
1.1	Percent of OPR inquiries resolved within one year (OPR)	75%	98%	Target Achieved
1.1	Number of criminal government program fraud cases where the proactive use of data led to the opening of an investigation by the Criminal Division (CRM)	50	31	Not Achieved
1.1	Number of U.S. Attorney's Offices that received proactive data leads in criminal government fraud cases from the Criminal Division (CRM)	45	53	Target Achieved
1.1	Percent of criminal cases concerning COVID-19 related fraud defendants in which the Department seeks restitution (USAO)	90%	100%	Target Achieved
1.1	Percent of criminal cases concerning COVID-19 related fraud defendants whose cases were favorably resolved (USAO)	90%	99%	Target Achieved
1.1	Ratio of backlogged to incoming FOIA requests (OIP)	45%	40%	Target Achieved
1.2	Percent increase in the Department's average score on selected FEVS questions related to how well managers cultivate innovation, creativity, and collaboration (JMD)	61%	57%	Not Achieved
1.2	Percent of people involved in hiring who have completed implicit bias and interview skills training within the last three years (JMD)	25%	2%	Not Achieved
1.2	Disparities in employee attrition rates (JMD)	1.34	1.41	Not Achieved
1.2	Percent of Department websites reflecting U.S. Web Design System requirements and meeting best practices for plain language and user-centered design (JMD)	100%	100%	Target Achieved
1.2	Percent of common data sets accessible amongst DOJ components (JMD)	49%	45%	Not Achieved

# Goal 2: Keep Our Country Safe

Strategic Objective	KPI (Reporting Component)	FY 2023 Target	FY 2023 Actual	Status
2.1	Number of counterintelligence program disruptions or dismantlements (FBI)	400	494	Target Achieved
2.1	Percent of prosecutions brought against defendants engaged in a) hostile activities against national assets, b) intelligence gathering, or c) export violations that are favorably resolved (NSD)	90%	96%	Target Achieved
2.1	Percent of Department-led foreign investment cases that were adjudicated favorably (NSD)	97%	100%	Target Achieved
2.2	Number of terrorism disruptions effected through investigations (FBI)	600	405	Not Achieved
2.2	Percent of counterterrorism defendants whose cases were favorably resolved (NSD)	90%	100%	Target Achieved
2.2	Number of individuals in the Department trained to prosecute domestic terrorism and domestic violent extremism (NSD)	400	496	Target Achieved
2.2	Percent of Department-issued Intelligence Information Reports used in the development of United States Intelligence Community Intelligence Products (FBI)	15%	19%	Target Achieved
2.3	Percent of federal violent crime defendants' cases favorably resolved (CRM, USAO)	90%	98%	Target Achieved
2.3	Volume of U.S. Attorney's Office records uploaded to the National Instant Criminal Background Check System (USAO)	6%	7%	Target Achieved
2.3	Percent of grantees that conduct community engagement activities as part of the program planning for their crime reduction initiative (OJP) <sup>1,2</sup>	25%	32%	Target Achieved
2.3	Percent of programs implementing community violence intervention strategies (OJP) <sup>3</sup>	N/A <sup>4</sup>	N/A	New Measure
2.4	Percent increase in disruptions of malicious cyber actors' use of online infrastructure through proactive operations and judicial means (FBI) <sup>5</sup>	5%	14%	Target Achieved
2.4	Percent of disruptions of key services and operators (FBI)	N/A	N/A	New Measure

<sup>1</sup> Calendar year reporting cycle

<sup>2</sup> Discontinued measure

<sup>3</sup> Calendar year reporting cycle

<sup>4</sup> Not available (N/A)

<sup>5</sup> Discontinued measure

Strategic Objective	KPI (Reporting Component)	FY 2023 Target	FY 2023 Actual	Status
2.4	Percent of reported ransomware incidents from which cases are opened, added to existing cases, or resolved or investigative actions are conducted within 72 hours (FBI)	65%	47%	Not Achieved
2.4	Percent increase in operations conducted jointly with strategic partners (FBI)	3%	-38%	Not Achieved
2.4	Percent of confirmed cyber incidents to Department systems (JMD)	0.0010%	0.0014%	Not Achieved
2.4	Percent increase in threat advisories disseminated to the private sector (FBI)	5%	-5%	Not Achieved
2.5	Percent of disruptions or dismantlements of drug trafficking organizations focused on the highest priority targets (OCDETF)	31%	20%	Not Achieved
2.5	Amount of diversion, nationally, of opioids and stimulants (DEA)	308,376	100,881	Target Achieved
2.5	Percent of relevant-funded grantee programs that provide medication-assisted-treatment, which includes medication plus counseling, as part of their substance use disorder services (OJP) <sup>6</sup>	68%	55%	Not Achieved
2.6	Percent increase in services to traditionally underserved victim populations through VOCA-funded organizations and anti-human trafficking programs (OJP) <sup>7</sup>	Baseline	N/A	
2.6	Percent of USAOs conducting training on trauma-informed and culturally-sensitive approaches for attorneys, victim witness specialists, and support staff (USAO)	65%	59%	Not Achieved
2.6	Percent of victims reporting that they entered and maintained permanent housing upon exit from an OVW-funded transitional housing program 6 months after program completion (Transitional Housing Program only) (OVW) <sup>8</sup>	80%	80%	Target Achieved
2.6	Percent of crimes-against-children FBI cases that address abductions, hands-on offenders, sextortion, or enticement (FBI)	46%	65%	Target Achieved
2.6	Number of formal relationships established with state, county, and local law enforcement, either directly or through state Police Officer Standards and Training councils or commissions, to communicate elder justice best practices (CIV)	10	3	Not Achieved
2.6	Percent of Indian Country homicide cases and sexual abuse cases favorably resolved (USAO)	90%	96%	Target Achieved

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<sup>6</sup> Calendar year reporting cycle

<sup>7</sup> Calendar year reporting cycle

<sup>8</sup> Calendar year reporting cycle

# Goal 3: Protect Civil Rights

Strategic Objective	KPI (Reporting Component)	FY 2023 Target	FY 2023 Actual	Status
3.1	Number of new Voting Rights Act matters initiated (CRT)	4	20	Target Achieved
3.1	Percent of cases prosecuting threats of violence and intimidation against election officials that are favorably resolved (CRM)	75%	90%	Target Achieved
3.1	Percent of BOP facilities providing structured curriculum on voting rights to releasing individuals (BOP)	100%	100%	Target Achieved
3.2	Number of Title VII and USERRA investigations (CRT)	20	28	Target Achieved
3.2	Number of Limited English Proficiency individuals who access department-funded materials in their native language to understand federal hate crimes and anti-discrimination laws (CRT)	35,000	57,895	Target Achieved
3.2	Percent of United States Attorney's Offices that meet at least annually with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents (USAO)	100%	100%	Target Achieved
3.2	Percent of criminal cases addressing civil rights violations, including hate crimes, favorably resolved (CRT)	85%	93%	Target Achieved
3.3	Percent of federal law enforcement officers who receive Use of Force Sustained Training within a three-year period (ATF, BOP, DEA, FBI, USMS)	95%	96%	Target Achieved
3.3	Percent of participants in CRS-facilitated police-community relations programs who perceive stronger community capacity to address alleged inequities (CRS) <sup>9</sup>	N/A	N/A	
3.3	Percent of federal law enforcement officers equipped with body-worn cameras and associated training (ATF, DEA, FBI, USMS)	38%	28%	Not Achieved
3.3	Percent of Justice Assistance Grant Program law enforcement grantees using innovative and evidence-based practices (OJP) <sup>10</sup>	9%	8%	Not Achieved
3.4	Percent of eligible individuals represented by consistent defense counsel throughout that individual's justice system involvement (OJP) <sup>11</sup>	65%	N/A	
3.4	Number of Justice Department strategic partnerships established by the Office for Access to Justice to improve equal access to justice (ATJ) <sup>12</sup>	10	22	Target Achieved

<sup>9</sup> Discontinued measure

<sup>10</sup> Calendar year reporting cycle

<sup>11</sup> Calendar year reporting cycle

<sup>12</sup> Discontinued measure

Strategic Objective	KPI (Reporting Component)	FY 2023 Target	FY 2023 Actual	Status
3.4	Number of times individuals accessed strategic resources on advancing access to justice (ATJ)	N/A	N/A	New Measure
3.5	Number of Environmental Justice Coordinators designated (USAO)	93	93	Target Achieved
3.5	Percent of Environmental Justice Coordinators receiving training (USAO)	93%	98%	Target Achieved
3.5	Percent of participants in CRS-facilitated environmental justice programs who perceive stronger community capacity to address alleged inequities (CRS) <sup>13</sup>	N/A	N/A	
3.5	Number of matters that address adverse environmental and public health effects brought under civil rights statutes (CRT)	16	40	Target Achieved
3.5	Percent of environmental enforcement matters in or substantially affecting overburdened and underserved communities that are favorably resolved (ENRD) <sup>14</sup>	80%	100%	Target Achieved
3.5	Change in energy intensity used by the Department (JMD)	-2%	-6%	Target Achieved

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<sup>13</sup> Discontinued measure

<sup>14</sup> Calendar year reporting cycle

# Goal 4: Ensure Economic Opportunity and Fairness for All

Strategic Objective	KPI (Reporting Component)	FY 2023 Target	FY 2023 Actual	Status
4.1	Number of active civil non-merger investigations (ATR)	50	69	Target Achieved
4.1	Percentage of Consumer Protection Branch cases favorably resolved (CIV)	85%	97%	Target Achieved
4.2	Percent of corporate criminal cases in which individual responsibility was evaluated (CRM, USAO)	95%	100%	Target Achieved
4.2	Percent of corporate criminal resolutions containing compliance reporting obligations that are evaluated by DOJ at least annually (CRM, USAO)	95%	97%	Target Achieved
4.2	Number of criminal disruptions or dismantlements in public corruption and fraud against the government (FBI)	487	320	Not Achieved
4.2	Percent of new contacts by the FBI with foreign anti-corruption agencies that progress to mutual sharing of information or assistance or result in a new international corruption case (FBI)	60%	47%	Not Achieved

# Goal 5: Administer Just Court and Correctional Systems

Strategic Objective	KPI (Reporting Component)	FY 2023 Target	FY 2023 Actual	Status
5.1	Median case completion time (EOIR) <sup>15</sup>	710	791	Not Achieved
5.1	Increase the number of case resolutions (EOIR)	405,787	646,436	Target Achieved New Measure
5.1	Average number of vacancy-days for immigration adjudicator positions (EOIR)	382	142	Target Achieved
5.1	Percent of immigration judges who have received all relevant continuing legal education annually (EOIR)	92%	99%	Target Achieved
5.1	Visits to the Immigration Court Online Resource (EOIR)	24,000	462,503	Target Achieved
5.2	Percent of funded corrections officer positions filled at the end of each fiscal year (BOP)	93%	83%	Not Achieved
5.2	Percent of inmates in federal custody who have successfully completed or are enrolled in an FSA program or activity (BOP)	55%	79%	Target Achieved
5.2	Percent of inquiries from external stakeholders that BOP responds to within the target response time (BOP)	80%	90%	Target Achieved

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<sup>15</sup> Discontinued measure



# Priority Goals

The Department is committed to the Administration’s performance management strategy – using performance information to lead, learn, and improve outcomes. As a key part of this strategy, the Administration directed agencies to identify a limited number of priority goals. A priority goal is a measurable commitment to a specific result that the agency will deliver for the American people. The goals represent high priorities for both the Administration and the agency, have high relevance to the public, reflect the achievement of key agency missions, and will produce significant results over a 12- to 24-month period. The priority goals directly support the Department’s FYs 2022–2026 Strategic Plan. The goals reflect a limited number of priorities and do not fully reflect the entirety of the agency’s strategic goals or mission.

## FYs 2022–2023 Priority Goals

The Department’s priority goals are a subset of those used to regularly monitor and report performance. The Department’s FYs 2022–2023 Priority Goals were:

### Priority Goal 1: Combat Pandemic Fraud

*To uphold the rule of law and preserve public trust in government programs, the Department will enhance its efforts to protect the public fisc from fraud, waste, and abuse. By September 30, 2023, the Department will (1) seek restitution in at least 90 percent of applicable criminal cases concerning COVID-19 related fraud and (2) increase the percentage of COVID-19 related fraud cases favorably resolved to 90 percent.*

#### Status

The Department of Justice surpassed its two-year targets for the Combat Pandemic Fraud Priority Goal. The U.S. Attorneys’ offices (USAOs) consistently exceeded their performance target (90 percent) for their two key measures during the Agency Priority Goal cycle. Throughout FYs 2022-2023, USAOs sought restitution in 99 percent of 815 eligible COVID-19 related fraud cases; and favorably resolved 98 percent of 895 Coronavirus Fraud National Initiative cases. Additionally, USAOs criminally charged over 825 defendants in 551 cases relating to pandemic fraud in FY 2022 and 787 defendants in 547 pandemic-related cases in FY 2023. Most of these criminal cases relate to unemployment insurance, the Paycheck Protection Program (PPP), and Economic Injury Disaster Loan (EIDL) programs as well as healthcare fraud. Most of these cases are still in progress and many more matters are in the investigative stage; only cases that have been resolved are included in the performance indicators. Overall, as of September 2023, criminally charged defendants have been associated with over \$566 million of potential fraudulent claims.

As part of its efforts to address this goal, the USAO community continued to innovate ways to combat COVID-related fraud, including through the establishment of strike force teams in September 2022. Five strike force teams, operating out of six USAOs, built on the Department’s efforts to deter, detect, and disrupt pandemic fraud. Two additional strike force teams were announced in 2023. While restitution is not appropriate in all COVID-19 related fraud cases, USAOs pursue Coronavirus Aid, Relief, and Economic Security (CARES) Act-related fraud to obtain restitution in legally appropriate cases in coordination with the task forces. USAOs received guidance and training on charging COVID-related fraud cases, to include criminal statutes that facilitate court-ordered restitution.

## **Priority Goal 2: Reduce Gun-Related Violence**

*Violent crime involving guns impacts individual safety and negatively affects communities. To enhance public safety and keep our communities safe, the Department will focus enforcement efforts on reducing the incidence of guns used to commit violent crime as well as solving more gun-related violent crimes. By September 30, 2023, the Department will enhance its efforts to reduce gun violence by: (1) increasing the percentage of urgent firearm trace requests completed within 48 hours to 95 percent from a 2021 baseline of 83 percent; (2) increasing the percentage of firearms cases that target traffickers or other large-scale enterprises to 39 percent from a 2021 baseline of 29 percent; and (3) increasing the number of inspections of federal firearms licensees to 7,410 from a 2021 baseline of 6,721.*

### **Status**

Although the Department's performance for these key measures was slightly below annual targets, the Department continued to show improvements throughout the Agency Priority Goal cycle and demonstrated progress towards the goals by completing key activities to implement the Bipartisan Safer Communities Act (BSCA). By the end of FY 2023, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) achieved at least 90 percent of its two-year goal (95 percent) for urgent firearms trace requests completed within 48 hours and at least 80 percent of its two-year goal (39 percent) for firearms cases that target traffickers and large-scale enterprises.

To address the surge in urgent firearm trace requests, ATF hired new full-time equivalents assigned to the Firearms Tracing Branch and continued to enhance its resources to increase workflow efficiency, improve accuracy, and to significantly reduce trace completion times. ATF remained focused on the firearms trafficking strike force initiative in FY 2022, continued this effort in FY 2023, and coordinated with its law enforcement partners to facilitate the sharing of intelligence and resources to more accurately target the sources of crime guns across the country.

ATF experienced a significant increase in the number of inspections of federal firearms licenses between FYs 2022 (6,977) and 2023 (8,687), and exceeded its FY 2023 target (7,410) by 17 percent. Throughout the two-year priority goal cycle, ATF faced challenges resulting from industry operation investigators (IOI) attrition and from conducting compliance inspections while continuing COVID-19 protocols. To keep pace with the growing industry and offset attrition, ATF increased the number of IOI personnel conducting inspections. Additionally, its IOI Major Inspection Team added surge capacity to assist with the large number of firearms inspections, when needed.

As part of its efforts to reduce gun violence, the Department completed key milestone activities related to the BSCA. On August 15, 2022, the Department held a webinar for approximately 300 Assistant U.S. Attorneys and attorneys from its Criminal Division's (CRM) Violent Crime and Racketeering Section. The webinar included presenters from ATF's Chief Counsel's Office and the Criminal Division's Appellate Section and focused on legal developments, such as BSCA, the Violence Against Women Act (VAWA) Reauthorization, ATF's final "frame or receiver" rule, and the Supreme Court's Second Amendment decision in *Bruen* as well as recent firearms-technology issues that are impacting investigations and prosecutions. BSCA narrowed the so-called "boyfriend loophole" by expanding restrictions on firearm purchase by those convicted of misdemeanor crimes of domestic violence to include those convicted of assault in a "dating relationship" restriction. Accordingly, in October 2022, the Department trained federal prosecutors and law enforcement agents on the new "dating relationship" restriction that FBI added to its background-check system. The Department provided additional training on the BSCA statutes and violent crime reduction strategies at the December 2023 Violent Crime Reduction Summit in Indianapolis. The FBI National Instant Criminal Background Check System (NICS) also successfully implemented the Violence Against Women Act 2022-NICS Denial Notification Act ahead of schedule on September 26, 2022. The NICS Section made changes to the system to collect the potential transferee's address and worked with ATF and the federal firearms licensee

community to guide further changes in NICS processing. To ensure that a denial notification would be automatically sent to the correct state and local entities within 24 hours, the NICS Section mapped zip codes, cities, and counties nationwide and the corresponding state and local agencies. Due to changes in statutory requirements set forth previously by both the NICS Denial Notification Act and BSCA and to reflect the implementation of ATF Final Rule 2021R-05F, the FBI NICS Section collaborated with ATF to update the ATF Form 4473 in December 2022. The revised form became mandatory for use on February 1, 2024. Furthermore, in FY 2023, the BSCA appropriated \$280 million to OJP for four grant programs that are intended to help states and localities reduce gun violence. Specifically contributing to this goal are the Community Violence Prevention and Intervention Initiative, Byrne State Crisis Intervention Program, National Criminal History Improvement Program Supplemental Funding, and the STOP School Violence Grant Program.

### **Priority Goal 3: Combat Ransomware Attacks**

*Ransomware attacks cause financial losses and other harms to targeted governments, critical infrastructure, and industries. By September 30, 2023, the Department will enhance its efforts to combat ransomware attacks by: (1) increasing the percentage of reported ransomware incidents from which cases are opened, added to existing cases, or resolved or investigative actions are conducted within 72 hours to 65 percent and (2) increasing the number of ransomware matters in which seizures or forfeitures are occurring by 10 percent.*

#### **Status**

The Administration's National Cybersecurity Strategy posited defeating ransomware as a goal. As part of the Administration's efforts to counter ransomware, they organized four key plans of action: (1) leveraging international cooperation to disrupt the ransomware ecosystem, (2) investigating ransomware crimes and using law enforcement authorities to disrupt ransomware infrastructure and actors, (3) bolstering critical infrastructure resilience to withstand ransomware attacks, and (4) addressing the abuse of virtual currency to launder ransom payments.

As the federal government's lead law enforcement agency, the Department of Justice plays a critical role in executing the Administration's counter-ransomware strategy. In FYs 2022 and 2023, the Department announced several notable successes in disrupting the ransomware ecosystem, investigating and prosecuting ransomware crimes, and addressing abuses of virtual currency. For example:

- In March 2022, a former Canadian government employee was extradited to the United States to face charges for dozens of ransomware attacks, resulting in the payment of approximately \$28 million in cryptocurrency. On December 6, 2023, the founder and majority owner of Bitzlato Ltd., a cryptocurrency exchange that served as a primary conduit for the dark market purchasers and sellers, as well as a safe haven for illicit transactions by ransomware criminals, pleaded guilty to operating a money transmitting business that transmitted illicit funds.
- On July 11, 2023, Romanian national Daniel Hulea was arrested in Romania in connection with an indictment charging one count of computer fraud conspiracy and one count of wire fraud conspiracy for his involvement as an affiliate in the NetWalker ransomware. Hulea was extradited to the United States on September 8, 2023. The Criminal Division's Computer Crime and Intellectual Property Section (CCIPS) and the U.S. Attorney's Office for the Middle District of Florida is prosecuting this case.
- On August 29, 2023, CCIPS announced the disruption of Qakbot, a botnet and malware variant used to deliver ransomware, including high-threat variants such as Conti, Egregor, and Revil. In connection with the technical disruption of the botnet, CCIPS also announced the seizure of approximately \$8.6 million in cryptocurrency stemming from illicit profits related to cybercrime and ransomware activity.

The disruption was a joint effort between CCIPS, the U.S. Attorney's Office for the Central District of California, the FBI's Los Angeles Field Office, and numerous other domestic and international partners.

The first goal was to increase the percentage of reported ransomware incidents from which cases are opened, added to existing cases, or resolved or investigative actions are conducted within 72 hours to 65 percent. The Department demonstrated progress towards this goal. The Federal Bureau of Investigation experienced a slight uptick in the average percent of reported ransomware incidents either opened, added to existing cases, or resolved within 72 hours over FY 2022 (39 percent) in FY 2023 (47 percent); however, the measure remained below its target (65 percent). The FBI supports victims of ransomware incidents through prompt engagement, response, and action. Throughout FYs 2022 and 2023, FBI Headquarters continued to emphasize the importance of increased velocity in response time to its staff. This was further communicated to staff in the field to ensure they were aligned with the Department's goal.

The second goal was to increase the number of ransomware matters in which seizures or forfeitures are occurring by 10 percent. As part of this goal, the FBI Cyber Criminal Operations Section emphasized the importance of seizures as a disruptive action within ransomware cases. In May 2022, the FBI seized the contents of two cryptocurrency accounts that had received ransomware funds, and the Department then began proceedings to forfeit the hackers' funds and return the stolen money to the victims. Although the FBI successfully executed many seizures or forfeitures in ransomware matters, the measure did not reach the Department's goal to increase the number of seizures or forfeitures above the baseline.

The Department will continue to improve its efforts to combat ransomware, as well as identify ways to better capture its overall progress towards the Administration's counter-ransomware strategy.

#### **Priority Goal 4: Combat Hate Crimes and Promote Trust and Accountability in Law Enforcement**

*To promote public trust between communities and law enforcement, the Department will support efforts to make communities and policing safer while protecting individual civil rights and strengthening connections between law enforcement and the communities we serve. By September 30, 2023, the Justice Department will improve community trust in and accountability of law enforcement by: (1) increasing the percentage of federal law enforcement officers who receive use of force sustained training within a three-year period to 95 percent; (2) increasing the percentage of federal law enforcement officers equipped with body-worn cameras (BWCs), and associated training, to 38 percent from a 2021 baseline of 1 percent; and (3) providing technical assistance or other support to correct unlawful policies and implement required reforms to at least 90 percent of jurisdictions under settled and litigated judgments in law enforcement pattern or practice cases. In addition, the Department will combat hate crimes by ensuring that 100 percent of U.S. Attorney's Offices meet at least annually with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents.*

#### **Status**

The Department achieved most of this goal by exceeding the targets for three out of four key measures. In FY 2023, 96 percent of federal law enforcement officers received use of force training, which was a slight increase over FY 2022 (92 percent). Although the Department did not achieve its goal for percent of federal law enforcement officers trained on and equipped with body-worn cameras, there was a significant increase

from 6 percent in FY 2022 to 28 percent in FY 2023. As a new initiative, the ongoing success of BWC programs was impacted by funding and other factors. Nevertheless, the Department continued to increase its training and deployment of BWCs to the required staff.

The Department's Civil Rights Division (CRT) continued to provide technical assistance and other support to correct unlawful policies and implement required reforms to all jurisdictions annually. CRT's Special Litigation Section had more than 15 settlements and consent decrees with law enforcement agencies. CRT provided technical assistance or case team support to each of them. For example, a Special Litigation team provided technical assistance to a police department's performance review board on curriculum and training. This helped the police department successfully implement reforms to use of force, particularly serious use of force.

To support this goal, each USAO met at least annually with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents. On May 27, 2021, Attorney General Garland issued a memorandum on Improving the Department's Efforts to Combat Hate Crimes and Hate Incidents, which emphasized the importance of prioritizing community outreach around hate crimes. The memorandum directed U.S. Attorneys to take several actions to enhance current efforts to combat unlawful acts of hate by improving incident reporting, increasing law enforcement training and coordination at all levels, prioritizing community outreach, and making better use of civil enforcement mechanisms. In FY 2022, the Executive Office for United States Attorneys (EOUSA) developed and launched the USAO Toolkit for Combating Hate Crimes and Incidents, which includes links to information, samples, and training on hate crimes and incidents; information on outreach; and information on Department resources such as funding and technical assistance programs, victims resources, and language assistance. Furthermore, EOUSA and CRT implemented a pilot of the United Against Hate (UAH) Community Outreach Program and then issued a memorandum to all U.S. Attorneys, and held a webinar attended by more than 200 representatives from the USAO community to initiate the national implementation of the program. On September 15, 2022, the Attorney General announced during the White House United We Stand Summit that all USAOs would implement the UAH program within the coming year. By the end of FY 2023, all 94 USAOs had implemented the program, holding hundreds of customized UAH events throughout the country, and reaching thousands of community members.

## **Priority Goal 5: Reinvigorate Antitrust Enforcement & Consumer Protection**

*To ensure economic opportunity and fairness for all, the Justice Department will reinvigorate both antitrust enforcement and consumer protection by aggressively challenging anticompetitive mergers and exclusionary practices, and by prosecuting price-fixing and allocation schemes that harm consumers, workers, and businesses alike. By September 30, 2023, the Justice Department will enhance its efforts to ensure economic opportunity and fairness by: (1) increasing the number of formalized partnerships with federal, state, and international partners by 90 percent above the FY 2021 baseline; and (2) implementing 100 percent of the policy measures suggested in Presidential Executive Orders on competition, including Executive Order 14036; and (3) engaging those who have experienced firsthand the effects of mergers and acquisitions – including consumers, workers, entrepreneurs, farmers, and independent businesses – in 100 percent of federal judicial districts as part of the Division's public inquiry aimed at strengthening enforcement against illegal mergers by modernizing federal merger guidelines.*

### **Status**

The Department of Justice exceeded its goal to reinvigorate antitrust enforcement and consumer protection. By the end of FY 2023, the Department achieved the two-year targets for both key measures. The Antitrust Division (ATR) reached 123 partnerships with other law enforcers, far exceeding its goal to increase such partnerships by 90 percent. The Division expanded its engagement with people in judicial

districts across the country who have experienced firsthand the effects of anticompetitive mergers and acquisitions. The Division also completed several key milestones to support federal agencies in implementing the President's Executive Orders on competition directly and through the White House Competition Council.

Throughout FYs 2022 and 2023, the Antitrust Division continued to foster collaboration with its international counterparts, participating in a Technology Competition Policy Dialogue and hosting a Spring Enforcers Summit that featured representatives from the European Commission, United Kingdom Competition and Markets Authority, South Africa Competition Commission, the Korea Fair Trade Commission, as well as several State Attorney Generals. The Division also submitted a comment on proposed competition legislation in Canada.

Domestically, the Antitrust Division continued to strengthen its partnerships with other federal agencies and state enforcers. The Division provided competition trainings to staff at the National Labor Relations Board and law enforcement partners and submitted comments to the Surface Transportation Board, the United States Patent and Trademark Office, the Alcohol and Tobacco Tax and Trade Bureau, the Federal Energy Regulatory Commission, the Federal Trade Commission, the Securities and Exchange Commission, the Federal Maritime Commission, and the National Telecommunications and Information Administration. The Division also entered into common interest agreements with several state Attorneys General as part of its ongoing efforts to safeguard competition in the American economy. Finally, the Antitrust Division continued to engage with individuals impacted by mergers, including farmers, workers, and independent businesses, as it drafted the 2023 Merger Guidelines.

### **Priority Goal 6: Improve Efficiency in Immigration Adjudication**


*The Justice Department is committed to ensuring the fairness of, and improving the efficiency of, the immigration court system. By September 30, 2023, the Executive Office for Immigration Review (EOIR) will: (1) increase the number of case resolutions by 10 percent relative to the FY 2022 baseline number of case resolutions (368,897) and (2) reduce the vacancy gap for immigration judges to 5 percent from a FY 2021 baseline of 12 percent.*

#### **Status**

The Department exceeded its goal to improve efficiency in immigration adjudication. By the end of FY 2023, the Department surpassed its two-year targets for both agency priority goal measures. The Executive Office for Immigration Review nearly doubled its case resolutions by resolving 646,436 cases in FY 2023. After carefully analyzing its key immigration measures, the Department sought to develop a measure that addresses the overall backlog. It was determined that measuring EOIR's efforts to address its pending caseload and count actual case resolutions is a more reliable indicator of success than simply looking at case completions.

Additionally, EOIR implemented various strategies to lower the Department's vacancy gap for immigration judges. In FY 2022, the Office began creating a pool of qualified candidates to whom it can make offers either to backfill any vacancies created by retirement or to fill any newly authorized positions as soon as funding is provided. EOIR also shortened the number of days a job candidate can accept or decline a job offer and revamped its applicant reference verification process. This has saved a tremendous amount of time in EOIR's onboarding process. By the end of FY 2023, EOIR had filled all 734 immigration judge (IJ) vacancies, such that it achieved a 0 percent vacancy gap.

Key initiatives were put in place to improve EOIR's immigration adjudication efficiency. As one example, in May 2023, EOIR expanded its adjudication of credible and reasonable fear review (CFR/RFR) dockets to seven days a week to ensure they are completed within seven to ten days. EOIR provides full adjudicatory coverage for CFRs on holidays. Leveraging resources across the country, EOIR conducts the CFR docket via web hearings and video teleconference at 14 Department of Homeland Security (DHS) facilities. In FY 2023, the median completion time for detained CFRs was reduced from six to three days, which is a 50 percent decrease from FY 2022. As another example of a key FY 2023 initiative, EOIR and DHS worked with the U.S. Digital Service to develop an Application Programming Interface (API) to help streamline the Notice to Appear Transfer process. The API allows DHS to digitally complete and transfer charging documents directly to EOIR.



# Section II: Performance Information by Goal





# Goal 1: Uphold the Rule of Law



# Goal 1: Uphold the Rule of Law

The Justice Department's success depends upon the trust of the American people. That trust must be earned every day. As the Attorney General has reaffirmed, the Justice Department's first core priority – upholding the rule of law – is rooted in the recognition that, to succeed and retain the trust of the American people, the Justice Department must adhere to the norms that have been part of its DNA since Edward Levi's tenure as the first post-Watergate Attorney General. Those norms – of independence from improper influence, of the principled exercise of discretion, and of treating like cases alike – define who we are as public servants. In addition, exceptional public service requires high-quality management, functional support systems, and a diverse and inclusive workforce.

## Enterprise Risk Themes

Exploitation of democratic institutions and processes

Threats against public servants

Building trust

Impact of technology

Data collection and analysis limitations

Coordination challenges

COVID-19 pandemic-related challenges

Existing structural impediments

Talent pipeline for a diverse workforce

## Strategic Objective 1.1: Protect our Democratic Institutions

Our nation depends on the stability of its democratic institutions. The Justice Department is one such democratic institution and has important responsibilities in protecting other such institutions. We will continue our work to ensure that the public views the Department as objective, impartial, and insulated from political influence. More broadly, we will help ensure the safety and proper functioning of democratic institutions across government against a range of threats. In recent years, threats against public servants, ranging from schoolteachers to federal judges, have increased. Moreover, confidence in our system is undermined by public officials who sell their public trust to the highest bidder and by foreign adversaries who attempt to interfere with our elections. The Department is committed to repairing these ruptures both through specific strategies and through the slow and steady demonstration of impartiality and integrity every day.

Key Performance Indicators	
Total Measures	Targets Achieved
6	5

### Highlights

***United States v. Sidana et al.***: The USAO for the District of Connecticut and the Department of Health and Human Services’ (HHS) Office of the Inspector General (OIG) entered into a civil settlement agreement with Jasdeep Sidana, M.D. and his affiliated companies collectively called “DOCS.” The agreement was finalized in December 2022. The defendants will pay over \$4 million to resolve allegations that they submitted false claims for payment to Medicare and the Connecticut Medicaid program for medically unnecessary allergy services. Lastly, as part of the settlement, DOCS and Dr. Sidana entered into a three-year integrity agreement with HHS’ OIG. The agreement is designed to ensure future compliance with the requirements of federal healthcare programs.

***United States v. Elder***: In the Eastern District of Kentucky, Crystal Elder was convicted of wire fraud based on her fraudulent loan applications and aggravated identity theft based on her use of another individual’s information to submit a Housing Eviction Relief application. Elder fraudulently applied for and obtained various funds under the Economic Injury Disaster Loan, Paycheck Protection Program, and Home Eviction Relief Funds, ultimately receiving over \$50,000 in proceeds. Elder pleaded guilty, was sentenced to a total of 42 months, and was ordered to pay \$52,972 in restitution to the Kentucky Housing Eviction Fund and the Small Business Administration (SBA).

**U.S. Trustee Program Prevails in Enforcement Action Against National Consumer Law Firm**: In litigation throughout the country, the United States Trustee Program (USTP) alleged that a national consumer bankruptcy law firm and its attorneys systematically engaged in the unauthorized practice of law, provided inadequate representation to consumer debtors, and promoted and participated in a fraudulent scheme with a car repossession company that harmed consumer debtors. The United States Court of Appeals for the Fourth Circuit agreed with the USTP’s position and affirmed the bankruptcy court’s order revoking the ability of one of the firm’s “local partners” to practice law in the bankruptcy court for one year and imposing sanctions for misconduct related to the firm’s fraudulent scheme.

**Access to the Paycheck Protection Program Rule:** In December of 2022, the Civil Division (CIV) updated and curated a knowledge management site accessible to all USAOs to facilitate access to PPP materials, including all interim final rules, historical iterations of all borrower and lender application forms, agency guidance documents, tip sheets, and sample subpoenas and pleadings. This innovation improved access to PPP rules and regulations and information needed to investigate and litigate effectively.

**Bar Lapse Analysis:** The Office of Professional Responsibility (OPR) conducted statistical and content analysis of bar lapse cases to determine causes for the increase in suspensions of Department attorneys' licenses and identify common factors. In FY 2023, OPR revised and improved the annual attorney re-certification form, significantly increased communication and training regarding Department attorneys' obligation to maintain an active bar license, and drafted and distributed to all component/office heads a communication highlighting the importance of leadership vigilance in this area and providing information regarding actions required of supervisors when informed of an attorney bar lapse.

**Implementing the United Nations (UN) Sustainable Development Goal (SDG) 16:** The Office for Access to Justice (ATJ) assists the U.S. on the implementation of UN SDG 16. The aim is to promote peaceful and inclusive societies for sustainable development, to provide access to justice for all, and to build effective, accountable, and inclusive institutions at all levels. In March 2023, ATJ participated in and delivered remarks at the Summit for Democracy, and in May 2023, ATJ participated in the UN Commission on Crime Prevention and Criminal Justice, which was focused on access to justice. ATJ has coordinated with U.S. agencies to provide input on new international policy documents focused on access to justice, which include a new Organization for Economic Cooperation and Development (OECD) Recommendation on People-Centered Justice adopted in June 2023 and a first-ever UN resolution on access to justice that was adopted by the UN Crimes Commission in May 2023. Additionally, ATJ partnered with the U.S. Department of State and the U.S. Agency for International Development in joining the Justice Action Coalition, which is a group of governments committed to sharing information on access to justice and implementation of SDG 16. ATJ has also engaged with foreign counterparts, including Germany, Colombia, Ukraine, Brazil, South Africa, Ghana, Vietnam, and others to build trust with global partners, learn about promising practices, and share information about U.S. access to justice efforts.

**Notable Details:** The United States Marshals Service (USMS) is providing protection detail for Special Counsel Jack Smith and Special Counsel Robert Hur due to the historic nature of the investigations they lead. In addition, the USMS also provides a protection detail to Dr. Anthony Fauci through a reimbursable agreement with the U.S. Department of Health and Human Services.

# Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Percent of Office of Professional Responsibility (OPR) inquiries resolved within one year [OPR]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	75%	75%	75%	80%
<b>Actual</b>	93%	89%	93%	92%	98%	N/A	N/A

## Discussion of FY 2023 Results

Through careful review and assessment of incoming complaints and timely action on selected allegations, OPR met and exceeded its goal to resolve inquiries within one year of opening. Timely resolution of professional misconduct complaints demonstrates OPR and the Department’s continued commitment to the rule of law.

## FYs 2024/2025 Planned Future Performance

OPR expects to continue to meet its inquiries measure through close monitoring by management of all inquiries. OPR is actively seeking to procure a new case management system utilizing modern data analytics and dashboard activity reports that should enhance managers’ ability to track activity and timeliness for inquiries.

## Definition

**Inquiry:** Upon receipt of an allegation of misconduct regarding a Department attorney, prosecutor or immigration law judge, OPR reviews each allegation to determine whether further inquiry or investigation is warranted. OPR may initiate an inquiry, during which it typically gathers documents and obtains written submissions from subjects and components. In order to track and prepare reports for this metric, OPR will compile data on the number of inquiries that it opens and closes or converts to an investigation within one year of opening, excluding time tolled due to ongoing litigation or other pending actions by outside entities.

**Findings of Attorney Professional Misconduct:** The Office of Professional Responsibility concluded that an Assistant U.S. Attorney (AUSA) violated the rules of professional conduct by knowingly and intentionally eliciting false and misleading testimony from witnesses, failing to correct false and misleading testimony, and failing to inform his supervisors of material information. OPR also determined that another AUSA working on the same case violated the rules of professional conduct by allowing a covert cooperator to improperly communicate with his represented co-defendants, failing to competently supervise the cooperator’s actions, failing to advise his supervisors of material and accurate information, and lacking candor in statements to opposing counsel. As a result of OPR’s investigation, the Department imposed discipline, and the attorneys were referred to their respective state attorney disciplinary authorities for further action.

## Data Validation, Verification, and Limitations

Analysts prepare tracking reports that are reviewed for accuracy by OPR counsel and deputy counsel. OPR revised its formula for calculating the data for this metric and then used the new formula to recalculate its historical data.

# Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Number of criminal government program fraud cases where the proactive use of data led to the opening of an investigation by the Criminal Division [CRM]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	50	50	50
<b>Actual</b>	N/A	N/A	N/A	50	31	N/A	N/A

## Discussion of FY 2023 Results

The Criminal Division’s FY 2023 target incorporated expectations based on the number of case leads generated by data relating to COVID-19 fraud in FY 2022. While prosecutions relating to COVID-19 fraud continue at pace, the number of new COVID-19 fraud cases opened in FY 2023 declined overall due to the passage of time and the conclusion of COVID-related funding programs, including the Paycheck Protection Program in May 2021. While the overall number of government program fraud cases generated by the proactive use of data declined in FY 2023, CRM’s use of data analytics continues to generate significant case leads relating to government program fraud, securities fraud, market manipulation, and other white collar crimes.

**Use of Data Analytics to Identify Fraud:** The Criminal Division’s Fraud Section plays a leading role in the innovative use of data analytics to generate new criminal government program fraud cases and improve efficiency across existing ones. Over the past several years, the section has used algorithms to identify outliers, trends, and patterns indicative of fraud in Medicare and Medicaid spending. The Fraud Section has leveraged this capability to collect evidence of wrongdoing in other government spending programs. For example, in FY 2023, the Criminal Division’s Healthcare Fraud Unit’s investment in proactive data analytics paid dividends in the resolution of several high-profile matters and the seizure of millions of dollars for the American taxpayers, a significant return on investment.

## FYs 2024/2025 Planned Future Performance

CRM’s Fraud Section hired a data analytics counsel who is working with its prosecution teams to expand upon and improve the Fraud Section’s capabilities and use of data analytics in investigations.

## Definition

This measure captures cases involving fraud against government programs, such as Medicare and COVID-related programs. Only government program fraud cases where data led to the opening of an investigation will be included.

## Data Validation, Verification, and Limitations

Information will be captured manually by the Fraud Section. This number will be validated by Fraud Section management on an annual basis. This measure only includes criminal government program fraud cases handled by CRM.

## Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Number of U.S. Attorney’s Offices that received proactive data leads in criminal government fraud cases from the Criminal Division [CRM]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	45	45	45
<b>Actual</b>	N/A	N/A	N/A	45	53	N/A	N/A

### Discussion of FY 2023 Results

The Criminal Division exceeded its target by 18 percent in FY 2023 for the number of USAOs that received proactive data leads in criminal government cases from the Division. CRM’s Fraud Section plays a leading role in the innovative use of data analytics to generate new criminal government program fraud cases and improve efficiency across existing ones. Over the past several years, the Fraud Section has used algorithms to identify outliers, trends, and patterns indicative of fraud in Medicare and Medicaid spending. The section has leveraged this capability to collect evidence of wrongdoing in other government spending programs. When appropriate, these proactive data leads in criminal government fraud cases are shared with the U.S. Attorneys’ Offices.

### FYs 2024/2025 Planned Future Performance

CRM’s Fraud Section data analytics counsel continues to work with its prosecution teams to expand upon and improve the Fraud Section’s capabilities and use of data analytics in investigations.

### Definition

This measure captures the number of USAOs that received proactive data leads from CRM in criminal government fraud cases.

### Data Validation, Verification, and Limitations

Information will be captured manually by the Fraud Section. This number will be validated by Fraud Section management on an annual basis.

# Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Percent of criminal cases concerning COVID-19 related fraud defendants in which the Department seeks restitution [USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	90%	90%	90%	90%
<b>Actual</b>	N/A	N/A	N/A	99%	100%	N/A	N/A

## Discussion of FY 2023 Results

DOJ recognizes that, in addition to punishment, deterrence, and rehabilitation, the recovery of fraudulently obtained funds to the U.S. Treasury is a priority and promotes faith in our governmental institutions. While restitution will not be appropriate in all COVID-19 related fraud cases (e.g., when prosecuting defendants whose attempts at fraud were unsuccessful), USAOs pursue CARES Act-related fraud to obtain restitution in legally appropriate cases in coordination with the task forces. USAOs received guidance and training on charging COVID-19 fraud cases, to include criminal statutes that facilitate court-ordered restitution. During FY 2023, USAOs sought restitution in 595 of 596 eligible cases.

**Former Government Contractor Executive Pleads Guilty to Unlawful Campaign Contributions:** In the District of Hawaii, Martin Kao, former Chief Executive Officer and 99 percent owner of a defense contractor, was indicted and pleaded guilty to wire fraud and money laundering charges arising out of his submission of fraudulent Paycheck Protection Program loan applications to three banks, resulting in Kao and his company receiving approximately \$12 million in PPP funds, \$2 million of which he transferred to his own personal accounts. Kao stipulated to a forfeiture money judgment of over \$12 million, including forfeiture of \$2 million seized from his personal accounts and over \$8 million seized from his business accounts.

## FYs 2024/2025 Planned Future Performance

In March 2022, the White House and DOJ announced a Director of COVID Fraud Enforcement and the establishment of strike forces to focus on these cases. Together with the existing task forces, USAOs will continue to work with our law enforcement partners to streamline the identification of leads, investigation of matters, charging cases, and recoupment of fraudulently obtained benefits.

cases in which the defendant is alleged to have defrauded third parties in connection with the COVID-19 pandemic such as vaccine and testing scams.

**Seeks restitution:** Where legally applicable, the United States has obtained a restitution order upon obtaining a judgment of conviction in pandemic fraud cases.

## Definition

**COVID-19 related fraud:** A criminally charged case with one or more fraud counts in which the fraud was related to the COVID-19 pandemic. This includes cases in which the defendant is alleged to have defrauded a governmental pandemic relief program, as well as

## Data Validation, Verification, and Limitations

CaseView is the well-established case management system for the Executive Office for United States Attorneys. Data entry for individual defendants and cases is initiated in the originating USAO, and EOUSA’s Data Integrity and Analysis Staff aggregates the data by district and nationally. The Consolidated Debt Collection System



is a debt collection system providing all DOJ components with debt collection responsibilities a single, standard system to view and track debts owed to the U.S. government and victims of crime.

## Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Percent of criminal cases concerning COVID-19 related fraud defendants whose cases were favorably resolved [USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	90%	90%	90%	90%
<b>Actual</b>	N/A	N/A	98%	98%	99%	N/A	N/A

### Discussion of FY 2023 Results

The USAO community continued to find innovative ways to combat COVID-related fraud, including through the September 2022 establishment of strike force teams. The strike force teams, operating out of three USAOs, build on the Department's efforts to deter, detect, and disrupt pandemic fraud. In FY 2023, USAOs criminally charged 787 defendants in 547 cases relating to pandemic fraud. Most of these criminal cases relate to unemployment insurance and PPP and EIDL programs as well as healthcare fraud. Most of these cases are still in progress and many more matters are in the investigative stage. Overall, as of September 2023, criminally charged defendants have been associated with losses totaling over \$566 million, although this number continues to change as cases progress. In addition to the criminal cases, in FY 2023, USAOs opened approximately 750 civil pandemic-fraud matters involving over 1,400 individuals and entities, including approximately 90 qui tam matters. Since the beginning of the pandemic through September 30, 2023, USAOs, in conjunction with the Civil Division, have obtained civil settlements, consent judgments, and default judgments totaling more than \$60 million and resulting in additional millions in avoided Small Business Administration loan guarantees. Civil matters include PPP, EIDL, and other SBA program fraud; health care fraud; and injunctions against hawkers of fraudulent COVID cures, treatments, personal protective equipment, and other goods.

**Five current and former police officers convicted in multi-million-dollar COVID-19 loan scheme:** In April 2023, in the Northern District of Georgia, former Fulton County Sheriff's Office Deputy Katrina Lawson was found guilty by a federal district court jury of conspiracy to commit wire fraud, wire fraud, bank fraud, mail fraud, and money laundering in connection with a wide-ranging PPP and EIDL program small business loan scheme. Lawson completed fraudulent applications and submitted them to the SBA and banks for forgivable small business loans and grants. Lawson was responsible for recruiting more than 200 individuals to participate in this fraud scheme. Three of the individuals she recruited were active sheriff's deputies and one was a former U.S. Army military policeman. Lawson submitted PPP and EIDL applications seeking over \$6 million in funds earmarked to save small businesses from the impacts of COVID-19. She and her co-conspirators ultimately stole more than \$3 million.

### FYs 2024/2025 Planned Future Performance

In March 2022, the White House and DOJ announced a Director of COVID Fraud Enforcement and the establishment of strike forces to focus on these cases. Together with the existing task forces, USAOs will continue to work with our law enforcement partners to streamline the identification of leads, investigation of matters, charging cases, and recoupment of fraudulently obtained benefits.

## **Definition**

**COVID-19 related fraud:** A criminally charged case with one or more fraud counts in which the fraud was related to the COVID-19 pandemic. This includes cases in which the defendant is alleged to have defrauded a governmental pandemic relief program, as well as cases in which the defendant is alleged to have defrauded third parties in connection with the COVID-19 pandemic such as vaccine and testing scams.

**Favorably resolved:** Disposition of a defendant's case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files.

## **Data Validation, Verification, and Limitations**

CaseView is EOUSA's well-established case management system. Data entry for individual defendants and cases is initiated in the originating USAO, and EOUSA's Data Integrity and Analysis Staff aggregates the data by district and nationally.

# Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Ratio of backlogged to incoming FOIA requests [OIP]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	50%	45%	40%	35%
<b>Actual</b>	N/A	N/A	51%	68%	40%	N/A	N/A

**FOIA.gov:** The Office of Information Policy (OIP) continues to make progress in expanding the capabilities of the government-wide FOIA.gov website. Most agencies are now fully interoperable with FOIA.gov, such that requesters can go to FOIA.gov to make Freedom of Information Act (FOIA) requests to specific federal agencies. The Office of Information Policy and its partners have made significant progress in the creation of a FOIA wizard for the FOIA.gov website, which will use artificial intelligence (AI) capabilities to allow members of the public to identify records of interest that are already publicly available, and to help people to determine the best agency to submit a FOIA request. A discovery phase that resulted in a working prototype of the wizard has been completed.

## Discussion of FY 2023 Results

FY 2023 was a banner year for FOIA at the Department of Justice. The number of FOIA requests received and processed by the Department was the highest since FY 2002 before the creation of the Department of Homeland Security. The Department received 110,934 FOIA requests, which is a record for the Department in its current form. However, the Department processed 144,065 requests, far outpacing the number of requests received. The Executive Office for Immigration Review alone received more than 70,000 requests and processed more than 104,000 requests by devoting significant new resources to the processing of FOIA requests, and as a result of efforts made to provide access to certain EOIR records outside the FOIA process. During the year, OIP introduced an updated FOIA Self-Assessment Toolkit for use by federal agencies. This toolkit

contains fifteen modules that focus on different aspects of the FOIA process, which allows agencies to use an evidence-based approach to evaluating the quality of their FOIA administration efforts. OIP also issued new guidance on applying a presumption of openness and the FOIA’s foreseeable harm standard. This guidance further explained principles discussed in the Attorney General’s FOIA Guidelines issued in March 2022. Finally, in August 2023, OIP issued guidance to assist agencies with the development of FOIA standard operating procedures.

## FYs 2024/2025 Planned Future Performance

The Department’s Office of Information Policy will work directly with components in FYs 2024 and 2025 to discuss individualized plans and goals to improve the Department’s overall FOIA administration. OIP is particularly working with components whose backlogs have significantly increased in recent years or whose backlogs comprise a significant proportion of the overall Department FOIA backlog. These components have created specific plans to meaningfully reduce their backlogs by the end of FY 2025. OIP also continues to investigate groundbreaking new technological solutions that can aid components in implementing FOIA. For instance, in October 2023, OIP will release an AI-based advanced search tool to assist the public in locating records of interest to them. OIP also continues to investigate the potential for AI to assist with many other FOIA processing tasks.

## **Definition**

**Ratio:** The ratio of the Department's FOIA backlog and the number of requests received in the fiscal year.

**Backlogged request:** Request that has been pending beyond FOIA's statutory time period to respond.

## **Data Validation, Verification, and Limitations**

The Department goes through a thorough and reliable validation process for Annual FOIA Report data. However, quarterly report data are not validated in the same way and can be somewhat unreliable. OIP will track this quarterly, but there are some limitations. Both the annual and quarterly data are publicly reported.

## Strategic Objective 1.2: Promote Good Government

The Justice Department employs more than 115,000 people and has a budget of more than \$30 billion.<sup>16</sup> Operating an organization this large requires the management resources and infrastructure of a Fortune 100 company. Over the past twenty years, however, as the Department has grown and its mission has become more complex, the resources allocated toward management and administration have dramatically shrunk. The result is a set of existing management structures that do not fully promote analytic rigor, efficiency, or innovation.

To ensure efficient operations, promote internal controls and oversight, prioritize data-driven decision making, and recruit and retain top-notch talent, the Department will take a strategic and innovative approach to updating its management structure, training, and collaboration; to modernizing its technology; and to promoting diversity and ensuring equal employment opportunity. The Department’s workforce is its key asset for achieving its mission. Ensuring that every employee can use their full talents and focus to solve pressing problems requires an inclusive workplace. The Department can also better serve our diverse country when its workforce includes a variety of backgrounds and perspectives. To these ends, we are working to assess and improve diversity, equity, inclusion, and accessibility (DEIA) at all levels of our human capital operations, from recruitment and retention to training, evaluation, and promotion.

Key Performance Indicators	
Total Measures	Targets Achieved
5	1

### Highlights

**Agency Debt Management Portal:** The Justice Management Division (JMD) Debt Collection Management Staff developed an agency portal to provide federal agencies with easy access to all the debt collection capabilities offered. The agency portal was implemented and available to the Department of Treasury as part of a pilot in January 2023. Agencies can use the portal to determine the collectability of debts, request assistance with referral packages, and refer debts for collection. Approved debts will be automatically uploaded to the Consolidate Debt Collection System and be assigned to the appropriate component for collection. Once submitted, collection status and statistics will be available to the agencies through online reports.

**Modernization of Justice Management Division’s Web-Based Tools and Operational Processes:** JMD Asset Forfeiture Management Staff (AFMS) support law enforcement agencies’ participation in the Asset Forfeiture Program. The modernization will improve efficiency and increase capabilities to track forfeiture actions better, timely, and accurately, improving AFMS’ financial statements.

**Office of Justice Programs (OJP) Develops Policy Blueprint for FYs 2023-2027:** The Office of Justice Programs’ Fiscal Year 2023–2027 Policy Blueprint is both a statement of values and a roadmap for the design and development of OJP policies and programs. It frames OJP’s

<sup>16</sup> This text is from the strategic plan. Current estimates are over 114,000 employees.

mission around three overarching priorities: advancing community safety, building community trust, and strengthening the community's role as co-producer of safety and justice. To deliver on its mission, OJP is focused on six goals: promoting safety and strengthening trust, accelerating justice system reforms, making the juvenile justice system more equitable and effective, expanding access to victim services, advancing science and innovation, and achieving organizational excellence across the agency. These goals articulate a clear reflection of OJP's vision for improving public safety and ensuring equal justice for all.

**DOJ Agency Equity Team:** The Office of the Associate Attorney General and the Office of Legal Policy (OLP) lead the coordination and implementation of Executive Order 14091: Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government within the Department. Pursuant to Executive Order 14091, the Department established an Agency Equity Team comprised of senior leaders from across DOJ. The Equity Team actively works to advance equity in a coordinated and consistent manner.

**Suicide Prevention:** In FY 2023, the Federal Bureau of Prisons (BOP) conducted research based on employee wellness surveys and focus group data. BOP initiated posts on suicide prevention for staff and protocols for data collected regarding the effectiveness of training that was presented at the American Psychological Association conference in August 2023. BOP will submit findings to future American Psychological Association conferences. Moreover, BOP presented its approach to post-intervention at a national conference on measuring law enforcement suicides. Additionally, BOP collaborated with a consultant firm to create an employee wellness brand. The brand aims to spread awareness about resources and reduce stigmas. BOP held a resilience conference for all Correctional Support Team peer-support team leaders in September 2023. This conference focused on helping team leaders build resilience as well as develop their skills supporting others' resilience. In October 2023, BOP launched a video series entitled, "Watch Call." This series highlights stories of resilience from BOP employees and aims to reduce the stigma of seeking help.

**Mental Health Litigation Unit:** The Criminal Division has prosecutors that specialize in secondary trauma within CRM's Capital Case Section. In FY 2023, CRM established a mental health litigation unit that provides prosecutors with information about how mental health impacts various parts of the litigating process. CRM emphasizes to managers the need to focus on victimization and educate the entire workforce on secondary trauma.

## Strategic Objective 1.2: Promote Good Government

**Performance Measure:** Percent increase in the Department’s average score on selected Federal Employee Viewpoint Survey (FEVS) questions related to how well managers cultivate innovation, creativity, and collaboration [JMD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	60%	61%	62%	63%
<b>Actual</b>	N/A	N/A	59%	54%	57%	N/A	N/A

### Discussion of FY 2023 Results

The Department has regularly participated in the Office of Personnel Management (OPM) Federal Employee Viewpoint Survey (FEVS) throughout the years. In FY 2023, the Department’s average composite score for the four FEVS questions was 57 percent, well short of the 61 percent target. The failure to reach the target can be attributed to the fact that most components only experienced a minor increase in their scores, which was not sufficient to meet the target. JMD will conduct a deep dive of the data to try and determine root causes for why scores did not increase more meaningfully. JMD, CIV, CRT, the Environment and Natural Resources Division (ENRD), the Tax Division (TAX), and OIG, among others, exceeded the target.

### FYs 2024/2025 Planned Future Performance

The goal is to increase the average positive composite score of the questions by five percentage points in FY 2024. JMD Human Resources (HR) will assess the current work practices, policies, and future processes of the Department to identify any barriers that may impact its ability to build and maintain an effective workforce and foster an environment that encourages creativity, collaboration, and innovation.

**Employee Engagement Specialist Hiring:** In FY 2023, JMD hired two employee engagement specialists who, among other things, will work with components and managers in developing and implementing strategies and action plans designed to cultivate a culture of innovation, creativity and collaboration that meets the goals of the Department, its employees and above all, the public they serve.

### Definition

The 2023 OPM FEVS is administered to employees across the federal government. This valuable survey tool collects feedback on employee experiences with their jobs, supervisors, leadership, workplaces and more. This measure is a composite of positive responses for select survey questions, which are:

- I feel encouraged to come up with new and better ways of doing things.
- The people I work with cooperate to get the job done,
- Managers promote communication among different work units,
- How satisfied are you with your involvement in decisions that affect your work?

### Data Validation, Verification, and Limitations

OPM validates and verifies the data each year. JMD HR will compile the data from the selected survey questions.



## Strategic Objective 1.2: Promote Good Government

**Performance Measure:** Percent of people involved in hiring who have completed implicit bias and interview skills training within the last three years [JMD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	25%	50%	75%
<b>Actual</b>	N/A	N/A	N/A	0%	2%	N/A	N/A

### Discussion of FY 2023 Results

The Department was unsuccessful in reaching its FY 2023 target of 25 percent of DOJ employees involved in the hiring process taking both implicit bias and interview skills training within the last three years. JMD HR queried the DOJ learning management system and found out that only 2 percent of employees have taken both Implicit Bias training and Interview Skills training within the last 3 years. During the past year, JMD HR has been coordinating the development, review, and completion of the implicit bias/interview skills training. JMD HR, on a quarterly basis, convened a working group comprised of the DOJ Chief Learning Officer, the Deputy Director of the Office of Attorney Recruitment and Management (OARM), a senior official on the JMD Equal Employment Opportunity Staff and one of the training officers at EOUSA. JMD HR facilitated the working group discussions, which were centered on defining the training content, the platform for delivering the training, and the timeline for completing and issuing the training.

### FYs 2024/2025 Planned Future Performance

OARM is currently developing their attorney interview training module. The training is being developed so that it can apply to interviewing for any occupational series, not just attorneys. The training will include enough information to address implicit bias as well. The goal is to make the training available to all DOJ employees, regardless of occupational series. JMD HR anticipates that the training module will be finalized by the second quarter of FY

**Office of Attorney Recruitment and Management Implicit Bias/Interviewing Skills Training Module:** Employees involved in the hiring process will be able to satisfy the implicit bias/interviewing skills training requirement outlined in the key performance indicator with this single training module that OARM is currently developing.

2024. Once finalized, JMD HR will upload the training into LearnDOJ, DOJ's learning management system, and the Chief Learning Officer will inform all the component training officers and HR officers about the availability of the training. The Chief Learning Officer will share the training with components who do not utilize LearnDOJ, and will continue to advertise its availability and the KPI requirement at all future meetings with component training officers and HR officers. JMD HR will track, on an annual basis, the percentage of employees involved in the hiring process who have taken implicit bias/interviewing skills training by querying the various learning management systems. As a result of these efforts, JMD expects that the percentage of employees involved in the hiring process who have taken implicit/bias and interviewing skills training will increase significantly in FYs 2024-2026.

### Definition

The Department is in the process of identifying specific mandatory courses for people involved in the hiring process. Once the mandatory courses have been identified, the Department will update the definition for this metric.

### **Data Validation, Verification, and Limitations**

JMD HR will use its learning management system, Learn DOJ, and rely on reports from the FBI and BOP, to track the training data. Learn DOJ provides a list of individuals that have completed training. FBI and BOP track training in their own respective systems. Currently, there is no way to determine who on the list is involved in hiring.

## Strategic Objective 1.2: Promote Good Government

**Performance Measure:** Disparities in employee attrition rates [JMD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	1.34	1.32	1.30
<b>Actual</b>	N/A	N/A	N/A	1.36	1.41	N/A	N/A

### Discussion of FY 2023 Results

The Department was unsuccessful in reaching its FY 2023 target of a gender attrition disparity rate of 1.34. In FY 2023, the Department hired a Chief Diversity Officer. By the end of FY 2023, the office became fully operational. The Chief Diversity Officer started cross-component collaborations to begin shaping the Department-wide Diversity, Equity, Inclusion, and Accessibility Strategic Plan.

### FYs 2024/2025 Planned Future Performance

The Department is developing an exit survey pilot program, which among other things, will allow the Department to obtain insight as to the reasons why employees are choosing to leave the agency. More specifically, the Department hopes to identify barriers or challenges in the recruitment, hiring, retention, and employee development lifecycle that is resulting in disparities in gender attrition rates.

### Definition

**Disparities:** For this measure, the Department is only comparing the disparities in the gender aggregate attrition rates. The Department seeks to compare other areas such as protected classification, age, or parental status in the near future.

**Attrition:** Voluntary departure of employees, excluding retirements.

**ATF and FBI Sign on to the 30x30 Initiative:** On November 14, 2022, the FBI signed on to the 30x30 Initiative, a nationwide pledge to increase the number of women in sworn law enforcement by 2030. Additionally, in March 2023, the ATF Director signed the 30x30 Pledge for ATF, promising that ATF would identify and address obstacles that might prevent it from increasing the representation of women in law enforcement to 30 percent by 2030. Targeted recruitment of women has increased, including at primarily female universities. The 30x30 campaign is emphasized through ATF social media outreach. ATF is also taking steps to ensure that women thrive in the workforce as well. For example, ATF is ensuring that women are included in working groups to ensure that the best tactical equipment is acquired. ATF is working to allocate a full-time employee to oversee its 30x30 initiative nationally. The FBI Academy saw an increase in the proportion of female agents onboarding through the Basic Field Training Course for New Agents from 30 percent in FYs 2021-2022 to 38 percent in FY 2023, equating to an overall increase of 9 percent.

### Data Validation, Verification, and Limitations

JMD's HR Information Technology Office will extract the attrition data from the National Finance Center database on a quarterly basis.

## Strategic Objective 1.2: Promote Good Government

**Performance Measure:** Percent of Department websites reflecting U.S. Web Design requirements and meeting best practices for plain language and user-centered design [JMD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	100%	100%	100%
<b>Actual</b>	N/A	N/A	N/A	100%	100%	N/A	N/A

### Discussion of FY 2023 Results

Twenty domains reported as coming into compliance with the 21<sup>st</sup> Century Individuals with Disabilities Education Act (IDEA). Those were as follows:

- ada.gov
- cybercrime.gov
- fara.gov
- fbijobs.gov
- firstfreedom.gov
- foia.gov
- ic3.gov
- interpol.gov
- justice.gov
- learndoj.gov
- nicic.gov
- ojp.gov
- projectsafechildhood.gov
- projectsafeneighborhoods.gov
- scra.gov
- servicemembers.gov
- tribaljusticeandsafety.gov
- usdoj.gov
- userra.gov
- usmarshals.gov

**Service to the Citizen Award:** In September 2023, the Civil Rights Division won the Service to the Citizen Award for its work involving user testing and feedback. CRT’s major transformation and modernization pillars are plain language and effective communication. On the plain language front, the core team for ada.gov has worked to dramatically modernize and update the site to be more user-centered and comprehensible to disparate population segments. On a biweekly basis, the core team releases new features and improvements to the reporting portal, which is the gateway for people to report federal civil rights violations to the government. CRT is collaborating with OJP to ensure potential civil rights violations by DOJ grant recipients are identified and addressed. Additionally, CRT partnered with the Center for Plain Language on findings letters. The core team makes the finding letters more accessible to the public in plain language. This work has enormous implications for institutional credibility and creates a shared understanding of events in highly charged situations. CRT is working to build a foundation for user research and testing, like issuing a one-page “Know Your Rights” document to Ukrainian refugees.

### FYs 2024/2025 Planned Future Performance

In FY 2024, JMD is projecting that one more website will be modernized and brought into compliance with the 21<sup>st</sup> Century IDEA – elderjustice.gov. Additionally, JMD is projecting that any new website that is launched by the Department will be compliant with the 21<sup>st</sup> Century IDEA.

## **Definition**

**Modernizing websites:** The agency must use the U.S. Web Design System for all websites created or redesigned 180 days after the date of enactment of the IDEA Act, July 18, 2019. The Act requires an executive agency to ensure that any new or redesigned website, web-based form, web-based application, or digital service comply with the Act. For the purpose of this measure, DOJ will measure the number of public-facing websites that meet the federally required mandates for all new or redesigned websites.

## **Data Validation, Verification, and Limitations**

DOJ components will attest that they meet the federally-mandated requirements during the Department's quarterly certification process. Currently, there is no available tool to ascertain a website's compliance with the U.S. Web Design System. Digitaldashboard.gov only measures whether a website is leveraging a U.S. Web Design System code. Although IDEA applies to all websites, the Department's JMD Collaboration and Web Services does not have purview into all DOJ non-public websites.

## Strategic Objective 1.2: Promote Good Government

**Performance Measure:** Percent of common data sets accessible amongst DOJ components [JMD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	49%	51%	50%
<b>Actual</b>	N/A	N/A	N/A	47%	45%	N/A	N/A

### Discussion of FY 2023 Results

In FY 2023, DOJ saw the percent of common data sets decline slightly. The proportion of non-public datasets being added to the Justice Data Catalog exceeded the proportion of public data sets. Thus, there was an overall decline in the percentage of common data sets available for sharing. However, the Department is reviewing options such as adjusting the definition in FY 2024 of common data sets to account for the availability of “restricted data sets” to the public, and therefore available for sharing and thus being counted as common datasets. This will more accurately reflect the intent of the definition to increase sharing and available data sets for common use. These changes should increase the overall percentages of common data sets and not disproportionately weight “restricted public data sets” as not common data sets when they are sharable once approval granted by the agency to the public requestor who agrees to abide by the rules/terms of use.

### FYs 2024/2025 Planned Future Performance

In FY 2024, DOJ is projecting a target increase despite the decline reported in FY 2023. DOJ is looking to adjust the definition in FY 2024 of common data sets to account for the availability of “restricted data sets” for sharing.

### Data Validation, Verification, and Limitations

DOJ components will validate the data via the Data Management Plan Template and Justice Data Catalog.

**Data Challenge:** In FY 2023, the Department’s Office of the Chief Information Officer (OCIO) partnered with the Drug Enforcement Administration (DEA) to identify data sets to make public and include in a public data challenge focused on drug seizures and overdose statistics. DEA is in the final approval stages and anticipates the public data launch will occur in January 2024. The data challenge catalyzed DEA to publish more open-format data sets for public use. The challenge complies with the Open, Public, Electronic, and Necessary (OPEN) Government Data Act, which requires agencies to “host relevant challenges, competitions, events, or other open data related initiatives to create additional value from public data assets.”

### Definition

Each DOJ component will report its data sets to JMD OCIO in the Justice Data Catalog. The Justice Data Catalog is a comprehensive inventory of the Department data sets required by the Foundations of Evidence-based Policymaking Act of 2018. Data sets that are marked as “public” are considered common data sets that are accessible amongst DOJ components, as well as to the general public. Internal data sets may be shared across the Department.



## Goal 2: Keep Our Country Safe



## Goal 2: Keep Our Country Safe

The Justice Department has no higher priority than keeping the American people safe. Our nation continues to face a multitude of serious and evolving threats, ranging from foreign terrorism to domestic terrorism and from cybercrime to violent crime. These threats are as complex as at any time in our history, and the consequences of not responding to them have never been greater. Every person living in the United States deserves to feel safe in their communities. The Justice Department will support law enforcement at all levels as we work to protect our country from these threats, while also zealously guarding civil liberties and ensuring our own accountability to the American people.

### Enterprise Risk Themes

Impact of technology

Fragmentation and globalization of threats

Emergence of new security vulnerabilities

Data collection and analysis limitations

Coordination challenges

Market competition for specialized expertise

Building trust

Changes in the legal landscape

Changing demographics (including aging populations)

External drivers of crime



## Strategic Objective 2.1: Protect National Security

The Justice Department investigates, disrupts, and prosecutes threats to America’s national and economic security, both from hostile foreign nations and from insider threats. These threats include not just traditional espionage efforts, but also foreign influence operations, economic espionage, and critical infrastructure attacks. In response to these wide-ranging threats, the Department, together with counterintelligence partners and other federal law enforcement, seeks to identify the potential assets targeted, engage the entities who possess those assets, and protect them.

Key Performance Indicators	
Total Measures	Targets Achieved
3	3

### Highlights

**United States v. Yevgeniy Grinin et al.:** In December 2022, the USAO for the District of Columbia and National Security Division (NSD) attorneys secured an indictment against five Russian nationals and two Americans for conspiracy and other offenses related to a global procurement and money laundering scheme on behalf of the Russian government, in violation of new U.S. sanctions imposed in March 2022. The sweeping indictment is a result of a multi-agency and multinational investigation coordinated by Task Force KleptoCapture. This indictment was superseded in May 2023. Arraignment was held on July 31, 2023.

**Transfer of over \$5 million in Forfeited Funds to Ukraine:** In FY 2023, approximately \$5 million in forfeiture proceeds were transferred from the Assets Forfeiture Fund managed by JMD’s Asset Forfeiture Management Staff to the Department of State to remediate the harms of Russian aggression towards Ukraine, pursuant to the Additional Ukraine Supplemental Appropriations Act. The forfeited funds were seized from Konstantin Malofeyev and were related to his efforts to evade U.S. sanctions.

**United States v. Paidar et al.:** The USAO for the District of Columbia and NSD attorneys charged Amanallah Paidar of Iran and Murat Bükey, of Turkey, of conspiring to procure and export U.S. technology for Iran through their companies. Bükey was extradited to the United States from Spain in July 2022 and pleaded guilty to conspiring to violate the Arms Export Control Act (AECA) and the International Emergency Economic Powers Act (IEEPA) in December 2022. He was sentenced in March 2023 to 28 months in prison. Paidar is a fugitive and remains at large.

**Assisting Overseas Prosecutors:** CRM’s Computer Crimes and Intellectual Property Section (CCIPS) works with the International Computer Hacking and Intellectual Property (ICHIP) network of DOJ attorneys to increase international capacity to identify and prosecute trade secret crimes. In March 2023, CRM CCIPS attorneys helped the Brazil ICHIP prosecutors organize and present at a conference on Trade Secret Theft in Sao Paulo, Brazil for attendees from across Latin America. Additionally, CCIPS attorneys, the Romania ICHIP, and the Department of Homeland Security’s Homeland Security Investigations conducted a series of virtual interviews with Ukrainian prosecutors and investigators regarding intellectual property (IP) enforcement in Ukraine to assess the state of IP-related crime, enforcement capabilities and needs, and opportunities for capacity-building.

## Strategic Objective 2.1: Protect National Security

**Performance Measure:** Number of counterintelligence program disruptions or dismantlements [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	400	400	400	400
<b>Actual</b>	529	365	447	402	494	N/A	N/A

**Lu and Chen Arrested for Operating Illegal Police Station:** Lu Jianwang and Chen Jinping were arrested on April 23, 2023 for worked together, under the direction and control of an official of the Ministry of Public Security of the People’s Republic of China (PRC), to establish the first overseas police station in the United States in order to monitor and intimidate dissidents and those critical of the PRC government. Since 2015, and through the operation of the secret police station, Lu was tasked with carrying out various activities, including assisting the PRC government’s repressive activities on U.S. soil.

### Discussion of FY 2023 Results

The FBI counterintelligence program effected 494 disruptions and dismantlements in FY 2023. The FY 2023 results include DOJ efforts under Task Force KleptoCapture and the disruptive technology strike force, among the variety of ways the FBI is able to make significant impact on a wide variety of threat actors. This result demonstrates vigorous effort across the country and is consistent with performance in prior years.

### FYs 2024/2025 Planned Future Performance

Opportunities to disrupt threat activity are unpredictable, so numbers will fluctuate from year to year. In FYs 2024 and 2025, DOJ will continue with Task Force KleptoCapture and the disruptive technology strike force, among various ways the FBI is able to make significant impact on a wide variety of threat actors.

### Definition

This measure uses the combined score of two types of statistical accomplishments.

**Disruption:** 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. Disruptions affect an entire organization, subgroup, or cell rather than individual subjects.

**Dismantle:** Occurs when the targeted organization’s leadership, financial base, and supply network have been destroyed, such that the organization is incapable of operating and/or reconstituting itself.

### Data Validation, Verification, and Limitations

The FBI Counterintelligence Division’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lack significant detail. Data are collected routinely, stored on a classified enterprise platform, and validated and verified manually.

Disrupt and dismantle accomplishment claims are verified by two supervisors with knowledge of the case by reference to the Claiming Guidance Library definitions. Offices have 30 days to enter accomplishment claims and have them adjudicated.

## Strategic Objective 2.1: Protect National Security

**Performance Measure:** Percent of prosecutions brought against defendants engaged in a) hostile activities against national assets b) intelligence gathering or c) export violations that are favorably resolved [NSD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	90%	90%	90%	90%
<b>Actual</b>	N/A	N/A	N/A	98%	96%	N/A	N/A

### Discussion of FY 2023 Results

In FY 2023, the National Security Division continued to exceed its targets for successfully prosecuting violations of U.S. law involving espionage and export control. NSD’s Counterintelligence and Export Control Section (CES) established the new positions of Chief Counsel and Deputy Chief Counsel for Corporate Enforcement to help address the increasing intersection of national security and corporate crime. Additional prosecutors are being assigned to investigate misconduct by corporate actors, and to prosecute sanctions evasion, export control violations, and other offenses that affect that national security of the United States.

### FYs 2024/2025 Planned Future Performance

One of NSD CES’s top priorities is the protection of national assets through counterintelligence investigations, enforcement of export controls and sanctions, and related prosecutions. In FYs 2024 and 2025, NSD CES will continue supporting and supervising the investigation and prosecution of espionage and related cases through coordinated efforts and close collaboration with DOJ leadership, the FBI, the U.S. Intelligence Community (USIC), and the 94 USAOs; overseeing and assisting with the expansion of investigations and prosecutions for unlawful export of military and strategic commodities and technology and violations of United States economic sanctions; and coordinating and providing advice in connection with cases involving the unauthorized disclosure of

***United States v. Abouammo:*** In December 2022, Ahmad Abouammo, a former X (previously known as Twitter) employee, was sentenced to 42 months in federal prison for his role in accessing, monitoring, and conveying confidential and sensitive information that could be used to identify and locate X users of interest to the Saudi royal family. Mr. Abouammo was found guilty of acting as a foreign agent of the Kingdom of Saudi Arabia (KSA) without providing notice to the Attorney General, amongst other charges. The evidence at trial demonstrated that Mr. Abouammo accepted bribes from officials of the KSA in exchange for accessing X user accounts and conveying information on dissidents and critics of the KSA to their government officials and the Saudi royal family, then lied to the FBI investigators and falsified a document when questioned about the transactions in October 2018.

classified information and supporting prosecutions through advice and assistance with application of the Classified Information Procedures Act. In cases involving national security threats to sensitive American assets, and recognizing that law enforcement is only one element of the federal government’s power, NSD CES has increasingly coupled its investigations and prosecutions with other actions by interagency partners including the Departments of State, Treasury, Commerce, and Defense, and the USIC.

In instances NSD CES takes public action, aside from the announcement of an arrest of a defendant, NSD CES prosecutors will work toward ensuring that the majority of its actions are paired with those available through its federal partners for maximum impact and consequence. These actions include but are not limited to the potential use of economic sanctions, additions to the Department of Commerce's Entity List, virtual currency regulations, Rewards for Justice campaigns, diplomatic pressure, and intelligence operations.

### **Definition**

This measure includes counterintelligence, economic espionage, and export and sanction defendants whose cases resulted in a guilty plea or conviction.

**Hostile activities against national assets:** Activities conducted by, at the direction of, or otherwise on behalf of nation-states and international terrorist organizations that negatively impact the national or economic security of the United States and its allies.

**Intelligence gathering:** Defendants who obtained or sought to obtain classified or otherwise sensitive or non-public information at the direction of or on behalf of a foreign government or its agents.

**Export and sanctions violations:** Criminal violations of the Arms Export Control Act, the Export Control Reform Act (ECRA), and the International Emergency Economic Powers Act, excluding those violations of the AECA having no relationship to foreign relations.

### **Data Validation, Verification, and Limitations**

NSD captures all litigation data in its case tracking system. Data are validated quarterly by the section chief in each of the litigating sections. Further data validation and verification is accomplished via quarterly reviews by NSD CES management. Limitations include reporting lags.

## Strategic Objective 2.1: Protect National Security

**Performance Measure:** Percent of Department-led foreign investment cases that were adjudicated favorably [NSD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	97%	97%	97%	97%
<b>Actual</b>	N/A	N/A	100%	100%	100%	N/A	N/A

### Discussion of FY 2023 Result

NSD, through its Foreign Investment Review Section (FIRS), completed 765 national security reviews (NSRs) of foreign-investment cases and 411 high-priority NSRs in FY 2023, a 7 percent decline in NSRs from FY 2022 but 11 percent higher than the FYs 2018-2022 averages. NSD favorably adjudicated 100 percent of these cases. FIRS worked on 1,292 total matters (a 4 percent increase from FY 2022), of which FIRS worked on 944 NSRs, 487 which were high-priority NSRs.

NSD FIRS worked on 59 DOJ co-led cases under review and investigation before the Committee on Foreign Investment in the United States (CFIUS), a 30 percent decrease from FYs 2018-2022 averages. In FY 2023, DOJ led 13 percent of all CFIUS cases worked — 16 percent of joint voluntary notices and 6 percent of declarations in FY 2023, compared to an average of 24 percent co-lead rate from FYs 2018-2022. Of the reviews and investigations of CFIUS joint voluntary notices, 60 percent of DOJ co-led cases ended with national security risk mitigation agreements in FY 2023 compared to only an 19 percent resolution rate among other CFIUS cases led by other agencies. Further, DOJ co-led 21 percent of all CFIUS cases resulting in mitigation agreements in FY 2023, and an of average of 36 percent of all CFIUS mitigation actions for FYs 2018-2022.

**Referrals:** During FY 2023, NSD FIRS made two significant and separate civil investigative referrals to the U.S. Securities and Exchange Commission (SEC) and CIV’s Fraud Section for questionable activities related to information and communications technology and services (ICTS) supply chain equities. FIRS also significantly increased its engagements with Five Eyes cybersecurity and data security counterparts, in particular those of the United Kingdom and Australian governments which focus on foreign influence issues and related hybrid commercial threats.

DOJ also led 102 cases that were referred by the Federal Communications Commission (FCC) to Team Telecom, an 18 percent decrease from FY 2022. In FY 2023, NSD FIRS’ Compliance and Enforcement Team monitored 232 mitigation agreements, including 17 terminations and 27 new agreements, and handled at least 358 total matters, including new agreements, terminations of existing agreements, site visits, bankruptcy reviews, and provided mitigation negotiation support for CFIUS and Team Telecom.

NSD FIRS conducted 52 physical and virtual site visits (a 41 percent increase from FY 2022 and a 247 percent increase from FY 2021) for high-priority compliance matters in FY 2023.

In addition, NSD FIRS led three civil enforcement matters and six ICTS supply chain referrals (down from seven in FY 2022) to the Department of Commerce under Executive Order 13873.

### **FYs 2024/2025 Planned Future Performance**

NSD FIRS will continue to lead the implementation of the Executive Order on Preventing Access to Americans' Bulk Sensitive Personal Data and United States Government Data by Countries of Concern, which directs the Department of Justice to establish, implement, and administer a targeted new regulatory program to address the national-security risks posed by access to Americans' bulk sensitive personal data and U.S. government-related data by countries of concern and persons subject to their jurisdiction. NSD FIRS will continue to lead the review, investigation, and mitigation of cybersecurity, data security and privacy, telecommunications, law enforcement, and related national-security risk analyses through coordinated interagency bodies. These interagency bodies include CFIUS, Team Telecom, emerging technology councils, and supply-chain regulatory bodies, such as the process established by Executive Orders 13873 and 14034 as well as the Strengthening and Enhancing Cyber-capabilities by Utilizing Risk Exposure (SECURE) Technology Act to secure the nation against national security threats.

NSD FIRS, through partnership with the FBI, will also leverage the FCC's Covered List, established under the Secure and Trusted Communications Network Act, to ensure our telecommunications service providers avoid the use of equipment and services that present unacceptable national security risk to the United States. The cases are introduced via foreign investment, supply-chain compromises and vulnerabilities, and foreign participation in the U.S. telecommunications sector.

NSD FIRS will continue monitoring entities subject to compliance agreements to ensure adherence to their mitigation obligations and will undertake enforcement actions when necessary and appropriate. NSD FIRS will also continue to work closely with interagency partners, including the FBI and the U.S. Intelligence Community, to

identify trends, strategies, and priorities for its national security reviews, including continuing to strategically identify and investigate potential ICTS matters for referral to the Department of Commerce. In addition to leading and conducting national-security reviews of specific matters, NSD FIRS will continue its significant participation in interagency policy committees addressing issues at the intersection of technology, the law, and national security, and will continue to engage with external stakeholders in this area.

### **Definition**

**Department-led foreign investment cases:** Percentage of cases co-led by the DOJ in the Committee on Foreign Investment in the United States, Team Telecom, and Executive Order 13873 supply chain processes that were completed within defined timelines and within established outcomes and mitigation agreements that were favorably maintained or terminated.

### **Data Validation, Verification, and Limitations**

Data are manually validated and verified by NSD FIRS management. A more centralized and automated data system is required, given the expanding nature of the program area.

## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

Two decades after September 11, 2001, the Justice Department remains committed to combating terrorism, from any place, by any actor, regardless of motivating ideology. Foreign terrorist organizations continue to pose a threat to the United States and U.S. interests abroad. In addition, terrorist threats to the United States come from lone actors — citizens who travel overseas and join forces with extremists; individuals radicalized in the United States; those inspired to violence by harmful foreign ideologies; and domestic violent extremists motivated by racial and ethnic bias, anti-government or anti-authority sentiment, or conspiracy theories. The Department recognizes that the most efficient and effective means of fighting terrorism is to communicate, coordinate, and cooperate with our partners, including foreign partners and multilateral organizations. The Department will also continue to use every appropriate tool at its disposal to deter, disrupt, and prosecute acts of domestic violent extremism and domestic terrorism.

Key Performance Indicators	
Total Measures	Targets Achieved
4	3

### Highlights

**United States v. Asainov:** NSD’s Counterterrorism Section (CTS) and the USAO for the Eastern District of New York successfully convicted Ruslan Maratovich Asainov in February 2023 for conspiring to provide material support to the Islamic State of ash-Sham (ISIS), providing material support to ISIS in the form of personnel, training, expert advice, and assistance; receiving military-type training from ISIS; and obstructing justice. In December 2013, Mr. Asainov left his wife and daughter, traveled on a one-way ticket to Turkey, and then obtained entry into Syria. Over approximately five years, Mr. Asainov fought on behalf of ISIS in numerous battles and received training to use automatic rifles, machine guns, and rocket-propelled grenades. He then trained as a sniper, eventually teaching 100 other students the craft. Sentencing is scheduled to occur on October 17, 2023.

**CRM ICITAP–Mentored Somali Police Force Units Thwart In-action Terrorist Plot:** In April 2023, as a result of intelligence obtained from an intelligence asset of the Somali Police Information Unit mentored by CRM’s International Criminal Investigative Training Assistance Program (ICITAP), a counterterrorism operation was initiated in coordination with the ICITAP-mentored Joint Investigative Team and Explosive Ordnance Disposal Unit to interdict the movement of an improvised explosive device being transported by a tuk tuk in the Afgooye area of Mogadishu. The vehicle was intercepted, suspects arrested, and the device made safe using an improvised water charge. This sequence of events is a measure of ICITAP capacity building activities to tackle the threat of terrorist groups in Somalia and demonstrated to Somali Police Force’s leadership the growing capability of the mentored units to work together. On this occasion, the ability to identify and react to fast time intelligence prevented a significant loss of life whilst also preserving evidence to assist in prosecutions. In Somalia, ICITAP works with the support of the U.S. Department of State’s Bureau of Counterterrorism and the FBI.

**Vice President of Paraguay Designated:** In January 2023, through an interagency effort that included the DEA Asunción Country Office and CRM's Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), the U.S. Department of Treasury's Office of Foreign Assets Control (OFAC) formally designated Global Magnitsky sanctions against the current sitting Vice President of Paraguay, Hugo Adalberto Velazquez Moreno. The OFAC sanctions relate to known associations with suspected Hezbollah financiers, money laundering and public corruption.

**Extradition of an OFAC Specially Designated Global Terrorist with Links to Lebanese Hizballah:** Mohammad Ibrahim Bazzi was arrested in February 2023 in Romania and extradited to the United States. DEA's investigation identified Bazzi as an important financial contributor to the Hezbollah network of businesses who has contributed tens of millions of dollars to Hezbollah.

***United States v. Elmer Stewart Rhodes et al.:*** Between November 2022 and April 2023, multiple members of the Oath Keepers and Proud Boys organizations were convicted by juries in the District of Columbia for their involvement in the attack on the U.S. Capitol on January 6, 2021. Six members of the Oath Keepers were convicted of seditious conspiracy in violation of 18 U.S.C. § 2384. Multiple members of the organization were convicted of conspiracy to obstruct an official proceeding, in violation of 18 U.S.C. § 1512(k), obstruction of an official proceeding, in violation of 18 U.S.C. § 1512(c)(2), and other offenses. Rhodes and his co-conspirators were alleged to have conspired to oppose the lawful transfer of presidential power by force by preventing, hindering, or delaying, by force, the execution of the laws governing the transfer of power. The co-conspirators carried out this conspiracy by, among other means, preparing and coordinating travel to Washington, D.C., with the intent to use force to stop the lawful transition of presidential power; organizing into teams that were prepared and willing to transport firearms into Washington, D.C.; and bringing and contributing paramilitary gear, weapons and supplies on January 6, 2021. On January 6, 2021, Rhodes and other defendants entered the restricted area of the U.S. Capitol. Several defendants forcibly entered the Capitol. Before the attack on January 6, some defendants attended or scheduled trainings to teach and learn paramilitary combat tactics. In May 2023, Rhodes was sentenced to 18 years in prison followed by 36 months of supervised release. Other members of the Oath Keepers have been sentenced to terms ranging from 3 to 36 years in prison.



## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

**Performance Measure:** Number of terrorism disruptions effected through investigations [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	600	600	600	600
<b>Actual</b>	518	561	793	438	405	N/A	N/A

### Discussion of FY 2023 Results

In FY 2023, the FBI's Counterterrorism Division (CTD) did not meet its target of 600 terrorism disruptions with an actual count of 405. Noteworthy disruptions include the arrests of dozens of individuals associated with the January 6, 2021 Capitol siege, resulting in federal charges ranging from disorderly conduct to assault on federal officers, as well as the arrests of several subjects throughout the year on charges of material support to foreign terrorist organizations, namely ISIS and al-Qa'ida.

The continued efforts of FBI employees who proactively and rigorously investigate terrorism threats work to keep Americans safe. FBI CTD ensures continuous training of the counterterrorism workforce, effective use of advanced technology, diligent program management, and efficient stewardship of all available resources to successfully disrupt terrorist operations.

### FYs 2024/2025 Planned Future Performance

The FBI's Counterterrorism Division will continue to work its counterterrorism investigations aggressively in efforts to reach its disruption goals in FYs 2024 and 2025. CTD's ultimate goals are to disrupt, deter, and dismantle terror networks and their perpetrators in order to safeguard the American people and U.S. interests abroad.

CTD is actively working with domestic law enforcement and international intelligence partners to counter future and emerging threats to the U.S. homeland and our interests. This includes focusing

***United States v. Cook and Frost:*** NSD's Counterterrorism Section and the USAO for the Southern District of Ohio and successfully prosecuted Brenner Cook and Allen Frost for crimes related to a scheme to attack power grids in the United States in the name of white supremacy. In April 2023, Mr. Cook was sentenced to 92 months in prison, and Mr. Frost was sentenced to 60 months in prison. The defendants met in an online chat group, shared the idea of attacking a power grid, and within weeks, the two began efforts to recruit others to join in their plan. As part of the recruitment process, they circulated a book list of readings that promoted the ideology of white supremacy and Neo-Nazism. The plan was to attack the substations, or power grids, with powerful rifles. The defendants believed their plan would cost the government millions of dollars and cause unrest for Americans in the region. They talked about how the possibility of the power being out for many months could cause war, even a race war, and induce the next Great Depression.

on extremists who look to exploit the U.S. southern border, threats emanating from the Government of Iran and its proxies, as well as domestic violent extremists who seek to further political or social goals wholly or in part through unlawful acts of force or violence.

### Definition

**Disruption:** 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**

Some of the FBI Counterterrorism Division's operational priorities are classified. Therefore, it is only possible to report aggregate data that lack significant detail. Data are collected routinely, stored on a classified enterprise platform, and validated and verified manually. Disruption accomplishment claims are verified by two supervisors with knowledge of the case, by reference to the Claiming Guidance Library definitions. Offices have 30 days to enter accomplishment claims and have them adjudicated; the annual target for this measure is set low to account for accomplishments entered too late for inclusion in fiscal year roll up data. (i.e., an accomplishment made on September 30 is not required to be entered and adjudicated until October 30, so it will not necessarily appear in data reported on October 22.)

## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

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

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	90%	90%	90%	90%
<b>Actual</b>	95%	89%	99%	99%	100%	N/A	N/A

### Discussion of FY 2023 Results

The United States faces increased threats of domestic terrorism. In March 2021, considering this increased threat, and to promote coordination and consistency in domestic terrorism (DT) and domestic violent extremism (DVE) cases, DOJ issued a new directive to USAOs that requires reporting of all domestic terrorism cases to NSD. In June 2022, NSD formed a domestic terrorism unit within the Counterterrorism Section to further ensure national-level coordination and tracking of all domestic terrorism cases. Relatedly, in November 2022, the Justice Manual was revised to incorporate these new reporting requirements and requires additional approval of certain DT/DVE matters by NSD CTS. These additional responsibilities come with increased administrative burdens to effectively track, analyze, and report on data related to the growing domestic terrorism threat. In addition, the increased oversight of domestic terrorism cases, along with providing new training on the issues related to these cases, has increased the amount of travel for attorneys. NSD CTS developed a new case management system to assist with the additional tracking and reporting requirements. Rollout of the new system began in 2023 and refinement of the system is ongoing.

In June 2023, the Office of the Inspector General published its audit of the Department’s strategy to address the DVE threat. The audit made seven recommendations to the DOJ. The recommendations centered around building and empowering the DT Unit through additional training, coordination, and data tracking mechanisms.

**ISIS Member Sentence to Life in Prison:** On July 14, 2023, in the Eastern District of New York, Mirsad Kandic (“Kandic”) was sentenced to life in prison. Kandic is believed to have been one of the principal ISIS facilitators for persons attempting to enter or exit ISIS-claimed territory. On May 24, 2022, Kandic was convicted, after a three-week jury trial, of one count of conspiring to provide material support and resources to a designated foreign terrorist organization resulting in death, and five counts of attempting to provide and providing material support and resources to a designated foreign terrorist organization, including one count resulting in death.

### FYs 2024/2025 Planned Future Performance

With respect to international terrorism, the U.S. Intelligence Community predicts a continued threat of self-radicalized individuals engaging in terrorist attacks on government and civilian targets in the United States. Online radicalization is a particular problem as terrorists and other criminals increasingly use technology, including encryption, to conceal their crimes and avoid government detection. This poses serious challenges for public safety and adds significant burdens on law enforcement and intelligence investigations to attempt to mitigate the loss of lawful access to information.

Beyond Syria and Iraq, ongoing conflicts in other parts of the world, including Afghanistan, the Horn of Africa, and Lebanon, have presented opportunities for terrorist groups to find safe havens, attract travelers wishing to join their ranks, and continue to inspire homegrown violent extremists. NSD CTS has seen an uptick in cases

involving Americans expressing a desire to travel overseas and join various terrorist groups or to carry out plots in the homeland.

On October 7, 2023, Hamas perpetrated its most violent, large-scale terrorist attack to date, when Hamas sent armed operatives into Israel, where they murdered and kidnapped large numbers of civilians, including American citizens, and Israeli soldiers. As a result of the attack, Israel Defense Forces launched a large-scale invasion within the Gaza Strip. The Israel-Hamas conflict has had global impacts, leading to an increase in both domestic and international terrorism-related conduct.

Another area of ongoing concern is the increase in threats related to Iran, including threats to United States interests in the Middle East. In addition, Iranian-related actors have attempted to carry out plots against Iranian dissidents and members of the Persian community opposed to the Iranian regime or who have called out human rights abuses in Iran. There have also been ongoing threats and plots against current and former United States government officials.

An uptick in social unrest and civil disturbances will likely continue into the 2024 election year along with additional domestic and international terrorism-related investigations due to the ongoing global impact of the Israel-Hamas conflict, and the escalating threat landscape with Iran.

## **Definition**

**Favorable resolution:** Disposition of a defendant's case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files. Defendants whose cases were favorably resolved include those defendants whose cases were closed during the fiscal year that resulted in court judgments favorable to the government.

## **Data Validation, Verification, and Limitations**

NSD CTS management validates and verifies data via quarterly review. No limitations have been identified at this time.

## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

**Performance Measure:** Number of individuals in the Department trained to prosecute domestic terrorism and domestic violent extremism [NSD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Target	N/A	N/A	N/A	1,000	400	400	400
Actual	N/A	N/A	1,674	1,073	496	N/A	N/A

### Discussion of FY 2023 Results

The number of individuals trained in FY 2023 was based on total attendees at webinars and in-person trainings. The ability to conduct the courses in-person in FY 2023 allowed for improved interaction between presenters and attendees to discuss hypothetical scenarios based on real domestic terrorism investigations and cases.

### FYs 2024/2025 Planned Future Performance

The number of individuals trained in FYs 2024 and 2025 will continue to depend on the ability to conduct in-person trainings, although currently there are no COVID restrictions, and in-person training is planned. For the few national security sessions that can be conducted in an unclassified environment, NSD will continue to conduct some webinars to reach a larger audience of prosecutors and agents. Currently, three FY 2024 courses which include sessions on Domestic Terrorism/Domestic Violent Extremist are scheduled to be conducted in-person. NSD anticipates training for about 400 people in person based on current facility limitations.

### Definition

This measure includes virtual or in-person courses and webinar trainings on prosecuting DT/DVE. Only content allowed in an unclassified environment may be conducted via webinar.

### Data Validation, Verification, and Limitations

The data will be validated by EOUSA's Office of Legal Education. NSD will track the number of individuals who register for webinars, but not who actually attended the virtual meetings. EOUSA's Office of Legal Education will track the number of individuals who attend in-person trainings. Due to the pandemic, social distancing limitations imposed by the facility may restrict the number of individuals trained.

## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

**Performance Measure:** Percent of Department-issued Intelligence Information Reports used in the development of United States Intelligence Community Intelligence Products [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	15%	15%	15%	15%
<b>Actual</b>	N/A	16%	7%	20%	19%	N/A	N/A

### Discussion of FY 2023 Results

The FBI has seen a downward trend in the total number of intelligence information reports (IIRs) published each year; however, the value of IIRs has been high, as indicated by an increase in their use. The usage of IIRs remains above the Directorate of Intelligence’s target.

### FYs 2024/2025 Planned Future Performance

To meet the target, the FBI’s Directorate of Intelligence will continue to provide tradecraft and policy guidance to FBI personnel to ensure the FBI disseminates quality reporting of interest to IC and military partners. FBI intelligence information reports must cite topics and entities of interest and frequently cite IC requirements; these citations assist other agencies in finding pertinent FBI intelligence to cite in their finished intelligence reports. The Directorate of Intelligence will also continue to coordinate requests from other agencies to add recipients to FBI IIRs, as appropriate, so that the requesting agencies can cite the FBI IIRs in finished intelligence products with wider audiences than the original IIR.

### Definition

**IIR:** The metric reflects FBI Intelligence Information Reports cited in theUSIC, as this measure is designed to reflect how FBI analysis and collection is used to support other intelligence functions across the U.S. government. Information sharing is essential to comprehensive analysis on the threats the U.S. faces.

### Data Validation, Verification, and Limitations

The FBI does not maintain visibility of all usage of FBI intelligence nor does FBI separately record inclusion of its reporting in greater IC products on a recurring basis. The FBI relied on an IC database to obtain citations in IC products published outside of the originating department or agency. While the IC database captures data from many databases and agencies and is deemed reliable, FBI cannot confirm that the IC database captures all department and agency products; therefore, actual usage data may be higher than reported.

## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

The Justice Department is committed to addressing the epidemic of gun violence and other violent crime. We will study criminal gun trafficking to account for and address the emergence of “ghost guns.” In addition, we will continue to work in partnership with state, local, tribal, and territorial law enforcement agencies, as well as the communities they serve, to develop locally-based violent crime reduction solutions that target the most significant drivers of violent crime – including gun violence, domestic violence, sexual violence, criminal organizations, narcotics trafficking, firearms trafficking, human trafficking, and other forces.

Key Performance Indicators	
Total Measures	Targets Achieved
3	3

### Highlights

**Operation Overdrive:** In FY 2023, DEA’s Operation Overdrive efforts have removed 6.9 million deadly doses of fentanyl, 343,000 deadly doses of methamphetamine, and over one million fentanyl pills. DEA arrested 1,057 individuals, 349 of which were primary targets, and seized 824 firearms, 14 kilograms of heroin, 206 kilograms of fentanyl, 318 kilograms of methamphetamine, 184 kilograms of cocaine, 994 kilograms of marijuana, and over 158 kilograms of various hallucinogens and prescription drugs. Operation Overdrive led to the arrest of eight Exit 8 gang members for narcotics offenses and two homicides in New Haven, Connecticut; the arrest of 52 individuals and recovery of 21 stolen vehicles, two of which were used in armed carjackings in Minneapolis/St. Paul, Minnesota; the arrest of a Drug Trafficking Organization (DTO) leader and recovery of a firearm used in two Windsor County, Vermont homicides in the summer of 2022; and the arrest of a Gangster Disciple and DTO leader operating in Memphis, Tennessee, with ties to CJNG sources of supply and money laundering cells. Although Operation Overdrive is inherently aimed at reducing overdose deaths, it is focused on select locations that were determined to be hot-spots for violent gun crimes and drug-related violence.

**Targeting Violent Gun Offenders:** The Local Crime Gun Intelligence Center (CGIC) initiative has supported grantees in implementing an evidence-based, data-driven, and intelligence-led gun violence reduction model. The collaborative model has facilitated the efficient allocation of resources to identify, arrest, and prosecute the individuals driving violence in a jurisdiction, ultimately taking them off the streets and thus disrupting the shooting cycle. In FY 2023, the Bureau of Justice Assistance (BJA) invested \$5 million to fund an additional seven CGIC sites. With CGIC resources, sites are successfully investigating shootings, disrupting criminal activity, and preventing future violence. For example, in Miami, Florida, a newly funded CGIC site, bullet casings recovered at similar scenes where homeless individuals were targeted led the Miami Police Department to their suspect and the owner of the gun. Finally, in Phoenix, Arizona, police credit the National Integrated Ballistic Information Network (NIBIN) with helping them identify a serial killer. After police arrested a man suspected of killing his mother and stepfather, they used NIBIN technology to link him to five other homicides in which he used two handguns.

**Sexual Violence Prevention Initiative:** In FY 2023, the Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) Office introduced its Sexual Violence Prevention Initiative (SVPI), developed to reduce sexual violence and improve the management of those convicted of sexual offenses through research and practice. Building upon previous work produced by the SMART Office, SVPI is working to assess the state of research and practice in sexual violence prevention and the sex offender management and reentry field to help inform OJP's research and grant-making efforts in this area. SVPI will produce literature review chapters and research briefs with current and emerging research and practice on myriad topics related to sexual violence prevention and sex offender management; draft topical briefs targeted to specific disciplines and professionals involved in this work; and inventory treatment, reentry, and management practices, as well as sexual violence prevention efforts and identify potential best practices and needs of the field.

**National Crime Gun Intelligence Center of Excellence:** ATF opened the National Crime Gun Intelligence Center of Excellence in May 2023, located on the Innovation Campus of Wichita State University in Kansas. The Center of Excellence will be the leader and model for training and academies providing the most effective investigative techniques, technical applications, and the newest systems using crime gun intelligence for federal, state, local and tribal law enforcement agencies throughout the United States. It will also house a second National Correlation and Training Center for NIBIN. The Center is hiring its first group of Correlation Review Specialists and hosting remote and in-person training for tribal law enforcement agencies.

**Leader of MS-13 Clique Convicted After Jury Trial of Racketeering Conspiracy, Murder & Attempted Murder in Aid of Racketeering, Bringing Total of 14 Defendants Convicted:** The USAO for the Northern District of California successfully prosecuted 14 violent criminal gang members following an extensive investigation conducted by state and federal law enforcement partners. The criminal acts involved violence between rival gang members and included four murders, four attempted murders, multiple assaults, racketeering, conspiracy, and firearms charges. Sentences ranged from 60 months to a mandatory life sentence.

**ATF in the Community:** In FY 2023, ATF signed a Memorandum of Understanding (MOU) to establish the ATF In the Community outreach program, which is designed to mentor and work with students attending high schools in underserved areas of the city to build positive relationships with students from diverse backgrounds and experiences. The goal is to establish a dialogue that fosters transparency, encourages self-development, increases trust and safety in law enforcement, and fosters interest in law enforcement careers in an effort to deter youth from engaging in criminal activity. Currently, ATF is in partnership with Anacostia High School's Public Leadership Academy and the Paul Laurence Dunbar High School Academy for Law and Public Policy. The program includes workshops on science in law enforcement, careers in law enforcement, mock trials, and candid conversations with students about self-esteem, dressing for success, and resume and cover letter writing as well as goal setting.

**Taking down the Aryan Brotherhood in Seattle:** The FBI and the DEA arrested 24 subjects and executed 18 search warrants in March 2023 in an Organized Crime Drug Enforcement Task Forces (OCDETF) Operation targeting the Aryan Brotherhood prison gang. The Aryan Brotherhood prison gang sold and distributed methamphetamine and fentanyl in Western Washington. FBI Seattle utilized federal wiretaps targeting 11 telephone lines to obtain evidence of the drug trafficking activities involving the Aryan Brotherhood. As a result of the takedown, FBI Seattle seized 177 firearms, 10 kilograms of methamphetamine, 3 kilograms of heroin, 11 kilograms of fentanyl pills, 1 kilogram of fentanyl powder, 2 kilograms of Xanax, and \$330,886.



## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

**Performance Measure:** Percent of federal violent crime defendants’ cases favorably resolved [CRM, USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	90%	90%	90%	90%
<b>Actual</b>	92%	92%	92%	97%	98%	N/A	N/A

### Discussion of FY 2023 Results

In response to the rising violent crime levels, the Department launched a comprehensive violent crime reduction strategy to protect American communities in May 2021, focusing especially on the gun violence that is often at its core. Working with law enforcement and community partners, USAOs have worked to strengthen their crime reduction strategies by focusing on the most significant drivers of violent crime in their jurisdictions. In particular, USAOs have aligned their efforts with nationwide initiatives such as Project Safe Neighborhoods to comprehensively address violent crime by fostering trust and legitimacy in communities, supporting community-based organizations that help prevent violence from occurring, setting focused and strategic enforcement priorities, and measuring the results of these efforts. These strategies recognize that we are most successful when we work closely with state, local, tribal, and territorial counterparts — and when we support and amplify their frontline efforts.

In addition, in July 2021, the Department established firearms trafficking strike forces (FTSFs) to help reduce gun violence by disrupting illegal firearms trafficking in key trafficking corridors across the country. In FY 2023, FTSFs focused on shutting down illegal gun trafficking that travels from source cities, through other communities, and into five key market regions: New York; Chicago; Los Angeles; the San Francisco Bay Area and Sacramento region; and Washington, D.C. The USAOs continue to work with ATF on prosecutions emanating from the FTSFs’ investigations. USAOs successfully resolved 98 percent of their prosecutions of 15,437

**First BSCA Trafficking Case in New York:** In January 2023, the USAO for the Eastern District of New York brought the first prosecution in New York under the Bipartisan Safer Communities Act’s gun trafficking provisions, alleging that four gun traffickers were responsible for selling over 50 firearms in Brooklyn. The case is set for jury trial to begin on August 12, 2024.

**Houston Violent Crime Initiative:** In September 2023, 39 individuals were arrested as part of CRM’s Houston Violent Crime Initiative. The arrests were made after a federal grand jury returned seven separate indictments, with additional arrests made under four court-issued complaints. The defendants are each alleged to be part of larger organizations involved in large-scale drug trafficking or violent robberies. Among the charges are possession with intent to distribute cocaine, fentanyl, meth, and other drugs; possessing firearms in furtherance of drug trafficking crimes; conspiracy to commit Hobbs Act robbery; and felon in possession of a firearm and carjacking. During the investigations and arrests, law enforcement seized 79 firearms, including three machine guns made by attaching a machine gun conversion device to a semi-automatic firearm and three machine gun conversion devices not attached to firearms. Also seized were a silencer, three ghost guns, an inert hand grenade, and body armor.

federal violent crime cases in FY 2023. Pursuant to the Department’s May 2021 violent crime reduction strategy, each USAO crafted a district-specific violent crime strategy under Project Safe Neighborhoods in consultation with federal law enforcement

agencies and state, local, tribal, and territorial partners. In February 2022, the Attorney General announced a Violent Crime Strategy Update, which focused on building on existing anti-violence efforts, combating the use of privately made firearms in violent crimes, cracking down on illegally trafficked firearms by enhancing gun trafficking strike forces, and pursuing unlawful gun dealing.

The Criminal Division successfully resolved 100 percent of their prosecutions of 23 solely handled federal violent crime cases in FY 2023. CRM's Houston Violent Crime Initiative, conducted in partnership with the USAO for the Southern District of Texas and local, state, and federal law enforcement, addresses violent crime by employing, where appropriate, federal laws to prosecute gang members and associates in the southwest and southeast areas of Houston. As part of the initiative, the Criminal Division has dedicated attorneys and other resources to prosecuting violent offenders and assisting intervention, prevention, and reentry efforts to address the root causes of violent crime.

### **FYs 2024/2025 Planned Future Performance**

The Department of Justice will continue to place a high priority on the vigorous prosecution of violent gangs and criminal enterprises, focusing on the most serious violent offenders as targets for federal prosecution. Each case will be evaluated on its individual merits, consistent with the Department's prosecution guidelines. As the Department continues to implement its national and district-specific violent crime reduction strategies, we evaluate our approaches and build on what works in collaboration with our law enforcement and community partners. Consistent with the Attorney General's update of the Department's violent crime strategy, USAOs continue to enhance their efforts to reduce violent crime, including taking actions to stem the trend of untraceable ghost guns being used in crimes. Building on the success of the Houston Violent Crime Initiative, CRM will seek to address other areas of high violent crime in other parts of the country.

### **Definition**

**Favorably resolved:** Disposition of a defendant's case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files.

**Violent Crime:** Those cases classified under the following program category codes: Firearms (053), Project Safe Childhood (080), Bank Robbery (083), Domestic Violence (091), Violent Crime in Indian Country (092), and All Other Violent Crime (093).

### **Data Validation, Verification, and Limitations**

The Criminal Division captures all litigation data in its case tracking system, Docket. Data in that system are validated quarterly by the section chief in each of the litigating sections. EOUSA uses a well-established case management system known as CaseView. Data entry for individual defendants and cases is initiated in the originating USAO, and EOUSA's Data Integrity and Analysis Staff aggregates the data by district and nationally.

## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

**Performance Measure:** Volume of U.S. Attorney office records uploaded to the National Instant Criminal Background Check System [USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	5%	6%	8%	9%
<b>Actual</b>	N/A	N/A	5%	4%	7%	N/A	N/A

### Discussion of FY 2023 Results

In FY 2023, USAOs saw an increase in National Instant Criminal Background Check System uploads of 7.25 percent over the FY 2021 baseline. Uploading USAO records to NICS helps to ensure that the purchase of firearms is denied for individuals who do not have the right to purchase or possess the weapons.

### FYs 2024/2025 Planned Future Performance

EOUSA will continue to work with the USAOs to provide guidance to facilitate accurate and comprehensive inclusion of records in CaseView as appropriate and will take appropriate steps to ensure data from CaseView is uploaded to NICS.

### Definition

**USAO prohibitor data:** U.S. Attorneys’ Office records pertaining to felony convictions, misdemeanor narcotics charges, mental health adjudications, alien information, indictment information, and misdemeanor domestic violence convictions.

### Data Validation, Verification, and Limitations

CaseView is EOUSA’s well-established case management system. Data entry for individual defendants and cases is initiated in the originating USAO, and EOUSA’s Data Integrity and Analysis Staff aggregates the data by district and nationally.

**NICS Facilitation of Violent Crime Efforts:** Examples of ways in which NICS has facilitated USAO efforts to address violent crime include a December 2022 case in the Eastern District of Michigan. Hassan Chokr, who threatened preschoolers, parents, and other individuals outside a Jewish synagogue, was charged in a federal criminal complaint with lying on a federal firearms form when he sought to buy a shotgun, a rifle, and a semi-automatic pistol. In seeking to make the purchases, Chokr filled out a federal firearms form. On that form, Chokr falsely claimed that he had not been previously convicted of a felony. He also falsely claimed that there were no felony charges currently pending against him. However, Chokr was convicted in 2017 of Felony Financial Transaction Device – Stealing/Retaining Without Consent. He also has a charge of Assault with a Dangerous Weapon (Felonious Assault) currently pending against him in state court. After Chokr submitted the firearms form at the gun store, his purchase was denied by NICS, and the firearms were not transferred to Chokr. In October 2023, following a competency hearing, Chokr was declared not competent to stand trial.

## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

**Performance Measure:** Percent of grantees that conduct community engagement activities as part of the program planning for their crime reduction initiative [OJP]

	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023	CY 2024	CY 2025
<b>Target</b>	N/A	N/A	N/A	58%	25%	Discontinued	
<b>Actual</b>	59%	58%	45%	30%	32%		

### Discussion of FY 2023 Results

The results for this KPI have decreased as the Byrne Criminal Justice Innovation (BCJI) program has not received funding for the past three appropriation cycles. This performance measure focuses on community engagement during the planning stages, and without new grantees, most BCJI grantees have now moved into the implementation stage. They are no longer reporting on the program planning-related performance data; hence, actual percentages are lower than projected.

### FYs 2024/2025 Planned Future Performance

This program has not received new appropriations since FY 2021, but existing grantees will continue to engage the community, youth, and young adults through FY 2024. Since this measure tracks those who outline community engagement activities in their program planning, and since most grantees have moved into the implementation phase, this measure will not be readily increasing. OJP’s Bureau of Justice Assistance’s training and technical assistance provider will continue to share its community engagement strategy resources with BCJI grantees and the field. Community collaboration will remain an important component of the BCJI program and a focus of OJP’s training and technical assistance activities in this area. In FY 2024, OJP will replace this KPI with a KPI that tracks the percent of programs implementing community violence intervention strategies.

### Community-Based Violence Intervention and Prevention

**Initiative:** In FY 2023, OJP invested over \$91 million in grants to 29 site-based locations, training and technical assistance, and research. The site-based locations will implement strategies to prevent and reduce violent crime in communities. These grants support comprehensive, evidence-based violence intervention and prevention programs. Grantees are addressing gang and gun violence based on partnerships among community residents, local government agencies, victim service providers, community-based organizations, law enforcement, hospitals, researchers, and other community stakeholders. The training and technical assistance will support effective strategy implementation, and the research and evaluation projects are designed to build the knowledge base around violence reduction.

### Definition

**Community engagement activities:** Seeking residents’ views on neighborhood change; involvement of, and leadership by neighborhood residents; engaging in community-oriented strategies; using local data and needs to drive strategies; and using strategies that comprehensively address critical local issues.

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings

make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts' review, electronic controls in the reporting systems, and grant managers' programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric. Data reported for this fiscal year reflect data collected during the prior calendar year (CY).

## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

**Performance Measure:** Percent of programs implementing community violence intervention strategies [OJP]

	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023	CY 2024	CY 2025
<b>Target</b>	N/A	N/A	N/A	N/A	N/A	Baseline	TBD
<b>Actual</b>	N/A	N/A	N/A	N/A	N/A	Baseline	N/A

### Discussion of FY 2023 Results

N/A. FY 2024 is the first year of reporting for this KPI for the Community-Based Violence Intervention and Prevention Initiative, and it will reflect CY 2023 data.

### FYs 2024/2025 Planned Future Performance

The first year of reporting is a baseline year, so the FY 2024 targets and actuals are not applicable.

### Definition

Community violence intervention strategies include street outreach, hospital-based violence intervention, violence interrupters, group violence intervention, and cognitive behavioral therapy

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts' review, electronic controls in the reporting systems, and grant managers' programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric. Data reported for this fiscal year reflect data collected during the prior calendar year.

## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

Protecting our national security also requires countering cyber threats from foreign and domestic actors – whether nation states, terrorists, or criminals – who seek to conduct espionage, invade our privacy, attack our elections, steal our intellectual property, damage our financial and physical infrastructure, or extort ransom payments. In 2021, cyberattacks caused significant financial damage and extensive harm to governments, critical infrastructure, and industries worldwide. The effects of cyberattacks are also felt by individuals, in the form of identity theft, account hacking, email compromise schemes, and cyberstalking. The rise of cryptocurrencies also enables cybercriminals, terrorists, and nation states to acquire tools and collaborate and launder their criminal proceeds in new and challenging ways. Cybersecurity is a shared responsibility among those who use our digital infrastructure, those who build it, and those who are entrusted with governing it.

The Department serves as the lead federal agency for cyber threat response and maintains primary domestic responsibility for identifying, disrupting, prosecuting, and otherwise deterring malicious cyber actors. The Department works with our partners here and abroad to defend networks, attribute malicious activity, sanction bad behavior, and take the fight to adversaries overseas. The Department relies in part upon private sector reports to help detect and understand ongoing activities by adversaries, and shares knowledge gained from investigations with the private sector to help defend their networks and customers. In doing this work, the Department maintains the public’s trust by ensuring compliance with all privacy and security requirements.

Key Performance Indicators	
Total Measures	Targets Achieved
5	1

### Highlights

**Civil Cyber-Fraud Initiative:** Malicious cyber activity threatens the health and safety of the American people, as well as the national and economic security of our country. Therefore, the Deputy Attorney General launched a Civil Cyber-Fraud Initiative to leverage the Department’s False Claims Act experience to combat new and emerging cyber threats. The Department is working with its agency partners to pursue contractors, grantees and others who knowingly misrepresented their information security, violated cybersecurity requirements, or submitted false payment claims to the government. The Civil Division’s Commercial Litigation Branch’s Fraud Section leads the working group to coordinate Civil Cyber-Fraud Initiative implementation with USAOs, Offices of Inspector General, military criminal investigative services, and other agency partners. The initiative has resulted in enhanced collaboration across government and significant recoveries for the public fisc. For example, Jelly Bean Communications Design LLC, a company that offers website design, programming and hosting services, and its owner, Jeremy Spinks, agreed to pay \$293,771 to resolve allegations that they violated contract requirements by failing to secure personal information on a federally funded children’s health insurance website that Jelly Bean maintained, and more than 500,000 children’s health applications were hacked.

***United States v. Epic Games, Inc.:*** In February 2023, CIV’s Consumer Protection Branch (CPB) secured a settlement requiring Epic Games, maker of the popular video game Fortnite, to pay \$275 million, the largest penalty ever imposed for a violation of the Children’s Online Privacy Protection Act and its implementing regulation.

**Hive Ransomware Disruption:** On January 26, 2023, the Department announced its months-long disruption campaign against the Hive ransomware group, which targeted more than 1,500 victims in over 80 countries around the world, including hospitals, school districts, financial firms, and critical infrastructure. Beginning in late July 2022, the FBI penetrated Hive’s computer networks, captured its decryption keys, and offered them to victims worldwide, averting more than \$130 million in ransom payments. In coordination with German law enforcement (the German Federal Criminal Police and Reutlingen Police Headquarters-CID Esslingen) and the Netherlands National High Tech Crime Unit, the Department seized control of the servers and websites that Hive used to communicate with its members, disrupting Hive's ability to attack and extort victims. The Criminal Division’s Computer Crime and Intellectual Property Section and the Middle District of Florida are prosecuting the case.

**Genesis Market Disruption:** On April 5, 2023, the Department announced a coordinated international operation against Genesis Market, a criminal online marketplace that advertised and sold packages of account access credentials – such as usernames and passwords for email, bank accounts, and social media – that had been stolen from malware-infected computers around the world.

**Darknet ChipMixer Domains Seized:** In March 2023, the FBI seized two domains that directed users to the ChipMixer service and one GitHub account, and the German Federal Criminal Police’s (the Bundeskriminalamt) seized the ChipMixer back-end servers and more than \$46 million in cryptocurrency. ChipMixer was responsible for laundering over \$3 billion in cryptocurrency, including \$22 million in ransomware proceeds across 37 variants and hundreds of millions in dark web marketplace transactions. ChipMixer received Bitcoin from wallets associated with nation-state actors, including the Russian General Staff Main Intelligence Directorate and the 85th Main Special Service Center, as well as facilitated over \$700 million in stolen cryptocurrency from the North Korean Lazarus group.



## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent increase in disruptions of malicious cyber actors' use of online infrastructure through proactive operations and judicial means [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	5%	5%	Discontinued	
<b>Actual</b>	N/A	N/A	N/A	26%	14%		

### Discussion of FY 2023 Results

The FBI executed multiple major joint, sequenced operations in FY 2023, with far-reaching impacts. These included Operation Medusa, the disruptions of Genesis Market and ChipMixer, and the takedown of the botnet and malware known as Qakbot. This malware, which affected more than 200,000 computers in the United States alone, was used to steal data from victims and facilitate ransomware attacks against critical infrastructure. The FBI and its international partners seized more than \$8 million in cryptocurrency and were able to untether victim computers from the Qakbot botnet and prevent further victimization. Also in FY 2023, the FBI conducted numerous other impactful malicious cyber actor disruptions through proactive operations and judicial means, including the Trickbot and Conti indictments.

The disruptions metric fluctuates throughout the year, and year over year, based on a multitude of factors, including the demands of complex, tailored operational strategies; the capabilities and cooperation of domestic and foreign partners; emphasis and guidance from headquarters; and the unpredictable number of cyber incidents the Bureau responds to. Fluctuations in recruitment, staffing, training, and capacity building based on varying budgetary and other resources can also be reflected in the quarterly and annual movement of this metric.

**Operation Medusa Neutralizes Russian Intelligence Agency’s Snake Malware:** In May 2023, the Eastern District of New York, FBI New York, and NSD’s Counterintelligence and Export Control Section executed Operation Medusa, a technical disruption that dismantled and neutralized one of the Russian government’s most sophisticated computer intrusion tools: the Snake malware set. Snake was a bespoke, peer-to-peer network of compromised computers developed and operated by the Russian Federal Security Service. For nearly 20 years, the FSB used Snake variants to steal sensitive documents from hundreds of computer systems in at least 50 countries, which have belonged to the North Atlantic Treaty Organization (NATO) member governments, journalists, and other targets of interest to the Russian Federation. The FBI developed a custom tool that decrypted commands between Snake-compromised devices, allowing the FBI to send its own commands, effectively turning the malware against itself.

### FYs 2024/2025 Planned Future Performance

Due to multiple changes in the way this metric now has to be measured, the FBI’s Cyber Division (CyD) is replacing this measure with “percent of disruptions of key services and operators.” As data sources and calculations have evolved, it was determined the “percent of disruptions of key services and operators,” would be a more accurate reflection of the FBI’s efforts to counter cyber threats

from foreign and domestic actors through affirmative law enforcement actions of interrupting or inhibiting a threat actor from engaging in criminal or national security related activity and more accurately reflected our work towards Strategy 1: Deter, Disrupt, and Prosecute Cyber Threats.

## **Definition**

**Operations and judicial means:** Proactive cyber operations or judicial outcomes involving use of seizures, forfeitures, and use of criminal, civil, administrative authorities designed to disrupt online infrastructure used by malicious cyber actors including outcomes resulting from collaboration with interagency and international partners.

**Disruption:** 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**

CyD's operational priorities are classified. Therefore, it is only possible to report aggregate data that lack significant detail. Data are collected routinely, stored on a classified enterprise platform, and validated and verified manually. Disruption accomplishment claims are verified by two supervisors with knowledge of the case by reference to the Claiming Guidance Library definitions.

## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent of disruptions of key services and operators [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	N/A	N/A	5%	5%
<b>Actual</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A

### Discussion of FY 2023 Results

This key performance indicator, “percent of disruptions of key services and operators,” is new for FY 2024 and is replacing the previous KPI, “percent increase in disruptions of malicious cyber actors’ use of online infrastructure through proactive operations and judicial means.”

### FYs 2024/2025 Planned Future Performance

Through the utilization of all available tools, to include domestic authorities, interagency collaboration, and foreign and private sector partnerships, the FBI will continue to disrupt the services and actors enabling criminal activity, which ultimately will lead to justice being brought against cyber actors and groups, prevention of monetary losses, and minimization of interrupted business operations, particularly those in critical infrastructure sectors like healthcare and government. By increasing the number of disruptions of key services and their operators, the FBI will further weaken the cyber-criminal ecosystem and protect our population and economy from the negative impact cyber threat actors impose.

### Definition

**Key services:** The FBI seeks to interrupt or inhibit threat actors engaging in malicious cyber activity via the four key services: (1) malware and delivery, (2) infrastructure, (3) communications, and (4) financial.

**Disruption:** 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.

**Operator:** A threat actor or group utilizing techniques and technologies to conduct or enable cyber-criminal activity, to include malware distribution, ransomware deployment, computer intrusions, unlawful dark web forum facilitation, illicit infrastructure operation, financial fraud, identity theft, denial of service attacks, and money laundering for personal gain or to cause disruption.

### Data Validation, Verification, and Limitations

CyD’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lack significant detail. Data are collected routinely, stored on a classified enterprise platform, and validated and verified manually. Disruption accomplishment claims are verified by two supervisors with knowledge of the case by reference to the Claiming Guidance Library definitions.

## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent of reported ransomware incidents from which cases are opened, added to existing cases, or resolved or investigative actions are conducted within 72 hours [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	45%	65%	65%	65%
<b>Actual</b>	N/A	N/A	43%	39%	47%	N/A	N/A

### Discussion of FY 2023 Results

The FY 2023 target was an optimistic projection based on the upward trend of ransomware guardians being opened, closed, or actioned within a 72-hour period. Despite not meeting the aggressive 65 percent annual target, the actual continues to increase as intended. The projected FY 2023 actual of 47 percent is an increase from FYs 2021 and 2022 actuals at 43 percent and 39 percent, respectively.

### FYs 2024/2025 Planned Future Performance

The FBI will work to continue an upward trend of responding to ransomware incidents within a 72-hour period, by opening, closing or actioning reports of incidents in a timely manner.

### Definition

**Opened or added to an existing case:** All incidents where either a case was created or that the incident relates to or enhances an existing preliminary or full investigation.

**Number of incidents resolved within 72 hours:** Resolved means closed and includes any incident where date and time created versus date and time closed was 72 hours or less.

**Cancer Center Ransomware Attack:** On June 5, 2023, Centro Comprensivo de Cancer de Puerto Rico (CCCPR), a cancer treatment center in San Juan, was attacked by TimisoaraHackerTeam/DEEPBLUEMAGIC ransomware. Immediately after becoming aware of the attack, the FBI offered assistance. The FBI provided indicators of compromise as well as actor-specific threats, tactics, and procedures. Through the newly formed Joint Ransomware Task Force (JRTF), the FBI communicated with partners at the Cybersecurity and Infrastructure Security Agency (CISA), the Department of Health and Human Services, National Security Agency, Cyber Command, Food and Drug Administration and other government agencies to advise of this incident and collaborate on the passage of indicators of compromise. The FBI stood up a Negotiation Operations Center. The initial ransom demand of \$450,000 was negotiated down to \$50,000 in Bitcoin. Following payment, the threat actors sent decryption keys to CCCPR on June 8. Only one day later, CCCPR systems and data were successfully decrypted and remediated.

### Data Validation, Verification, and Limitations

The data for this metric are tracked in an internal FBI system. Due to system limitations, data quality for this metric may impact quarterly reporting. FBI will work to improve its logic for querying this percentage over time.

## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent increase in operations conducted jointly with strategic partners [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	3%	3%	3%	3%
<b>Actual</b>	N/A	N/A	N/A	16%	-38%	N/A	N/A

### Discussion of FY 2023 Results

Quarterly and annual tallies of joint, sequenced operations with other government agencies, foreign partners, and the private sector depend on a variety of factors, including the accumulation of sufficient intelligence, timing, coordination with other agencies, and the actions of targeted actors. FBI encountered a tracking issue within the case management system that did not allow field offices to track most joint operations with international partners outside of the Five Eyes, significantly contributing to the reduced numbers.

The FBI continues to conduct joint sequenced operations with partners. The FBI leverages its technical expertise, unique capabilities, and global partnerships to disrupt malicious cyber threat actors around the globe. In FY 2023, the FBI conducted large-scale operations, impacting hundreds of thousands of current and potential future victims, including against Snake and Qakbot. Intel-driven operations also included the takedowns of illicit cryptocurrency exchange Bitzlatto and the Hive ransomware network, which alone averted \$130 million in victim payments.

In addition to those joint sequenced operations, the FBI also conducted a joint operation with international partners and 45 Field offices to take down the Genesis Market, which offered access to data stolen from over 1.5 million compromised computers worldwide and was a key enabler of ransomware. The FBI also worked with law

**National Cyber Investigative Joint Task Force:** The FBI led the National Cyber Investigative Joint Task Force (NCIJTF) and its 24/7 component, CyWatch, which includes more than 35 co-located USIC, U.S. Department of Defense (DoD), law enforcement, and other agencies from across the cyber community. By coordinating whole-of-government campaigns and integrating operations and intelligence across agency lines, including disseminating technical and analytical reports to the USIC, the NCIJTF helps maximize the U.S. government’s impact against its cyber adversaries and deconflict all federal cyber-criminal intrusion and cyber-enabled crime investigations. In addition, CyWatch is responsible for coordinating NCIJTF and FBI threat response activities in reaction to malicious cyber incidents, including assistance with interagency victim notification coordination.

**QakBot Disruption:** Through a joint sequenced operation involving multiple international and interagency partners, the FBI disrupted the botnet and malware known as Qakbot and seized more than \$8 million in illicit cryptocurrency profits. This malware was used to steal data from victims and target critical infrastructure to deliver malware, including ransomware to victim computers. The FBI-led operation untethered victim computers, including 200,000 in the US from the Qakbot botnet and prevented further victimization.

enforcement in multiple countries to arrest the alleged administrator and seize a domain, removing the Netwire remote access trojan,

which was used to illegally control and steal data from victim's computers.

### **FYs 2024/2025 Planned Future Performance**

The FBI plans to continue working with its partners, including other government agencies, international partners, private sector partners, and state, local and tribal law enforcement partners to conduct impactful joint operations. Cyber Division will ensure continuous training of the cyber-criminal workforce on this metric through messaging and diligent program management, to include system updates and renewing internal guidance for tracking and claiming accomplishments for joint operations. These lines of effort should result in more targeted and effective information sharing with private sector partners, strengthen public-private partnerships, track accurately, and help FBI develop new partner relationships to augment FBI's capabilities in disrupting malicious cyber actors.

### **Definition**

**Operations conducted jointly with strategic partners:** FBI working cooperatively with other federal, state, local, or tribal government agencies; non-governmental organizations; or foreign governments in cyber operations. This key indicator is based on a threat measure that gauges joint operations with international or Intelligence Community partners. Some of the activities that might be applicable are dangle, false flag, or double agent operations; hybrid search and surveillance; human source penetrated target organization; compromise of a target; or compromise of computer systems.

### **Data Validation, Verification, and Limitations**

The FBI's Cyber Division is unable to publicly report actual numbers for this metric since the measure aggregates data from FBI classified systems. The FBI will report percent increase.

## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent of confirmed cyber incidents to Department systems [JMD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	0.001%	0.001%	0.001%	0.001%
<b>Actual</b>	N/A	N/A	N/A	0.0004%	0.0014%	N/A	N/A

### Discussion of FY 2023 Results

In FY 2023, DOJ saw the percent of confirmed cyber incidents to Department systems fluctuate between quarters due to modernization efforts within the DOJ Security Infrastructure. Security appliances were transitioned to more efficient devices. As part of the DOJ Zero Trust Architecture, DOJ introduced new network and identity monitoring technology to detect cyber incidents.

### FYs 2024/2025 Planned Future Performance

In FY 2024, DOJ is looking to optimize the current technology and further reduce the number of cyber incidents. Technology vendors will undergo more thorough review to ensure only trusted technology is used within DOJ. The Department is looking to automate and reduce the response times to cyber incidents. Cloud monitoring is to be significantly enhanced in FY 2024, which will result in furthering awareness of cloud systems, identification of security gaps, and detection of more cyber incidents

### Definition

**Successful cyber intrusion:** Event where a third party (i.e., not an insider threat attack) gained access to law enforcement or otherwise sensitive data on the network. This metric focuses on the Department’s efforts to reduce the number cyber intrusion incidents to Department systems.

### Data Validation, Verification, and Limitations

JMD OCIO will validate, verify, and certify the data.

## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent increase in threat advisories disseminated to the private sector [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	5%	5%	5%	5%
<b>Actual</b>	N/A	N/A	N/A	4%	-5%	N/A	N/A

### Discussion of FY 2023 Results

While the FBI did not increase the number of threat advisories disseminated to the private sector in FY 2023, it focused its limited resources on improving the quality and relevance of its publications, with a special emphasis on disseminating threat advisories in tandem with joint, sequenced operations against cybercriminals and nation-state adversaries. Coordinating public-facing advisories with cyber operations makes FBI disruptions more effective by preventing malicious cyber actors from reconstituting their networks or services.

In FY 2023, the FBI prioritized the public dissemination of threat information whenever – and as soon as – warranted. Many of these advisories were published in tandem with joint-sequenced operations, including a cybersecurity advisory disseminated in May to empower network defenders against the Russian FSB’s Snake malware. Many of these products were also coordinated and co-authored by international intelligence and law enforcement partners, including from South Korea, Japan, and other Five Eyes nations.

The FBI did not reach its target for FY 2023. The combined figure of these advisories can oscillate widely on a quarterly and annual basis based on a myriad of factors, including, but not limited to, professional staffing levels; contract cycles and associated personnel; the unpredictable rhythm of cyber incidents, operations, and intelligence gathering that can prompt, necessitate, and inform threat advisories; and whether threat information has already been

disseminated by partner agencies or private companies. Additionally, this metric does not reflect the FBI's delivery of crucial cyber-threat information through other means, such as, but not limited to intelligence sharing and collaboration with other government agencies; ongoing dialogues with foreign law enforcement and intelligence agencies; briefings, speeches, and panel participation at private-sector conferences and other gatherings; the distribution of slick sheets to the private sector by our field offices; the FBI's social media presence and media engagement by FBI staff (or the media's force-multiplying coverage of our threat advisories). The Bureau's focus with threat advisories is always on quality over quantity and emphasizes the dissemination of threat information whenever and as soon as warranted.

### FYs 2024/2025 Planned Future Performance

The FBI will continue the timely production and dissemination of threat advisories to the private sector, that include important, impactful and relevant cyber threat information, focusing on the quality of reporting to better inform the private sector of cyber threats.

### Definition

**Threat Advisories:** This measure collects joint products disseminated to the private sector including private industry notifications; FBI liaison alert system reports; public service



announcements; joint cybersecurity advisories; cybersecurity information sheets; and other fact sheets, alerts, and guides. Through these products, the FBI Cyber Division enhances the private sector's awareness of cyber threats targeting critical infrastructure sectors and shares technical information (e.g., indicators of compromise collected by the FBI for use by trusted cyber defense private sector professionals). These products provide recipients with actionable intelligence to aid in threat neutralization. In addition, this measure ensures FBI's compliance with Executive Order 13636, which mandates that the federal government increase the volume, quality, and timeliness of cyber threat information shared with private industry.

### **Data Validation, Verification, and Limitations**

The FBI Cyber Division routinely tracks dissemination of information, requests for assistance, and private industry notifications and alerts through FBI classified systems. The disseminated information is coordinated with CISA and USIC partners to avoid inundating the private sector. The data are aggregated to measure volume, quality, and timeliness of information sharing. Some of the data sources rely on user entries and consequently, measured progress at the beginning of a year may not fully reflect FBI's efforts to engage with the private sector. Other limitations and potential challenges include that data is extracted from multiple sources, staffing levels, the unpredictability of operational tempo and intelligence gathering, or previous dissemination of information by partner agencies or private companies. The measure also does not reflect other intelligence efforts aimed to protect against malicious cyber activity, including intelligence sharing with other agencies and law enforcement partners as well as other public-engagement platforms such as social media and briefings.

## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

Drug trafficking and substance abuse continue to take a significant toll on the American public. In the twelve months between September 2020 and September 2021, more than 104,000 Americans died due to drug overdose. The overwhelming majority of these deaths involved opioids. The Department will address this harm in several ways. The Department will combat transnational drug trafficking organizations. These organizations are operating a \$500 billion industry that fuels corruption, violence, and terrorism around the globe.

In addition, the Department will address the evolving nature of the illicit drug threat, on both the dark and clear webs. While the dark web remains a threat, social media and e-commerce platforms on the clear web have emerged as new marketplaces to buy and sell counterfeit pills, opioids, and other drugs, as well as dangerous precursor chemicals and the equipment used to manufacture pills. Many of the counterfeit pills sold online, which look exactly like actual pharmaceuticals, are marketed to kids, teens, and young adults, and are often mixed with synthetic fentanyl – the leading driver of the overdose epidemic. Dismantling illicit online drug marketplaces and holding responsible corporations – including responsible executives – who enable these illicit drug marketplaces, are critical to preventing overdoses and stemming the flow of dangerous drugs into our communities.

The Justice Department will also continue to detect, limit, and deter fraud and illegal prescription, distribution, and diversion offenses that result in patient harm. Finally, the Department will address the needs of individuals involved with the justice system who have substance use and mental health disorders to promote long-term recovery.

Key Performance Indicators	
Total Measures	Targets Achieved
3	1

### Highlights

**United States v. Kelly:** As part of an a result of an OCDETF operation, Justin Kelly was sentenced in March 2023 to concurrent terms of life in prison for conspiracy to distribute 40 grams of fentanyl resulting in death and 15 years imprisonment for three counts of possession/distribution of fentanyl and possessing a firearm as a convicted felon. He used addicts to sell the drug for him and yielded profits of thousands of dollars per day.

**Targeting Fentanyl Binding Agent Importers:** As part of an investigation into high-volume importers of binding agents (e.g., microcrystalline cellulose, or MCC) used to produce fentanyl pills in the Los Angeles area, the FBI and other law enforcement partners executed search warrants on five locations that disrupted a clandestine laboratory in March 2023. The five search warrants seized the contraband of 2,000 kg of binding agents, 250 kilograms of counterfeit Xanax pills, ten pill presses, and manufacturing equipment. The FBI estimates the seized chemicals could be used to manufacture as many as 15 million fentanyl pills.

**Operation Last Mile:** DEA, in collaboration with federal, state, and local law enforcement partners, conducted Operation Last Mile, which tracked down distribution networks across the United States that were connected to the Sinaloa and Jalisco Cartels. The operation showed cartels use violent local street gangs and criminal groups and individuals across the U.S. to flood American communities with fentanyl and methamphetamine and use social media applications and encrypted platforms to coordinate logistics and reach out to victims. Operation Last Mile comprised 1,436 investigations conducted from May 1, 2022, through May 1, 2023, resulting in 3,337 arrests and the seizure of nearly 44 million fentanyl pills; more than 6,500 pounds of fentanyl powder; more than 91,000 pounds of methamphetamine; 8,497 firearms; and more than \$100 million. The fentanyl powder and pill seizures equate to nearly 193 million deadly doses of fentanyl removed from communities across the United States.

**Circles and Silence:** The USAO for the District of Rhode Island created a film called “Circles and Silence” as an outreach tool to schools and the community. The film features people who have been impacted by the opioid epidemic in various ways. The USAO shows this film at community events and schools. Afterwards, the USAO holds a discussion on the topics covered in the movie. In FY 2023, the USAO participated in approximately 43 presentations to approximately 6,652 attendees. Presentations were made primarily to high schools, but also included other educational and community agencies and organizations.

**Opioid Enforcement Task Force:** The Civil Division’s Consumer Protection Branch has played a leading role in the Department’s Opioid Civil Enforcement Task Force, coordinating investigative and prosecutorial efforts with numerous agencies and offices. CIV CPB has led investigations of prescription opioid distributors on the national, regional, and local levels. For example, CIV CPB attorneys working hand-in-hand with partners at U.S. Attorneys’ Offices are litigating against Walmart and AmerisourceBergen Corporation, seeking civil penalties for alleged violations of the Controlled Substances Act relating to prescription opioids.

## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

**Performance Measure:** Percent of disruptions or dismantlements of drug-trafficking organizations focused on the highest priority targets [OCDETF]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	31%	31%	31%	25%
<b>Actual</b>	N/A	N/A	N/A	26%	20%	N/A	N/A

### Discussion of FY 2023 Results

Investigations of Consolidated Priority Organization Targets (CPOTs) and the transnational criminal organizations (TCOs) they lead are complex and time-consuming and the impact of disrupting and dismantling these networks may not be immediately apparent. 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. Current reporting shows that OCDETF has dismantled 26 CPOT-linked organizations and disrupted another 104 CPOT-linked organizations, which represents 20 percent of the total number of organizations disrupted or dismantled in FY 2023.

In addition to making important gains against CPOT-linked organizations in FY 2023, OCDETF agencies continued to achieve significant successes against CPOTs. Over the course of the past year, seven CPOTs were disrupted and six were dismantled. Law enforcement disruption and dismantlement efforts against drug trafficking organizations linked to those 13 targeted CPOTs in FY 2023 have generated 73 OCDETF investigations and 1,193 indictments. These investigations have resulted in more than 4,516 defendants charged and 3,876 convictions. Law enforcement activity targeting these CPOTs involved complex and coordinated

intelligence-driven investigations. Cooperation between U.S. law enforcement agencies and international partners was critical due to the global nature of these transnational drug trafficking organizations.

The Department’s FY 2023 successes in 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 entering the United States.

The Department has also made a significant impact on the financial systems that support the drug trade by charging and convicting high-level targets that conduct or facilitate illicit financial activity, and by seizing and forfeiting their assets. Drug trafficking organizations linked to the FY 2023 disrupted or dismantled CPOTs have led to over \$44 million in seizures, nearly \$285 million in forfeitures, and close to \$161 million in money judgments.

### FYs 2024/2025 Planned Future Performance

OCDETF’s FY 2024 target for CPOT disruption or dismantlement, as in FY 2023, remains at 31 percent. OCDETF cases strive to determine connections among related investigations to target and dismantle the entire structure of a drug trafficking organization, from international supply and national transportation cells to regional and

local distribution networks. A major emphasis of the Department's drug strategy is to coordinate efforts to disrupt the traffickers' financial dealings and to dismantle the financial infrastructure that supports these organizations. OCDETF has the greatest impact upon the flow of drugs through this country when it successfully dismantles an entire drug network by targeting and prosecuting its leadership and seizing the profits that fund continued operations.

### **Definition**

**CPOT:** An organization is considered linked to a CPOT if evidence exists of a nexus between the primary investigative target and a CPOT, verified associate, or component of the CPOT organization. A credible link to a CPOT indicates the primary investigative target, if not a CPOT, is no more than six degrees away from the CPOT. This allows investigations to focus on the highest levels of organized crime leadership with the ability to impact and investigate the CPOTs themselves.

**Disruption:** 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, for example, financing, trafficking patterns, communications, or drug production.

**Dismantlement:** Destroying the organization's leadership, financial base, and supply network such that the organization is incapable of reconstituting itself.

**CPOT dismantlements and disruptions target:** The target is based on the percentage of FY 2022 CPOT dismantlements and disruptions to all OCDETF dismantlements and disruptions. These projections are based on predicted increases in both the overall OCDETF dismantlement and disruption numbers and the CPOT dismantlement and disruption numbers, separately. The projected CPOT dismantlements and disruptions are then divided into the overall OCDETF dismantlement and disruption projections to obtain this percentage.

### **Data Validation, Verification, and Limitations**

The CPOT list is updated semiannually. Each OCDETF agency has an opportunity to nominate targets for addition to or deletion from the list. Nominations are considered and recommended by the CPOT working group to the Washington Agency Representatives Group, who then vote on which organizations will be added or deleted from the CPOT list. Once a CPOT is added to the List, OCDETF investigations can be linked to that CPOT. OCDETF field managers review and confirm the OCDETF links by using the OCDETF Fusion Center, agency databases, and intelligence information. Field recommendations are then reviewed by the OCDETF Executive Office. Ultimately, the OCDETF Executive Office "unlinks" any investigation for which sufficient justification has not been provided. When evaluating disruptions/dismantlements of CPOT-linked organizations, OCDETF verifies reported information with the investigating agency's headquarters. Data for this measure is obtained through required reporting forms and validations that must be submitted throughout the year.

## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

**Performance Measure:** Amount of diversion, nationally, of opioids and stimulants [DEA]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	366,908	308,376	100,881	TBD
<b>Actual</b>	N/A	N/A	366,908	308,376	100,881	N/A	N/A

### Discussion of FY 2023 Results

In FY 2023, the DEA Diversion Control Division reported 100,881 grams diverted: 69,789 grams of opioids and 31,092 grams of stimulants. Based on the FY 2023 target of 308,376 grams diverted nationally of opioids and stimulants, and given the ongoing exploratory nature of Diversion’s effort to quantify and report on stimulant diversion, this represents an approximate 67 percent decrease in the amount diverted when compared to the FY 2022 opioid and stimulant baseline. This annual result surpassed the targeted performance; however, because Diversion’s ability to reliably report on stimulants diverted nationally is still at the developmental stage and given the varied participation by the States to provide anonymized, aggregated state Prescription Drug Monitoring Program (PDMP) data, establishing the baseline for the combined diversion of opioids and stimulants continues to be a work in progress.

The Diversion Control Division actively engages with its registrants to educate practitioners about the diversion and abuse of pharmaceutical controlled substances and the DEA regulations pertinent to their practices. The Diversion Control Division provides live and virtual training to registrants nationally and will continue to hold the webinars by practitioner category, i.e., veterinarians, nurse practitioners, etc. In FY 2023, Diversion's 23 division offices and headquarters liaison section conducted more than 2,436 outreach events. This included 173 conference exhibits and roughly 663

**DEA Diversion Control Outreach:** In September 2023, the DEA Diversion Control Division hosted its first public listening sessions on its proposed rule entitled "Telemedicine Prescribing of Controlled Substances When the Practitioner and the Patient Have Not Had a Prior In-Person Medical Evaluation." DEA received over 38,000 comments on the Telemedicine Notice of Proposed Rulemaking. The sessions were held over two days as a hybrid in-person/virtual event with over 4,800 attendees and 30 presenters who were members of public selected to present their views. DEA will utilize the hybrid format moving forward because it provides an opportunity to expand registrant participation and engagement with the DEA on these essential topics.

presentations that reached over 396,000 individuals. DEA has also partnered with the respective registrant associations to accredit the trainings to provide continuing education credits for each provider population. In May 2023, the Diversion Control Division hosted its first hybrid live/virtual Supply Chain Conference. More than 800 individuals participated in the conference, which included DEA-registered manufacturers, distributors, pharmacies, importers and exporters. During the first quarter of FY 2023, DEA hosted a virtual training for over 3,000 dentists with the American Dental Association, which was recorded and was available as part of the American Dental Association training.

## **FYs 2024/2025 Planned Future Performance**

In FY 2024, the Diversion Control Division will continue the collection and analysis of supply chain diversion data extracted from DEA's Drug Theft and Loss database and future datasets to refine its estimates for stimulant diversion, and thereby establish more reliable national diversion estimates in the future. Moreover, DEA will continue to work within its jurisdictional limitations to solicit and encourage maximum participation by state PDMPs to provide data to determine opioid diversion.

## **Definition**

**Diversion:** All distribution, dispensing, or other use of controlled prescription drugs for other than legitimate medical purposes. The amount of diversion of five critical opioids (fentanyl, hydrocodone, hydromorphone, oxycodone, and oxymorphone) will be calculated in a manner consistent with 21 U.S.C. 826 (i), in which DEA calculates a national diversion estimate for each of the five covered controlled substances as outlined in the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act when setting the annual aggregate production quota for each of those substances in addition to other factors. The aggregate production quota represents those quantities of schedule I and II controlled substances and the list I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine that may be manufactured in the United States to provide for the estimated medical, scientific, research, and industrial needs of the United States, lawful export requirements, and the establishment and maintenance of reserve stocks.

## **Data Validation, Verification, and Limitations**

PDMP data and subsequent reports provided by PDMP Administrators are standardized by either the state or the National Association of State Controlled Substances Authorities; however, limitations exist as State PDMP administrators have no statutory requirement to provide this data to DEA for the purposes of estimating diversion. Given the exploratory nature of the Diversion Control Division's effort to quantify and effort on stimulant diversion, the FY 2021 baseline for this measure includes opioids only.

## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

**Performance Measure:** Percent of relevant-funded grantee programs that provide medication assisted treatment, which includes medication plus counseling, as part of their substance use disorder services [OJP]

	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023	CY 2024	CY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	68%	43%	43%
<b>Actual</b>	N/A	N/A	N/A	Baseline	55%	N/A	N/A

### Discussion of FY 2023 Results

This measure combines grantee results from eight grant programs with a substance use nexus: four Bureau of Justice Assistance programs and four Office of Juvenile Justice and Delinquency Prevention (OJJDP) programs. The FY 2023 target was set based on historical BJA baseline data, but because OJJDP had not used this measure in the past, OJJDP baseline data weren't available. Once OJJDP grantees began reporting on this measure, OJP was able to set a more realistic target for combined OJJDP and BJA grantee performance for FY 2024 and beyond.

### FYs 2024/2025 Planned Future Performance

Given the continued high rates of polysubstance use, fatal and non-fatal overdose, and high prevalence rates and intersection with the justice system, medication assisted treatment (MAT) continues to be a priority. As such, OJP expects that more programs will adopt practices and policies that incorporate MAT as a service where appropriate. OJP continues to encourage the implementation and expansion of access to MAT across multiple substance use-related programs through the solicitation and award process which will likely impact the number of grantees providing MAT or referring to MAT services and the number of people gaining access to this evidence-based treatment and recovery approach.

**Substance Use Disorder (SUD) Solicitations:** The Civil Rights Division's Disability Rights Section and Special Litigation Section coordinated with OJP to ensure that select solicitations focused on substance use disorder included information about the Department's guidance on protections under the Americans with Disabilities Act (ADA) for people with opioid use disorder, in addition to details about relevant CRT enforcement actions. In FY 2023, OJP issued the following five solicitations including this information, reflecting that policies that do not allow for justice-involved individuals to continue or initiate treatment for SUD when clinically indicated may be unconstitutional and in violation of the ADA: 1) FY 2023 Comprehensive Opioid, Stimulant, and Substance Use Site-based Program; 2) Bureau of Justice Assistance FY 2023 Improving Substance Use Disorder Treatment and Recovery Outcomes for Adults in Reentry; 3) FY 2023 Adult Treatment Court Discretionary Grant Program; 4) BJA FY 2023 Veterans Treatment Court Discretionary Grant Program; 5) BJA FY 2023 Improving Adult and Youth Crisis Stabilization and Community Reentry Program.

### Definition

**Grantee programs:** This is the percentage of eight select grant programs from both OJJDP and BJA that provide access to medication assisted treatment. The Department of Health and Human Services' Substance Abuse and Mental Health Services



Administration defines MAT as the use of medications, in combination with counseling and behavioral therapies, to provide a “whole-patient” approach to the treatment of substance use disorders. <https://www.samhsa.gov/medication-assisted-treatment>

### **Data Validation, Verification, and Limitations**

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts’ review, electronic controls in the reporting systems, and grant managers’ programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric. Data reported for this fiscal year reflect data collected during the prior calendar year.

## Strategic Objective 2.6: Protect Vulnerable Communities

The Department must be vigilant in protecting and supporting all communities, including the most vulnerable among us. We have a special obligation to protect children, whose victimization ripples through families, communities, and society at large. Likewise, elder abuse, fraud, and neglect remain urgent problems in this country, particularly as the COVID-19 pandemic ushered in a new wave of exploitative practices targeted at seniors. The Department also has a unique legal relationship with, and responsibility to, federally recognized tribes. Gender-based violence, including domestic violence, dating violence, sexual assault, and stalking, cuts across socioeconomic, racial, and geographic lines. In addition, low-income communities, lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQIA+) communities, communities of color, people with disabilities, non-citizens, and victims of human trafficking face disproportionately high rates of victimization. The Department is dedicated to rectifying these disparities.

When crimes do occur, the Department is committed to treating crime victims with dignity and respect throughout their involvement in the federal criminal justice system. The Department will provide support and promote services for victims and their families, including through grant-making and collaborations with state, local, and tribal partners.

Key Performance Indicators	
Total Measures	Targets Achieved
6	3

### Highlights

**United States v. Velinov:** In June 2023, Plamen Georgiev Velinov was sentenced to 25 years in prison for conspiracy to traffic images and videos depicting the sexual exploitation of young children. The USAO for the Middle District of Florida and CRM’s Child Exploitation and Obscenity Section prosecuted the case, which was brought as part of Project Safe Childhood. Mr. Velinov helped manage and administer the Newstar Enterprise. This internet-based business profited from the sexual exploitation of vulnerable children under the guise of “child modeling” through a collection of websites called the Newstar Websites. To date, seven members of the Enterprise have been charged in connection with the Newstar Websites.

**Operation We Will Find You:** USMS conducted a national missing child enforcement operation in coordination with the National Center for Missing & Exploited Children. This operation commenced on March 1, 2023, and concluded on May 25, 2023. We Will Find You focused resources on geographical areas with high clusters of critically missing children to maximize the impact on public safety by providing targeted assistance to law enforcement. Efforts resulted in the recovery of 169 missing children, the location of 56 additional missing children, and 40 arrests. Additionally, 28 cases were referred to other law enforcement agencies for further investigation of crimes such as drugs and weapons, sex trafficking, and sex offender violations.

**2023 Money Mule Initiative:** The Money Mule Initiative is a coordinated effort by EOUSA and the USAOs, CIV's Consumer Protection Branch, U.S. Postal Inspection Service, FBI, and other federal law enforcement agencies to combat foreign fraudsters by targeting their U.S.-based payment infrastructure. For the FY 2023 initiative, agencies identified and acted against over 4,000 individuals involved in facilitating fraud, including schemes that impact older adults such as lottery scams and romance fraud. Some individuals knew they were facilitating fraud, while others first interacted with fraudsters as victims and may have been unaware that their activity furthered criminal activity. Actions taken ranged from warning letters to civil and administrative actions, to criminal prosecutions. Agencies also worked to raise awareness about how fraudsters recruit and use individuals to assist their fraud operations. The 2023 effort marked the fifth U.S. law enforcement campaign disrupting these money transmitting networks. Agencies work together to identify individuals who are potential money mules for schemes that target older individuals. Investigations have shown that disrupting money transmitting networks has impeded fraudsters' abilities to receive funds, thereby reducing fraud victimization. These campaigns are part of a global effort to tackle money transmitting networks linked to illegal activity.

***United States v. Harris:*** In April 2023, Joseph Harris was sentenced to 21 years in prison. From July 2017 until his arrest in May 2018, Mr. Harris used violence and threats of violence, along with abusive and coercive tactics, to compel multiple victims to engage in commercial sex acts for his financial benefit. The defendant's crimes were uncovered when New York City Police Department officers responded to several 911 calls about girls being held at his apartment in Brooklyn. The officers found two of the defendant's adult victims and a 16-year-old minor female inside the apartment. The investigation revealed that Harris used force and threats to compel his victims to work in commercial sex acts and give him the money that they were paid. Mr. Harris used Backpage.com and social media websites to facilitate his business.

**OPDAT-Supported Salvadoran Counterparts Crackdown on Sexual Exploitation of Children:** In April 2023, El Salvador announced that 232 sexual predators of children were arrested nationwide on charges of child pornography and sexual aggression against children as part of Operative Valentina. OPDAT and other law enforcement agencies provided support leading up to this successful operation, including facilitating monthly working group meetings to protect and advocate for members of vulnerable groups and leading a Salvadoran delegation to the 34th annual Crimes Against Children Conference in Dallas, Texas.

## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent increase in services to traditionally underserved victim populations through VOCA-funded organizations and anti-human trafficking programs [OJP]

	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023	CY 2024	CY 2025
<b>Target</b>	N/A	N/A	N/A	N/A	Baseline	0.5%	0.5%
<b>Actual</b>	N/A	N/A	N/A	N/A	Baseline	N/A	N/A

### Discussion of FY 2023 Results

OVC continues to support training and technical assistance programs to build the capacity of victim services providers to specifically target underserved populations such as The National Center for Culturally Responsive Victim Services. The Center has worked to increase the availability of services to protect vulnerable communities through targeted technical assistance to state Victims of Crime Act agencies to strengthen funding practices that increase access for culturally specific organizations serving communities of color and other vulnerable communities. The Center has also continued implementing exploratory street outreach in selected states in vulnerable communities lacking supportive services. Their street outreach team conducted on-the-ground visits to identify local culturally specific organizations, community stakeholders, and local leaders. The five-year award for the Center is still in its initial phases of implementation.

### FYs 2024/2025 Planned Future Performance

OJP OVC plans to post the Addressing the Basic Needs of Crime Survivors in Underserved Communities solicitation in FY 2024. The goal of this solicitation is to increase the capacity of the field to meet the basic needs of crime victims from historically underserved communities.

### Definition

**Underserved victim populations:** For the purposes of this measure,

**Listening Sessions:** The OJP Office for Victims of Crime’s (OVC) National Center for Culturally Responsive Victim Services began holding listening sessions with culturally specific organizations serving survivors of crime from communities of color. These listening sessions are designed to provide an opportunity for communities to share barriers to access support for victims and survivors of crime and challenges that culturally specific organizations face in accessing Victims of Crime Act (VOCA) resources. The learning from these sessions will be used to make progress towards the goal of increasing services to traditionally underserved victim populations.

they are based on demographics of new victims served and will include individuals that have self-reported as Black, Latino, Indigenous and Native American, Asian American, and Pacific Islander. These are victims served through programs funded under VOCA and those programs targeting human trafficking.

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts’ review, electronic controls in the reporting systems, and grant managers’ programmatic monitoring. Data cleaning techniques are

applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric.

Demographic data are based on new victims served. Therefore, this count underrepresents the total number of individuals served during each reporting period as demographics are only counted the first time an individual receives services, even if they return for services multiple quarters throughout the year. Furthermore, the data rely on individuals self-reporting. This data, collected in one year, will also not capture individuals who are returning clients from previous years.

Fluctuation in funding allocations and unexpected external factors could impact the number of victims served overall, potentially reducing the impact on traditionally underserved victim populations. In addition, OJP OVC cannot dictate the race/ethnicity of victims served in the field.

## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent of USAOs conducting training on trauma-informed and culturally-sensitive approaches for attorneys, victim witness specialists, and support staff [USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	65%	65%	70%	70%
<b>Actual</b>	N/A	N/A	N/A	46%	59%	N/A	N/A

**Human Trafficking Coordinators Conference:** In October 2022, EOUSA, in partnership with the Civil Rights Division’s Human Trafficking Prosecution Unit (HTPU), hosted the virtual Human Trafficking Coordinators Conference. The conference had approximately 150 participants per day. Assistant Attorney General of Civil Rights Kristen Clarke was the keynote speaker. Instructors from EOUSA, HTPU, CRM’s Money Laundering and Asset Recovery Section (MLARS) and Child Exploitation and Obscenity Section, and numerous USAOs across the country presented on assorted topics. EOUSA’s Legal Programs and HTPU presented on human trafficking resources and the data gathered from the Department’s National Strategy to Combat Human Trafficking’s Self-Assessment that all 94 USAOs completed. EOUSA and HTPU provided a breakdown of the data gathered and shared updates and solutions developed by Legal Programs and other components to address the needs of the USAO community to prosecute human trafficking cases. EOUSA Legal Programs and HTPU also presented how to apply a victim-centered and trauma-informed approach while handling human trafficking cases. In the presentation, they explained and highlighted the key role of the Victim Witness Coordinators and victim stabilization. They also provided a practical and useful overview of the different funding streams available to USAOs to support victim witnesses as part of an investigation and prosecution. The discussions and trainings on a victim-centered approach to human trafficking will benefit victims of these crimes.

### Discussion of FY 2023 Results

This new performance measure was first implemented in FY 2022. All USAOs were asked whether they had conducted training on trauma-informed and culturally-sensitive approaches for attorneys, victim witness specialists, and support staff. The FY 2023 data reflects the results of that survey, in which 55 of 93 USAOs reported that they had conducted the requisite training. The survey further indicated that budget and staffing issues, including competing demands on the time of subject-matter experts, negatively impacted the ability of offices to conduct this training during FY 2023.

USAOs report that attention to and training on trauma informed and culturally appropriate approaches have resulted in better practices undertaken in interviewing victims, especially the most vulnerable victims such as children, non-English speakers, members of the LGBTQIA+ community, and unhoused persons. It has made AUSAs, victim witness specialists, and other staff more aware of and responsive to the needs of these groups. It has also made AUSAs, victim witness specialists, and other staff more aware of the secondary and vicarious trauma they may be experiencing as a result of their work and methods for approaching and dealing with that trauma.

### FYs 2024/2025 Planned Future Performance

During FY 2024, EOUSA is encouraging USAOs to conduct these specific types of training. In early March 2024, EOUSA will host an

in-person meeting for AUSAs who are the Victims Rights Coordinators for their respective districts. During this meeting, EOUSA will reiterate the importance of DOJ's Strategic Plan and discuss the specific goals and objective of the plan that are designed to promote and improve programs for victims of crime. This discussion will also include EOUSA sharing training materials and trainers that USAOs have used for this topic as well as points of contact who can assist USAOs in conducting these trainings. Among other things, EOUSA is considering leveraging its National Crime Victims' Rights Week initiatives to communicate with USAOs on the importance of trauma-informed practices, how it improves services to victims, and how DOJ wants to be a national community that uses trauma-informed communications skills when engaging with victims and each other. EOUSA is reviewing existing webinar content and assessing whether an additional webinar would be beneficial, and then will communicate with USAOs to inform them of the availability of webinars on this topic.

## **Definition**

The Department seeks to ensure its USAOs are better prepared to address the needs of victims experiencing trauma and to better understand and address the needs of victims with diverse cultural identities. The training may be conducted at the district level through a prerecorded training, a webinar, or an in-person training, subject to USAO resources.

**Trauma-informed:** A trauma-informed approach and response recognizes signs of trauma in victims so USAO staff can respond by integrating knowledge about trauma into policies, procedures, practices, and settings. The approach is outlined on the website for the Department's Office for Victims of Crime Training & Technical Assistance at [ovcttac.gov](http://ovcttac.gov). Trauma-informed training focuses on recognizing that victims experience trauma from a variety of sources.

**Culturally-sensitive:** Being aware that cultural differences and similarities between people exist without assigning them a value.

## **Data Validation, Verification, and Limitations**

EOUSA's Legal Programs Office issues an annual survey to USAOs seeking verification that USAOs have conducted the training. The Legal Programs Office's Victim Witness Unit will review and confirm compliance. Validation and verification are not expected to be significant issues. EOUSA will report the data.

## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent of victims reporting that they entered and maintained permanent housing upon exit from an OVW-funded transitional housing program 6 months after program completion [OVW]

	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023	CY 2024	CY 2025
<b>Target</b>	N/A	N/A	N/A	80%	80%	80%	80%
<b>Actual</b>	N/A	N/A	79%	80%	80%	N/A	N/A

### Discussion of FY 2023 Results

Office on Violence Against Women (OVW) grantees under the Transitional Housing Program report data about survivors they serve, including survivors’ destinations upon exiting transitional housing. Survivors exiting to permanent housing of their choice is a good outcome, as it reflects fulfillment of a key goal of transitional housing, which is to help survivors of domestic and sexual violence obtain safe, permanent housing. During the six-month period reflected in the last set of data reported in FY 2023, Transitional Housing Program grantees reported that 80 percent of survivors whose destination upon exit was known exited to permanent housing of their choice.

### FYs 2024/2025 Planned Future Performance

OVW grantees under the Transitional Housing Program report data about survivors they serve, including survivors’ destinations upon exiting transitional housing. Survivors exiting to permanent housing of their choice is a good outcome, as it reflects fulfillment of a key goal of transitional housing, which is to help survivors of domestic and sexual violence obtain safe, permanent housing. OVW’s target for FY 2024 is 80 percent. This target reflects the anticipation that Transitional Housing grantees will report having assisted the majority of the survivors they serve in finding permanent housing, while recognizing that grantees and the survivors with whom they work face enormous challenges in many communities due to the

rising costs of housing, landlords not wanting to rent to survivors who may have credit problems, and other factors.

### Definition

OVW is measuring the percent of victims leaving transitional housing and moving to permanent housing of their choice.

**Transitional housing destination upon exit categories:** These are emergency shelter, health care/ substance abuse facility, homeless shelter, hotel/motel, incarceration/jail, temporary housing with family or friends, other transitional housing, other, and permanent housing of choice.

### Data Validation, Verification, and Limitations

The data are self-reported by grantees in the Department’s new Justice Grants system. They are subject to validation scripts and a data cleaning process that aim to ensure the data’s relative accuracy.



## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent of crimes-against-children FBI cases which address abductions, hands-on offenders, sextortion, or enticement [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	44%	46%	46%	46%
<b>Actual</b>	N/A	N/A	42%	54%	65%	N/A	N/A

### Discussion of FY 2023 Results

The FY 2023 actual of 65 percent was an increase from the FY 2022 actual and exceeded the FY 2023 target of 46 percent. The increase in the percent of crimes-against-children FBI cases which addressed abductions, hands-on offenders, sextortion, and enticement remained steady throughout FY 2023, averaging between 64 percent and 72 percent for each quarter.

In FY 2023 the FBI had several accomplishments under this objective. First, a significant percentage of the arrests in crimes-against-children cases were a result of investigations addressing abductions, hands-on offenders, sextortion, and enticement. Additionally, the FBI successfully utilized its resources and intelligence to locate hundreds of child victims in the previous fiscal year. Lastly, the FBI maintained an aggressive posture toward the crime of sextortion, which yielded hundreds of new cases specifically targeting the threat of sextortion of minor victims.

### FYs 2024/2025 Planned Future Performance

The FYs 2024 and 2025 planned future performance for this measure is anticipated to continue its current trend of exceeding the target as the FBI continues to see an increase in crimes-against-children cases, combined with a strategic posture of focusing its crimes against children-specific investigative resources on the most dangerous offenders within these violations.

**Child Abduction Rapid Deployment (CARD) Team:** The CARD team comprises experienced crimes-against-children investigators, who are strategically located in field offices to facilitate rapid, on-site responses to FBI offices as well as state and local law enforcement during the most critical period following the abduction of a child. The CARD team trains federal, state, local, and tribal law enforcement personnel on specialized investigative techniques, command posts, neighborhood investigations, roadblock canvasses, communication analysis, and social media exploitation. In FY 2023, the CARD Team deployed six times to assist with possible child abductions, resulting in the recovery of four living children and three deceased children. The CARD Team deployed to Albany, New York after a nine-year-old girl was abducted at a campsite. The New York State Police and FBI, with the assistance of the CARD Team, were successful in locating the victim alive and apprehending the suspect.

### Definition

FBI is measuring the percentage of crimes-against-children cases opened during the year that are classified as addressing abductions, hands-on offenders, sextortion, or enticement. FBI CID oversees all criminal programs identified for this metric.

### Data Validation, Verification, and Limitations

The data for this metric is collected from the FBI's case management system. FBI has a detailed case classification system to categorize cases.

## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Number of formal relationships established with state, county, and local law enforcement, either directly or through state Police Officer Standards and Training (POST) councils or commissions, to communicate elder justice best practices [CIV]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	0	10	7	7
<b>Actual</b>	N/A	N/A	N/A	0	3	N/A	N/A

### Discussion of FY 2023 Results

The Elder Justice Initiative (EJI) has reached out to both the state Chiefs of Police associations and the state Peace Officers Standards and Training (POST) board or equivalent for all 50 states and the District of Columbia and is currently in active discussions with 47 state law enforcement organizations from 35 states. During these discussions, the EJI is gathering information on how each state’s law enforcement officers and sheriffs are trained, the training that is provided regarding elder abuse, neglect, financial exploitation, and fraud; which governing bodies decide on the training requirements in each state; and the most effective ways to train and provide information to officers and sheriffs in each state.

### FYs 2024/2025 Planned Future Performance

On February 7 and 8, 2024, the EJI is hosting the Department’s first Elder Justice Law Enforcement Summit. The Summit is bringing together representatives from state and local law enforcement organizations from all 50 states and the District of Columbia in order to discuss elder abuse, neglect, financial exploitation, and fraud, while highlighting available resources, trainings, tools, and information. EJI hopes the summit will encourage the attending organizations to place a greater focus on elder abuse related work and collaborate with the Department on sharing available resources.

**Elder Justice Collaboration Agreements:** Since the Elder Justice Initiative began this project, three state law enforcement organizations have signed formal collaboration agreements with the Department and 14 different states’ law enforcement offices have taken steps to share the Department’s elder justice resources. For example, nine states have linked or agreed to link their state training page to the Department’s elder justice website, six states have published or agreed to publish articles in their newsletters regarding DOJ resources, ten states have shared or agreed to share eblasts of elder justice resources with their chiefs of police and/or officers, four states have shared or agreed to share information regarding the Department’s Elder Abuse Guide for Law Enforcement training with their officers, one state has hosted a webinar with the Department to highlight its resources, and another one is being scheduled.

### Definition

**Formal relationship:** Relevant state, county, or local “hub” making DOJ elder justice materials available to its members on its internal website or training platform or sharing information directly with its members via email or newsletter.

**POST:** Each state has a POST council or organization in charge of the training of law enforcement in that state. Each state also has an Association of Chiefs of Police.

Elder justice best practices and resources to be shared will include, but not be limited to, investigative best practices, techniques for conducting forensic interviews with older adults, and information on how to assemble financial information to put together a financial exploitation or fraud case.

### **Data Validation, Verification, and Limitations**

Per the agreement entered between DOJ and the state organization, EJI will verify the completion of at least two data sharing events by whatever hub is identified by the EJI in that state.

## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent of Indian Country homicide cases and sexual abuse cases favorably resolved [USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	90%	90%	90%	90%
<b>Actual</b>	N/A	N/A	95%	97%	96%	N/A	N/A

### Discussion of FY 2023 Results

In FY 2023, USAOs continued to aggressively prosecute violent crimes cases in Indian country, including homicides and sexual assaults, despite jurisdictional and resource challenges. As a result of their efforts to promote public safety in Indian country, USAOs reported numerous instances in which perpetrators were held accountable. United States Attorneys’ Offices successfully resolved 96 percent of their prosecutions of 446 Indian Country homicide and sexual abuse cases in FY 2023. In FY 2022, the Department saw a significant increase in Indian country prosecutions due to the Supreme Court’s decision in *McGirt v. Oklahoma*. This increase created a significant challenge across the entire USAO community, not only in the USAOs for the Northern and Eastern Districts of Oklahoma (the geography directly impacted by the McGirt ruling), because the Department realigned resources to Oklahoma to address the increased caseload. In June 2022, the Supreme Court announced its decision in *Oklahoma v. Castro-Huerta*, which also impacted Indian country prosecutions, although the decision did not alter the Department’s jurisdiction or responsibilities within Indian country. The USAO community continues to work to ensure that the Department honors treaty and trust responsibilities with Tribes while promoting public safety in Indian country.

The Department announced various initiatives to enhance its ability to successfully prosecute crime in Indian country. These initiatives relate to information sharing, updating USAO Indian Country

***United States v. James:*** In September 2023, a man was found guilty of first degree murder and several domestic assault-related offenses in the District of Arizona after a seven-day jury trial. Based on evidence introduced at trial, the defendant shot and killed a Native American woman in the summer of 2019. After the guilty verdict, the United States Attorney for the District of Arizona noted that “[v]indicating the rights of missing and murdered Indigenous persons requires all the energy and compassion that we have . . . not only through investigation and prosecution of the cases, but through community engagement, cultural competence, and active listening to the next of kin and other family members.” The FBI, Navajo Nation Division of Public Safety Criminal Investigation Services, Navajo Nation Police Department, Bureau of Indian Affairs (Hopi), and the Navajo County Sheriff’s Office investigated the case.

operational plans, training law enforcement, implementing Savanna’s Act and provisions of the Violence Against Women Act focused on Indian country, and creating the Missing or Murdered Indigenous Persons (MMIP) Regional Outreach Program, which will provide experienced and specialized support to the USAO community to combat the issues of missing or murdered Indigenous people through the resolution of unsolved cases and outreach to tribal, state, and local partners.

### FYs 2024/2025 Planned Future Performance

In FYs 2024 and 2025, the Department will continue its efforts to

promote public safety in Indian country and aims to favorably resolve at least 90 percent of homicide and sexual abuse cases in Indian Country.

### **Definition**

**Favorably resolved:** For this performance measure, "favorably resolved" means a disposition of a defendant's case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files.

### **Data Validation, Verification, and Limitations**

CaseView is EOUSA's well-established case management system. Data entry for individual defendants and cases is initiated in the originating U.S. Attorney's Office, and EOUSA's Data Integrity and Analysis Staff aggregates the data by district and nationally.



## Goal 3: Protect Civil Rights



## Goal 3: Protect Civil Rights

The Justice Department was founded during Reconstruction to protect the civil rights promised by the Thirteenth, Fourteenth, and Fifteenth Amendments. This work required confronting the racist conduct of the Ku Klux Klan and others who used terror and violence to keep Black Americans from exercising their rights. Today, more than 150 years after the Department's founding, far too many Americans still face discrimination. Among other things, discrimination persists in voting, housing, and the criminal justice system, and historically underserved communities have disproportionately borne the brunt of the harm caused by pandemic, pollution, and climate change. We honor the Department's history by committing to a whole-of-Department approach to protecting civil rights and reducing barriers to equal justice and equal enjoyment of the rights, privileges, and immunities established by the Constitution and laws of the United States.

### Enterprise Risk Themes

Barriers to civil rights

Changes in the legal landscape

Impact of technology

Data collection and analysis limitations

Coordination challenges

Building trust

Need for community support

COVID-19 pandemic-related challenges

Climate change

Disparate impacts of environmental problems

## Strategic Objective 3.1: Protect the Right to Vote

The right to vote is the cornerstone of our democracy – the right from which all other rights ultimately flow. The Department has a longstanding role in protecting the right of American citizens to participate in fair and free elections. In recent years, state legislatures across the country have introduced laws that restrict eligible voters from accessing the ballot or that otherwise have the intent or effect of discriminating against voters on account of their race, color, or language minority status. Historical barriers limiting ballot access for voters with disabilities or voters with limited English proficiency also persist. There has also been an alarming increase in the number of violent and other unlawful threats against election officials, workers, and volunteers. These threats are an affront to our system of government and undermine public confidence in our election results. The Department will use every tool at its disposal to address these challenges.

Key Performance Indicators	
Total Measures	Targets Achieved
3	3

### Highlights

***United States v. Prakazrel Michel et al.:*** The USAO for the District of Columbia and the Criminal Division’s Public Integrity Section (PIN) successfully prosecuted entertainer Prakazrel “Pras” Michel for campaign finance violations, acting as an unregistered foreign agent, witness tampering, and lying to banks. Mr. Michel received more than \$100 million from Malaysian businessman and billionaire Jho Low, which was used in two efforts to influence U.S. politics. Mr. Michel initially received \$20 million to help Mr. Low get access to then-President Barack Obama at a campaign event. Additionally, Mr. Michel was accused of taking money from Mr. Low and China in 2017 to lobby then-Trump Administration officials to close the IMDB investigation into Low and to extradite a US-based Chinese dissident, Guo Wengui, back to China. Mr. Low is currently a fugitive in this case and has been charged for his alleged role in stealing approximately \$4 billion from Malaysia’s sovereign wealth fund from 2009 to 2012 during the infamous IMDB scandal.

***United States v. Harris County, Texas:*** In March 2023, the court-enforced settlement agreement ended, successfully resolving the Department’s lawsuit against Harris County, Texas. The Harris County case began as a compliance review that was part of the Department’s Americans with Disabilities Act Voting Initiative. Over the four-year agreement, Harris County conducted over 1,500 surveys to assess the accessibility of its polling places, obtained hundreds of temporary ramps, implemented over 4,000 temporary measures to make its approximately 800 polling places accessible during elections, trained over 100 surveyors to inspect polling places for ADA compliance, trained thousands of election workers on the ADA, adopted robust ADA policies and procedures, and created an innovative database to track progress in real-time for each election. Harris County made substantial strides to create a successful ADA program that will continue to increase access for individuals with disabilities to its polling places in the future.

***United States v. Mark Rissi:*** In April 2023, CRM’s Public Integrity Section and the USAO for the District of Arizona obtained Mark A. Rissi’s guilty pleas for sending life-threatening voicemails to an election official on the Maricopa County Board of Supervisors, Clint Hickman, and to an



official with the Office of the Arizona Attorney General, Mark Brnovich, following the 2020 Presidential Election. In August 2023, Rissi was sentenced to 30 months in prison to be followed by three years of supervised release.

**2022 Midterm Election Monitoring:** The Department monitored elections nationwide for the November 2022 Midterm Elections. CRT deployed personnel to elections in 64 jurisdictions in 24 states to monitor compliance with federal voting rights laws. This included several localities newly covered under the Census Bureau's December 2021 determinations under the language minority requirements of Section 203 of the Voting Rights Act (VRA). CRT also operated a call center for the November 2022 election and took calls from voters around the country with concerns regarding possible issues under the federal voting rights laws.

**Position Allocations:** The FY 2023 Consolidated Appropriations Act provided funds to hire 60 Assistant U.S. Attorneys to support civil and criminal enforcement of civil rights statutes, including those that protect voting rights, fair elections, and ballot access. These positions were allocated to the USAOs in May 2023, and as of September 2023, 12 of these AUSAs have been onboarded. Throughout FY 2024, USAOs will continue to onboard attorneys to focus on civil rights.

## Strategic Objective 3.1: Protect the Right to Vote

**Performance Measure:** Number of new Voting Rights Act matters initiated [CRT]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	4	4	4	4
<b>Actual</b>	N/A	N/A	21	23	20	N/A	N/A

### Discussion of FY 2023 Results

FYs 2021-2023 reflect a significant departure from historical patterns. The unusually high results during this period cannot be expected to occur on a yearly basis. When there are large voting cases filed, such as in 2021-2022, extensive, resource-intensive litigation becomes necessary, and DOJ can expect a decrease in new cases for at least the subsequent year or two. However, the significant number of voting rights matters filed in FY 2023 highlights the crucial role DOJ continues to play in protecting and upholding democracy.

During FY 2023, the Department intervened as a party in a district court case to defend the constitutionality of Section 11(b) of the Voting Rights Act. The Department also filed a case against Union County, New Jersey under Section 203 and Section 208 of the VRA and obtained a consent decree regarding the provision of Spanish language assistance at the polls. CRT also continued to advance its significant litigation as a party challenging election practices in Georgia, Texas, Arizona, and Galveston County, Texas under the VRA, the National Voter Registration Act, and other federal voting laws. CRT continued its defense of the consent decree entered under Section 2 of the VRA that embodies a remedial method of election for the Louisiana Supreme Court, including filing as a party in the Fifth Circuit. In addition, the Department also filed numerous amicus briefs and statements of interest in cases to address important voting rights issues. For example, CRT filed statements of interest in federal district courts across the country to defend the private right of action under Section 2 of the Voting Rights Act and other election laws

**Disability Rights:** During FY 2023, CRT’s Disability Rights Section staff met routinely with the National Disability Rights Network (NDRN) and its state member protection and advocacy agencies. Information provided by NDRN and its state member agencies was helpful to the Department’s enforcement efforts that protect the voting rights of people with disabilities. CRT’s Disability Rights Section assisted the U.S. Attorney’s Office for the Eastern District of Kentucky to secure a settlement agreement with Kenton County, Kentucky, regarding polling place accessibility in January 2023. Additionally, CRT’s Disability Rights Section supported the U.S. Attorney’s Office for the Middle District of Pennsylvania, to secure a settlement agreement with Lycoming County, Pennsylvania in February 2023 regarding polling place accessibility, the sixth polling place accessibility investigation that USAO has resolved with a settlement agreement. CRT’s Disability Rights Section worked with the U.S. Attorney’s Office for the Central District of California on *United States v. Los Angeles County, CA*, a lawsuit alleging the County’s voting programs violate Title II of the ADA.

protecting the right to vote. Furthermore, the Department monitored elections across the country for the November 2022 midterm elections. This monitoring included a number of localities newly covered under the Census Bureau’s December 2021 determinations under the language minority requirements of Section 203 of the VRA.

### FYs 2024/2025 Planned Future Performance

Planned future performance is crucial to address the historical

barriers that have hindered ballot access for voters, including voters with disabilities and limited English proficiency. Additionally, it is essential to confront the alarming increase in violent and unlawful threats against election officials, workers, and volunteers. By advocating for equal access to the voting process and utilizing all available resources, CRT aims to uphold our system of government and restore public confidence in our elections in FYs 2024 and 2025.

### **Definition**

Number of new Voting Rights Act matters initiated by sending notice letters, reaching resolutions, filing complaints, or filing amicus briefs or statements of interest.

### **Data Validation, Verification, and Limitations**

CRT captures all litigation data in the Interactive Case Management WebTime system. Data in that system is validated periodically by Civil Rights Division staff.

## Strategic Objective 3.1: Protect the Right to Vote

**Performance Measure:** Percent of cases prosecuting threats of violence and intimidation against election officials that are favorably resolved [CRM]

	FY 2019	FY 2020	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	75%	75%	75%	75%
<b>Actual</b>	N/A	N/A	100%	90%	N/A	N/A

### Discussion of FY 2023 Results

During FY 2023, the Criminal Division continued to investigate and prosecute threats to the election community resulting in multiple guilty pleas and sentences of up to 42 months' imprisonment. CRM also continued to engage with the election community, attending dozens of meetings and conferences of state, local, and national organizations of election officials and provided nationwide training to federal law enforcement partners.

### FYs 2024/2025 Planned Future Performance

CRM places a priority on cases involving violence and threats to election officials. Cases are evaluated on their individual merits consistent with the Department's prosecution guidelines. Cases accepted for federal investigation 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. Additional criminal prosecutions support the Department's efforts to protect the right to vote.

### Definition

**Favorably resolved:** Disposition of a defendant's case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files. Cases applicable to this measure are determined by charges filed or program categories captured in the case tracking system.

**United States v. Solomon Pena et al.:** A former New Mexico House of Representatives candidate was charged with conspiracy, interference with federally protected activities through violence, and firearms offenses for an alleged shooting spree targeting the homes of elected officials and a candidate for office.

**United States v. Frederick Goltz:** Frederick Goltz was sentenced to three and a half years in prison for suggesting a "mass shooting of poll workers" and threatening two Maricopa County officials and their children.

### Data Validation, Verification, and Limitations

CRM captures all litigation data in its case tracking system, Docket. Data in that system are validated quarterly by the section chief in each of the litigating sections. Because the vast majority of the criminal referrals of hostile communications sent to the election community have not included a threat of unlawful violence, which is necessary to distinguish potentially criminal speech from protected speech, the Criminal Division expects a low number of dispositions for this key performance indicator each fiscal year.

## Strategic Objective 3.1: Protect the Right to Vote

**Performance Measure:** Percent of BOP facilities providing structured curriculum on voting rights to releasing individuals [BOP]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	49%	100%	100%	100%
<b>Actual</b>	N/A	N/A	99%	100%	100%	N/A	N/A

### Discussion of FY 2023 Results

TRULINCS, the electronic messaging system for correspondence for incarcerated individuals, was updated with the most current voting information for all states, and adults in custody from Maine, Vermont, Washington D.C., and Puerto Rico were encouraged to register and vote. To address the needs of adults in custody with disabilities, the National Voter Coordinator ran rosters to identify voters who may need assistance and reached out to the Reentry Affairs Coordinators at each institution where these voters were located to ask if they need special accommodations or assistance. The voting section was updated on the Reentry page on Sallyport, and all trainings, forms, documents and voting related information is available to BOP staff. A listing of contact information was posted for all 50 states, Puerto Rico, and D.C. elections divisions.

### FYs 2024/2025 Planned Future Performance

BOP invited stakeholders to submit articles in the monthly reentry newsletter that is distributed to all adults in custody. Restore the Vote submitted multiple articles informing them of their voting eligibility and provided contact information for all voting-related questions. A poster with educational voting information was developed and is awaiting approval for distribution to all institutions.

The League of Women Voters, in partnership with BOP, will be offering a virtual civics education class. The program will be

**Continuation of Postings to TRULINCS:** Postings to TRULINCS, have been made for upcoming election dates as well as general contact information listed for election resources of participating states and territories: Maine, Vermont, Puerto Rico, and the District of Columbia. Increasing awareness of voting opportunities to those eligible to vote can lead to increased voting among the incarcerated population.

introduced at Hazelton in February 2024 and will subsequently be rolled out to all institutions. In March 2024, the National Voter Coordinator is set to conduct voter education training for newly appointed Reentry Affairs Coordinators. This training is designed to equip the coordinators with the necessary resources to provide incarcerated individuals with educational materials on voting.

### Definition

BOP's Community Reentry Affairs Branch oversaw the creation of a uniform curriculum for the Release Preparation Program (RPP) Program Statement. The RPP is implemented for all inmates between seventeen and twenty months before their transition to the Residential Reentry Center, home confinement, direct release, or placement in federal location monitoring programs.

The Admissions and Orientation process for inmates includes providing them with information about their voting rights. This is

part of legal issues structure lesson plan, and the Bureau of Prisons supplies materials on voting, including handouts and other resources that can be used upon release. Additionally, inmates receive education on state-specific voting information when they are released to their Residential Reentry Centers.

### **Data Validation, Verification, and Limitations**

Data validation is provided by the Reentry Affairs Coordinators. Verification is conducted through pre- and post-testing from each institution.

## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

Combating discrimination and unlawful acts of hate remain an urgent and pressing mandate for the Justice Department. Historically, more than half of all hate crimes motivated by race and ethnicity have targeted Black Americans. In recent years, Asian American and Pacific Islander communities and businesses have experienced hateful, xenophobic rhetoric and violence. We have also seen sharp increases in hate crimes motivated by the sexual orientation or gender identity of the victim. And we have seen acts of hate that target houses of worship and religious communities. The Justice Department does not investigate or prosecute people because of their ideology or the views they hold, no matter how vile. However, the Department does have the authority, and will not hesitate to act, when individuals commit violent acts that are motivated by bias or hatred. More broadly, the Department will aggressively enforce federal statutes that protect against discrimination and other civil rights violations.

Key Performance Indicators	
Total Measures	Targets Achieved
4	4

### Highlights

**United States v. Proffitt:** In December 2022, the USAO for the Eastern District of Missouri and the Civil Rights Division accepted Nicholas John Proffitt’s guilty plea for hate crime and arson violations for burning down the Cape Girardeau Islamic Center in Cape Girardeau, Missouri. In April 2020, the first morning of the Islamic holy month of Ramadan, Mr. Proffitt set fire to the Islamic Center. The center suffered severe damage that rendered it unsuitable for use as a religious center. Mr. Proffitt admitted that he set fire to the center because of the religious character of the building. In August 2023, Mr. Proffitt was sentenced to 191 months in prison, followed by three years of supervised release, and ordered to pay more than \$551 million in restitution.

**Law Enforcement Language Access Initiative:** In December 2022, CRT’s Federal Coordination and Compliance Section announced the launch of the Law Enforcement Language Access Initiative. The initiative will: (1) develop technical assistance resources and tools to assist local and state law enforcement agencies in their efforts to provide meaningful language access to individuals and populations with limited English proficiency (LEP) within their jurisdiction; (2) affirmatively engage law enforcement agencies that want to review, update, and/or strengthen their language access policies, plans and training; (3) leverage collaboration with USAOs to conduct trainings in communities across the country to increase awareness of language access obligations and encourage widespread adoption of best practices by law enforcement agencies; and (4) strengthen DOJ’s ties and engagement with LEP community stakeholders and populations with LEP.

**United Against Hate Community Outreach Program:** In early 2023, CRT and EOUSA analyzed and revised the UAH program materials and EOUSA continually updates the Toolkit for Combating Hate Crimes and Incidents which houses the UAH materials, including adding translated materials with the assistance of ATJ. By the end of FY 2023, all 94 USAOs had launched the UAH program in their districts, holding more than

200 events ranging from small, collaborative UAH meetings with a select group of community leaders to large formal events with broad public attendance.

***United States v. Foxworth:*** Larry Edward Foxworth was sentenced in March 2023 to 20 years in prison, followed by five years of supervised release. He was also ordered to pay restitution of \$1,000. In December 2022, the USAO for the Northern District of Georgia and CRT accepted Mr. Foxworth's guilty plea to a federal hate crime and a firearms violation for shooting into two Clayton County convenience stores in an attempt to kill those inside because of their race and ethnicity. While in police custody at the scene, Mr. Foxworth made multiple statements explaining that he was targeting Black people and others he perceived as Arab. Mr. Foxworth expressed hope that he had killed his targets and professed belief in white supremacist ideology and an allegiance to a white supremacist organization.

**Preventing Youth Hate Crimes and Identity-Based Bullying Initiative:** OJP's Office of Juvenile Justice and Delinquency Prevention created the Youth Hate Crimes and Identity-Based Bullying Prevention Curriculum, which consists of ten units geared towards middle to high school-age youth. OJJDP plans to host a two-day train the trainer event by the end of 2023 to train facilitators to pilot the curriculum in several areas across the country. OJJDP hosted a webinar on combating anti-Semitism in June 2023. OJJDP is also planning the second virtual OJJDP Youth Hate Crimes and Identity-based Bullying Prevention Symposium, which will take place October 17-18 to coincide with Bullying Prevention Month. In addition, OJJDP created a Preventing Youth Hate Crimes and Identity-Based Bullying Fact Sheet.



## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

**Performance Measure:** Number of Title VII and Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) investigations [CRT]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	20	20	20	20
<b>Actual</b>	N/A	N/A	26	22	28	N/A	N/A

### Discussion of FY 2023 Results

In FY 2023, CRT’s Employment Litigation Section (ELS) opened 20 investigations of employment discrimination allegations under Title VII and USERRA. CRT ELS also filed four complaints in federal district court to secure relief for violations of federal law and secured more than \$3 million in relief to victims of unlawful discriminatory practices. In addition, CRT ELS assumed responsibility for enforcement of a new statute, the Pregnant Workers Fairness Act (PWFA), which became effective on June 27, 2023. CRT ELS trained staff on the parameters of this new statute, advised on related rulemaking, and began working on PWFA charges with the Equal Employment Opportunity Commission. Additionally, CRT ELS focused on enhancing community engagement through comprehensive, outreach initiatives, including more than half a dozen engagement events with stakeholders. CRT ELS developed and distributed public education materials relating to its enforcement authorities and published versions of these materials translated into numerous languages on the website.

### FYs 2024/2025 Planned Future Performance

In FY 2024, CRT ELS will continue to build on its work in connecting with stakeholders to maximize enforcement opportunities under Title VII and the PWFA. In FYs 2024 and 2025, planned future performance includes continuing to hold stakeholder events. CRT will continue to focus on plaintiffs’-side Title VII lawyers, affinity groups, and nonprofits to open the lines of communication

**Quarterly Outreach Meetings:** CRT and its DOJ partners meet quarterly with Arab, Hindu, Muslim, Sikh, and South Asian community groups. During the meetings, federal agencies provide updates and announcements that may be relevant to Arab, Hindu, Muslim, Sikh, or South Asian communities, including updates about cases and other agency enforcement, policies, events, or outreach developments. Community groups also discuss matters of concern that federal agencies may be interested in, such as matters related to travel and immigration, policing and security, discrimination, education, employment, finance and banking, and bias-motivated crimes. As a result of these meetings, the Department’s federal partners can directly respond to citizen concerns and complaints with resources and actions.

with those who are well-positioned to identify enforcement matters, which in turn generates actionable leads. Also, additional outreach efforts will take other forms as well, such as roundtables, an increased social media presence, and web-based materials in multiple languages. In FY 2024, CRT ELS will also continue conducting investigations and initiating litigation under Title VII, USERRA and the PWFA to address unlawful workplace discrimination, provide monetary relief to victims of discrimination, and secure injunctive relief that requires employers to remedy and prevent unlawful workplace practices.

## Definition

**Title VII of the Civil Rights Act of 1964:** Title VII prohibits employment discrimination based on race, sex (including pregnancy and related conditions, sexual orientation, and gender identity), color, religion, or national origin.

**The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA):** USERRA protects the employment rights of U.S. service members.

**The Pregnant Workers Fairness Act:** The PWFA requires covered employers to grant “reasonable accommodations” to qualified job applicants and workers with known limitations because of pregnancy, childbirth, or related medical conditions.

Title VII, USERRA and PWFA authorized investigations and litigation can be brought across the entire United States and the territories. For investigations that lead to litigation, complaints are filed in federal court and the cases are resolved through consent decree, settlement agreement, or favorable judgment to United States.

## Data Validation, Verification, and Limitations

CRT captures all litigation data in Interactive Case Management WebTime system. Data in that system are validated periodically by Division staff. CRT will include PWFA cases in this measure upon law implementation; investigations are expected to begin in FY 2024.

## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

**Performance Measure:** Number of limited English proficiency individuals who access Department-funded materials in their native language to understand federal hate crimes and anti-discrimination laws [CRT]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	30,000	35,000	35,000	35,000
<b>Actual</b>	N/A	N/A	N/A	35,403	57,895	N/A	N/A

### Discussion of FY 2023 Results

The results increased significantly between FYs 2022 and 2023 due to increased outreach and engagement efforts and improvements to the quality and volume of information available to communities with limited English proficiency on hate crimes and civil rights laws enforced by the Department. This coincides with the Department establishing a full-time Department-wide Language Access Coordinator within ATJ. The Department’s hate crime reporting outreach program, United Against Hate, has been critical to steering communities with LEP to in-language resources on the Department’s hate crimes enforcement and prevention website. ATJ collaborated with CRT and EOUSA to get UAH presentation materials translated into 19 languages. USAOs are also employing interpreters and bilingual staff to ensure that communities with LEP can participate in UAH events.

### FYs 2024/2025 Planned Future Performance

In FYs 2024 and 2025, CRT’s planned future performance will focus on expanding translated content, particularly in those languages most spoken by people with LEP. This will involve better aligning content across languages, particularly in Spanish, to ensure that visitors with LEP have access to the same information that is available in English.

### Definition

This measure focuses on LEP individuals who access DOJ materials. Per Google, “A pageview (or pageview hit, page tracking hit) is an

### Translating Content of DOJ Hate Crimes and Hate Incidents

**Webpages:** In FY 2023, the Office for Access to Justice launched a pilot translation initiative to support components that have high levels of interaction with individuals with LEP in covering the costs and processing the translation of vital public-facing content. In this role, ATJ responds to translation requests, provides technical assistance on the translation process, and coordinates requests as well as tracks and maintains data. As part of this initiative, ATJ is collaborating with the Hate Crimes and Incidents Initiative, CRT, and the FBI in ongoing work to ensure that hate crime reporting websites are translated and accessible to individuals with LEP and those who are Deaf and/or Hard of Hearing and are following directives and guidance included in the recently-modernized DOJ Language Access Plan. ATJ partnered with JMD to translate justice.gov interface words that support the content of DOJ’s websites and ensure virtual navigation is accessible for individuals with LEP. Similarly, ATJ also coordinated with 14 USAOs to increase translated content.

instance of a page being loaded or reloaded in a browser. Pageviews is a metric defined as the total number of pages viewed.”

### Data Validation, Verification, and Limitations

Pageviews are not limited to LEP individuals, and though they aren’t the exclusive users, DOJ assumes that most people using non-English content are speakers of those languages. Pageviews of

translated content are being used as a proxy for access of and awareness for LEP individuals.

## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

**Performance Measure:** Percent of United States Attorney’s Offices that meet at least annually with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents [USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	65%	100%	100%	100%
<b>Actual</b>	N/A	N/A	27%	81%	100%	N/A	N/A

### Discussion of FY 2023 Results

As a result of their efforts to address hate crimes, USAOs reported numerous instances in which perpetrators of hate crimes were held accountable. In FY 2023, 94 out of 94 (100 percent) USAOs met with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents. After a successful pilot of the United Against Hate Community Outreach Program, the Department implemented the program across all USAOs by the end of FY 2023. In total, USAOs held hundreds of meetings and events that included thousands of participants from law enforcement partners and a wide variety of communities. EOUSA, CRT, and other stakeholders within the Department continued to provide training and resources to the USAO community to facilitate their work with local law enforcement partners and community stakeholders.

USAOs reported that these efforts led to progress in the goals of increasing community understanding and reporting of hate crimes; building trust between communities and law enforcement; and creating stronger alliances to prevent and combat hate crimes. They reported successful education programs, and some specifically reported that their programs had resulted in investigative leads and referrals on potential hate crimes and bias-motivated incidents. USAOs also reported improvements in communication and trust between law enforcement communities, including establishing or

**Hate Crimes Enforcement and Prevention Initiative:** The Hate Crimes Enforcement and Prevention Initiative, led by CRT, coordinates efforts to eradicate hate crime, in part through training, outreach, and education courses to federal, state, local, and tribal levels law enforcement agencies and the public. The initiative reflects multiple components' combined and sustained efforts, including Community Oriented Policing Services (COPS), Community Relation Service (CRS), the FBI, OJP, and the USAOs. Increasing hate crime reporting by victims is a major objective for the Department’s Hate Crimes Enforcement and Prevention Initiative and ensuring the availability of in-language hate crime resources is critical to that effort. CRT co-chairs with CRS a multi-component editorial board team responsible for website content and improvements, providing resources and information in multiple languages.

strengthening relationships with particularly at-risk groups such as faith, LGBTQIA+, and racial minority communities. USAOs also reported developing stronger connections with formal and informal working groups, task forces, coalitions, and other alliances against hate.

### FYs 2024/2025 Planned Future Performance

To achieve the targets for FYs 2024 and 2025, EOUSA will encourage USAOs to continue to hold UAH events and to join hate

crime alliances, including forming such alliances in districts where they are not currently present. EOUSA will continue to provide updated resources and information to USAOs to support their work with community representatives and local civil rights leaders on hate crimes and incidents.

### **Definition**

Percentage of USAOs that engage in outreach events or other mechanisms to build trust, raise awareness, and educate the community in their districts regarding identification and reporting of hate crimes or incidents.

### **Data Validation, Verification, and Limitations**

The data for this metric will be gathered annually by surveying the USAOs. EOUSA will provide substantive guidance to USAOs on the data collection process for this metric.

## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

**Performance Measure:** Percent of criminal cases addressing civil rights violations, including hate crimes, favorably resolved [CRT]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	80%	85%	85%	80%
<b>Actual</b>	89%	93%	96%	100%	93%	N/A	N/A

### Discussion of FY 2023 Results

The number of hate crimes cases brought by the Civil Rights Division and the Department nearly doubled between FYs 2021 and 2023. In fact, in FY 2023 the Department charged more hate crimes cases than at any time since FY 1999. In addition to the increasing number of cases brought, there also appears to be an increase in the number of mass casualty hate crimes. The Department successfully resolved mass casualty cases such as the *United States v. Crusius* (fatal shootings at an El Paso, TX Walmart), *United States v. Bowers* (fatal shootings at a Pittsburgh synagogue), and *United States v. Earnest* (fatal shooting at a California synagogue and arson of a California mosque). The Civil Rights Division has surged training and outreach efforts to combat hate crimes. Specifically, CRT has: 1) presented on the topic of investigating, prosecuting, and combating hate crimes at multiple regional FBI trainings; 2) provided multiple live and recorded anti-hate crime webinar trainings that are now available on demand; 3) written DOJ articles on hate crimes; 4) strengthened coordination with other components including the National Security Division and the FBI's Domestic Terrorism Section to include conducting multiple joint trainings; 5) developed and conducted a three-day hate crimes symposium at the National Advocacy Center; 6) rolled out the United Against Hate program in conjunction with all 94 USAOs; and 7) continued to update and monitor traffic to CRT's hate crimes website.

***United States v. Sechriest:*** In April 2023, the USAO for the Western District of Texas and CRT's Criminal Section accepted Franklin Sechriest's guilty plea to a hate crime and arson in connection with a fire he set at a synagogue. The defendant admitted that he targeted the synagogue because of his hatred of Jews. The defendant drove to the synagogue on the night of the arson and was seen on surveillance video carrying a five-gallon container and toilet paper toward the sanctuary. Moments later, multiple surveillance videos captured the glow of a fire from the direction of the sanctuary. Mr. Sechriest faces a maximum sentence of 20 years in prison and a \$250,000 fine.

### FYs 2024/2025 Planned Future Performance

The Division has surged resources into identification of hate crimes and training and community engagement to combat hate crimes. Working partners to include the FBI have dedicated increased resources to include additional agents to combat hate crimes as well as improving efforts to accurately collect hate crimes data. We expect these efforts to continue into FYs 2024 and 2025.

### Data Validation, Verification, and Limitations

CRT captures all litigation data in the Interactive Case Management WebTime system. Data in that system are validated periodically by Division staff.

## **Definition**

**Favorably resolved:** Disposition of a defendant's case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files.

**Civil rights violations:** Includes all civil rights criminal cases. These cases focus on primary civil rights statutes including hate crimes (18 U.S.C. 247,249; 42 U.S.C. 3631), human trafficking (18 U.S.C. 1201, 1591, 1592, 1594, 2422), and color of law (18 U.S.C. 242, 1512), as well as a number of general criminal statutes that may be associated with a particular case.



## Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

Criminal and juvenile justice systems – at the federal, state, local, and tribal levels – serve an important role in protecting communities and seeking justice for victims. For these systems to be effective, they must be fair, open, and equitable; ensure that sanctions are proportional to the gravity of offenses committed; utilize evidence-based approaches; show mercy where appropriate; and promote rehabilitation. For too long, however, these systems have not lived up to their promise. The Justice Department is committed to using every tool available to become a national and international role model for innovative and effective criminal and juvenile justice reform.

Key Performance Indicators	
Total Measures	Targets Achieved
4	1

### Highlights

***United States v. Garcia:*** In March 2023, former prison warden Ray J. Garcia was sentenced to 70 months following his convictions for sexually abusive conduct against three female victims serving prison sentences and making false statements to government agents. The USAO for the District of Northern California secured the conviction in December 2022. In addition to the prison term, Mr. Garcia must pay a \$15,000 fine and serve 15 years of supervised release after the prison term.

***United States v. Jenkins:*** In September 2023, Lieutenant Mohammad Shahid Jenkins, a former Alabama Department of Corrections (ADOC) officer, pleaded guilty to federal civil rights and obstruction offenses for assaulting a restrained inmate at ADOC’s Donaldson Correctional Facility and lying to cover it up. The defendant repeatedly entered an inmate’s cell to assault him, falsified an ADOC incident report, and lied to investigators about the incident. Additionally, Mr. Jenkins admitted that he also used chemical spray repeatedly on another inmate, who was handcuffed behind his back, and then struck him in the head while he was suffering the effects of chemical spray. Mr. Jenkins faces a maximum sentence of 10 years in prison on an excessive force charge and 20 years in prison on an obstruction charge. He also faces up to three years of supervised release and a fine of up to \$250,000.

**Use of Force Training Review:** The Drug Enforcement Administration reviewed other agencies’ use of force training to identify strengths and weaknesses in its training. Two DEA use of force instructors attended the U.S. Marshals Service’s High Risk Fugitive Apprehension Training in July of 2023. The instructors were able to observe the training and discuss how to implement aspects of the training and drills into future use of force training. DEA and USMS are still in contact and are reviewing dates for USMS instructors to attend use of force training at the DEA Training Academy. DEA use of force instructors have also been in discussions with members from United States Secret Service, United States Postal Inspection Service, and the New York Police Department to discuss use of force policy, training, and observing training at each of the respective agencies.

**DEA Body Worn Camera Legal Symposium:** In May 2023, DEA hosted a symposium to address legal proceedings from BWC video capture to courtroom. The agenda included identifying what topics of technical testimony could occur in court types of testimony and the stage testimony is conducted in civil or criminal proceedings. Additional topics covered were questions for witnesses during cross-examination (i.e., absence of BWC footage) and general legal considerations about BWC policy, operational use, and deployment. The symposium included participants from ATF, USMS, FBI, and the Bureau of Land Management. Since BWCs are relatively new to the federal government, this training better prepared those in attendance for a holistic approach to the implications of BWCs in law enforcement operations.

**Pattern or Practice Investigations:** CRT and USAOs are investigating whether law enforcement agencies have engaged in a pattern or practice of unconstitutional law enforcement activities. For example, in November 2023, the USAO for the District of Massachusetts and CRT opened a civil investigation to assess whether the Worcester Police Department (WPD) engages in a pattern or practice of excessive force or discriminatory policing based on race or sex. The investigation will include a comprehensive review of policies, procedures, trainings, investigatory files, and data. The investigation will also include reviewing WPD's accountability systems, including its systems to address misconduct complaints and discipline. The Department will also evaluate how WPD officers interact with the public, collect evidence, and complete investigations.

## Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

**Performance Measure:** Percent of federal law enforcement officers who receive use of force sustained training within a three-year period [ATF, BOP, DEA, FBI, USMS]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	85%	95%	96%	98%
<b>Actual</b>	N/A	N/A	N/A	92%	96%	N/A	N/A

**Additional Training Simulators:** In FY 2023, the DEA Use of Force Unit received three additional training simulators. This allowed DEA to utilize more use of force field trainers at the sustainment trainings, conduct more training scenarios, and efficiently complete the training. A special agent/attorney joined the Use of Force Unit in June 2023. The new special agent/attorney provides DEA with more flexibility in both training at the DEA Training Academy and out in the field at the use of force sustainment trainings.

### Discussion of FY 2023 Results

The Bureau of Alcohol, Tobacco, Firearms and Explosives, the Federal Bureau of Prisons, the Drug Enforcement Administration, the Federal Bureau of Investigation, and the U.S. Marshals Service achieved the target for this measure and continue to further the policy of the Department to value and preserve human life.

ATF completed use of force training for all law enforcement every fiscal year, versus on a three-year cycle. ATF continues to ensure that sections of the use of force training are completed each quarter.

During FY 2023, BOP exceeded the target. Use of force training is included in three specific courses: Introduction to Correctional Techniques Phase I, Introduction to Correctional Techniques Phase

II, and Annual Training. All BOP employees who work in a correctional institution are required to complete it within the first year of employment and annually thereafter. Therefore, the employees are much less likely to fall short of the three-year requirement.

Through the fourth quarter of FY 2023, the number of DEA special agents who received use of force sustainment training was 2,149. Based on special agents onboard at the end of the year in FY 2021, DEA reports that 67 percent of its federal law enforcement officers onboard have received use of force training. DEA has achieved approximately 106 percent of its 2023 target. In FY 2023, DEA's Use of Force Unit (CCTF) trained a total of 1,522 people; 906 were special agents, 586 were task force officers, and an additional 30 people were neither. CCTF accomplished this by traveling to approximately 26 DEA offices in order to conduct the training. In the third quarter of FY 2023, CCTF also hired a new supervisory special agent/attorney.

The FBI taught Semi-Annual Legal Training 2023 (DOJ Use of Force Policy) for FY 2023. 13,939 FBI agents and FBI police were assigned this mandate. Of those, 13,277 completed the training. While not mandated, two task force officers also completed the course. In addition to the use of force training, the FBI changed the tactical training program policy to increase the mandatory

requirement for agents to attend tactical training to four times per year instead of two. Additionally, lessons learned from any FBI reviews, i.e., shooting incident review teams, may be incorporated into future training curriculum.

The USMS conducted training in FY 2023 designed to improve law enforcement officers' overall performance and decision-making during stressful encounters, ultimately decreasing the number of use of force situations and increasing the probability of successful non-violent outcomes. A partnership with the Office of Community Oriented Policing Services was forged and provided 23 state and local law enforcement officers from across the United States with an evidence-based Officer Safety Training-Human Performance (OST-HP) course. The OST-HP course immersed these task force law enforcement officers into real-world scenarios and provided the opportunity to participate in training that they would otherwise not have access to.

### **FYs 2024/2025 Planned Future Performance**

The DOJ law enforcement components will go into the third year of the three-year measure having already met the target in year two. ATF, BOP, and the FBI will continue to exceed the target of the KPI by offering use of force training annually.

The DEA Training Academy plans to host additional basic agent classes at the DEA Training Academy in FY 2024. In order to maintain a high level of use of force instruction at the DEA Academy and in the field, CCTF has requested a special government expert that CCTF will utilize as an additional instructor. It is anticipated that the position will be advertised and filled prior to the end of FY 2024. Frequently reported among the use of force course evaluations completed by DEA basic agent trainees at the DEA Training Academy in FY 2023 are requests for more judgmental shooting scenarios. In response, in FY 2024, CCTF plans to add an additional four-hour block of judgmental shooting instruction to the DEA curriculum. During FYs 2024 and 2025, CCTF plans to create

additional judgmental shooting scenarios to add to their library of scenarios. These scenarios will be modeled after justified and adjudicated legal case shootings involving DEA and other law enforcement agencies with a goal to offer more realistic and diverse scenarios in our training. During FY 2024, CCTF will foster contacts with other federal and state law enforcement departments in order to observe their use of force training and share DEA's. Such agencies as the New York Police Department, USMS, and United States Secret Service intend to host DEA at their training academies to observe their training.

The USMS will continue to provide an annual computer-based course on Department of Justice and USMS use of force policies and relevant Supreme Court cases. Additionally, operational personnel are required to complete an annual Tactical Familiarization Course during one of their biannual firearms qualifications focusing on use of force decision-making. Lastly, a newly enforced policy mandating an annual 24 course hours including training on use of force, less-than-lethal, firearms, active shooter, active threat, and enforcement tactics is now in place. Through data analytical tracking, consistent management review, and an updated and enforced policy, the USMS will be able to meet a 90 percent compliance rate in use of force training by the end of FY 2024.

### **Definition**

Use of force training, as developed by each DOJ law enforcement component consistent with the Attorney General's May 20, 2022 updated use of force policy, is delivered to each special agent at least once every three years.

### **Data Validation, Verification, and Limitations**

Each law enforcement component will manage its own internal data tracking and validation process. The data will be monitored by each component as well as the Department throughout the fiscal year. The Department will report aggregated data on an annual basis.

# Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

**Performance Measure:** Percent of participants in CRS-facilitated police-community relations programs who perceive stronger community capacity to address alleged inequities [CRS]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	80%	N/A	Discontinued	
<b>Actual</b>	N/A	N/A	75%	75%	N/A		

### Discussion of FY 2023 Results

CRS is discontinuing this KPI. CRS only conducted one level three evaluation in FY 2023, and the community did not provide a release for CRS to disclose the case study. Thus, CRS has no FY 2023 data to report for 3.3. Due to limited data the current measure does not reflect the work that CRS is providing to communities. CRS is currently working on improving its performance measures to more accurately capture impact on communities.

### FYs 2024/2025 Planned Future Performance

This measure is being discontinued.

### Definition

CRS-facilitated dialogue programs convene diverse stakeholders in a structured problem-solving process to identify issues impacting the community and to develop solutions to address these issues.

### Data Validation, Verification, and Limitations

CRS collects evaluation data from program participants, including community members and public officials via online surveys and focus groups. The data are analyzed by CRS to identify trends and then synthesized for internal and external reporting. They are validated and verified by comparing the survey and interview results and identified outcomes (for example, SPCP Council accomplishments) to confirm consistency and identify any anomalies warranting further investigation. The data have limitations, including voluntary completion of surveys, voluntary participation in focus groups, potential respondent bias in areas such as their assessment of their own capabilities, voluntary release of findings, and recall accuracy of survey and focus group participants.

## Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

**Performance Measure:** Percent of federal law enforcement officers equipped with body-worn cameras and associated training [ATF, DEA, FBI, USMS]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	20%	38%	60%	80%
<b>Actual</b>	N/A	N/A	1%	6%	28%	N/A	N/A

### Discussion of FY 2023 Results

ATF, DEA, FBI, and USMS reached 28 percent of agents trained and equipped with body worn cameras.

In FY 2023, ATF deployed 428 BWCs to the field, bringing the total for the fiscal year to 497, which is 37 percent of the agency’s special agents. BWCs deployment included training on the use of the camera as well as the proper management of the digital evidence. The BWC program is also providing two BWC division administrator trainings to personnel from every ATF division to assist in the proper management of digital evidence via body worn camera recording. The BWC program is coordinating with ATF policy personnel to revise policies governing the reporting and control of digital evidence taken into ATF custody, specifically BWC recordings.

During FY 2023, DEA El Paso Field Division became the second division outfitted with body worn cameras across all offices within their area of responsibility. DEA also continued deployment of BWCs to members of the Special Response Teams (SRT) in the Detroit and Houston field divisions. The DEA Critical Incident BWC Management and Pre-release Video Handling Guide was finalized in FY 2023. This mission-critical resource is a step-by-step guide for processing BWC video following a critical incident, depicting the entirety of the lifecycle from video capture to public release. In May

### The Bureau of Alcohol, Tobacco, Firearms, and Explosives’

**BWC Program:** The ATF BWC program conducted two Critical Incident Practical Exercises in November 2022 (Detroit Field Division) and April 2023 (Phoenix Field Division). These exercises were designed to help ATF successfully deal with a BWC media release. Both scenarios provided insight into developing the most effective and efficient way to attempt to meet the challenging timeframe should either scenario occur. As of the end of FY 2023, the ATF BWC program has been successfully deployed in 34 offices within the following Field Divisions: Detroit, Phoenix, Washington, Baltimore, Seattle, and Denver.

**BWC Inquiry Submission Tool:** DEA implemented the inquiry submission tool in July 2023; because of this, a database was deployed enterprise-wide to allow electronic submissions, categorizations, tracking, and recording of all BWC-related inquiries. Since the inquiry submission tool’s implementation, DEA has received a total of five inquiries related to training, task force officers, records management, and legal/policy issues. It is anticipated the volume of inquiries will increase as deployment efforts continue.

2023, DEA hosted a symposium designed to address legal proceedings from BWC video capture to courtroom. To help streamline training efforts, DEA launched a comprehensive policy e-

course in summer 2023. This course is required for all DEA special agents and task force officers who will be issued cameras. To help keep pace with program expansion, DEA established a formal BWC Section to coordinate and oversee the enterprise-wide deployment of BWCs. DEA also entered into a contract to provide support for FOIA processing, redaction activities, video review and analysis, investigative assistance, and training.

The FBI's FY 2023 BWC deployment was significantly delayed by the timing of the FY 2023 final appropriations. Since this is a new program, no funding was received during continuing resolutions. As such, deployment was unable to begin until May 2023, following the receipt and procurement timelines. Despite this setback, field office onboarding has accelerated significantly and will be complete ahead of the original timeline. The FBI BWC program proceeded to equip a total of 17 field offices with BWCs by the end of FY 2023. Once an office is equipped, agent training begins. The FBI Academy implemented training on the use of body worn cameras in the Basic Field Training Course to new agent trainees at the end of FY 2022. In FY 2023, the FBI trained 701 new agents.

The USMS accomplished its goal of implementing body worn cameras for 38 percent of deputy U.S. marshals. Previously, training was only conducted in person, requiring an extensive amount of travel for team members. Beginning FY 2023, the USMS made this training available online via a pre-recorded video, allowing for more task forces to train in less time. This flexibility produced significant cost savings of over \$100,000 per year through reduced travel costs. This improved efficiency not only conserves agency resources, but also helps the program provide training to more partner agencies to help build trust with the community members they serve.

### **FYs 2024/2025 Planned Future Performance**

Body worn camera implementation will continue in FY 2024 and into FY 2025. In FY 2024, the ATF BWC program will continue to deploy BWCs to 257 Special Response Team members, which

includes SRT operators, medics, and crisis negotiators. The SRT deployment is scheduled to be completed by the end of May 2024. In addition, the BWC program will deploy BWCs to the Kansas City Field Division in January 2024. Through the first quarter of FY 2025, DEA aims to train and equip all special agents — approximately 2,800 — across the remaining 19 field divisions. Additionally, DEA will continue efforts to fully staff the newly formed BWC Section. All FBI field offices will be equipped with BWCs by the end of FY 2024, and all field offices will begin training agents. Agent training will be complete prior to the end of FY 2025.

The USMS BWC program will continue its enterprise-wide implementation of BWCs across the agency with the goal of reaching 68 percent of deputy U.S. marshals trained and equipped by the end of FY 2024, and with proper funding, 100 percent by the end of FY 2025. To achieve these goals, the BWC program is using the additional resources received in FY 2023 (funding, positions, etc.) to equip all USMS district and task force offices with the necessary IT infrastructure needed to operate BWCs and working closely with districts and task forces to schedule their BWC deployments in a way that is both efficient for the program and has the least impact on their day-to-day missions and operations.

### **Definition**

Number of special agents in roles where the Deputy Attorney General's BWC guidance applies equipped with BWCs and required training, divided by total number of onboard agents at the end of the measured period.

### **Data Validation, Verification, and Limitations**

Each law enforcement component will manage its own internal data tracking and validation process. The data will be monitored by each component as well as the Department throughout the fiscal year. The Department will report aggregated data on an annual basis.

# Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

**Performance Measure:** Percent of Justice Assistance Grant Program law enforcement grantees using innovation and evidence-based practices [OJP]

	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023	CY 2024	CY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	9%	11%	12%
<b>Actual</b>	N/A	N/A	N/A	11%	8%	N/A	N/A

### Discussion of FY 2023 Results

Law enforcement agencies funded under the Byrne Justice Assistance Grant (JAG) program are implementing best and promising policing practices and developing policies and procedures that promote accountability and improve training and hiring practices. In addition to the nine statutory program areas, BJA funds and assesses activities related to advancing justice system reform efforts, consistent with President Biden’s Executive Order 14074, Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety, and the Safer America Plan.

### FYs 2024/2025 Planned Future Performance

BJA will use this data to help determine the degree to which grant funds have been used to promote police reform activities and will continue to encourage evidence-based practices.

### Definition

The percentage of grantees who used innovation and evidence-based practices to conduct police reform activities with JAG funds within four broad topic areas including 1) accountability; 2) hiring, training, and internal agency culture; 3) community trust, partnerships and problem-solving; and 4) other.

**Reforming Supervision Practices and Policies:** As part of OJP’s efforts to address justice reform and increase fidelity to evidence-based practices, the Bureau of Justice Assistance supports Minnesota’s Justice Reinvestment Initiative (JRI) to reform statewide community supervision funding formulas and help achieve consistent quality access to community supervision across the state. In the 2023 legislative session, the Minnesota State Legislature passed Senate File 2909, a JRI-informed bill that aimed, in part, to ensure that Tribal Nations have direct access to supervision funding without requiring state or county supervision. This enacted legislation allows Tribes to direct resources to provide culturally responsive programming and treatment that will be more effective for Native Minnesotans on community supervision. This new law also establishes a Community Supervision Advisory Committee, which is required to provide written advice and recommendations to the Minnesota Department of Corrections to develop policy on issues that include gender-responsive, culturally-appropriate, and trauma-informed services.

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program



effectiveness. Grantee performance data are verified by analysts' review, electronic controls in the reporting systems, and grant managers' programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric.

## Strategic Objective 3.4: Expand Equal Access to Justice

Millions of people across the United States face barriers and inefficiencies in our legal systems that undermine trust in government and the rule of law. The Department of Justice has a fundamental responsibility to expand equal access to justice for all, regardless of income, status, or identity. Equal access to justice requires innovative and community-centered approaches, including through improving the Department’s use of technology, expanding language and disability access, and pursuing culturally competent approaches. Equal access to justice also requires transparency, study, and constant evaluation through improved research and data collection to better understand access-to-justice gaps and better gauge whether programs are effective, equitable, and accessible.

Key Performance Indicators	
Total Measures	Targets Achieved
2	2

### Highlights

**Federal Government Pro Bono Program:** The Federal Government Pro Bono Program, housed in ATJ, increases access to high-quality legal assistance to indigent members of the public by recruiting and training federal government attorneys and legal staff and connecting them with vetted pro bono volunteer opportunities. It works closely with nonprofit legal services organizations nationwide to develop appropriate opportunities for federal volunteers. In FY 2023, in addition to facilitating the placement of pro bono cases and transactional matters, the Pro Bono Program hosted its annual Federal Government Pro Bono Week 2022 (October 2022), judicial collaborations, and numerous events promoting pro bono engagement, including legal clinics, trainings, and presentations. In September 2023, the Pro Bono Program launched an eighth branch in Atlanta, Georgia, to expand its ability to serve the public.

**Promoting Economic Justice by Supporting Reduced Reliance on Fines and Fees:** In April 2023, the Department issued a Dear Colleague letter to state and local courts and juvenile justice agencies regarding imposing and enforcing fines and fees for adults and youth, co-authored by CRT, ATJ, and OJP. The letter addressed common court-imposed fines and fees practices and cautioned against those practices that may be unlawful or unfairly penalize individuals who cannot pay or otherwise have a discriminatory effect. The Bureau of Justice Assistance also issued a solicitation, *The Price of Justice: Rethinking the Consequences of Fines and Fees*, to select a training and technical assistance provider to work in partnership with five state, local, or tribal criminal justice agencies or systems to address the use of fines and fees.

**Review and Recommendations Concerning Access to Counsel at the Federal Bureau of Prisons’ Pretrial Facilities:** In March 2023, Deputy Attorney General Monaco convened an Advisory Group, co-led by ATJ and BOP, to conduct a comprehensive 100-day review of the best practices and policies related to access to counsel in BOP pretrial facilities. The review included an analysis of existing policies and practices, data collection, interviews with stakeholders, site visits, and general research and analysis to inform a report and set of recommendations. This report was released publicly by the Deputy Attorney General on July 21, 2023, containing over 30 immediate and incremental recommendations to safeguard statutory and due process rights to counsel. Five short-term recommendations were implemented in the last quarter of FY 2023,

including the creation of a Legal Access Advisor position in BOP staffed by an ATJ Senior Counsel. The majority of the remaining recommendations are planned to be implemented before the end of FY 2024.

**Human-Centered Design to Expand Access to Justice:** ATJ piloted an initiative with two components to integrate best practices in human-centered design alongside access to justice principles and research to ensure Department programs and resources are accessible and responsive to the needs of diverse communities. ATJ partnered with the U.S. Trustee Program to collect feedback from legal aid providers to increase the accessibility of virtual bankruptcy meetings for people from low-income and rural communities. ATJ also collaborated with the Office of the Pardon Attorney (PARDON) to redesign the form used to request a Presidential pardon based on feedback from people familiar with the form. In addition, ATJ facilitated a partnership with the 10x program at the General Services Agency to develop a prototype of a web submission option for the PARDON form. ATJ plans to expand the pilot to a Department-wide initiative in the next fiscal year.

## Strategic Objective 3.4: Expand Equal Access to Justice

**Performance Measure:** Percent of eligible individuals represented by consistent defense counsel throughout that individual’s justice system involvement [OJP]

	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023	CY 2024	CY 2025
<b>Target</b>	N/A	N/A	N/A	N/A	65%	75%	75%
<b>Actual</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A

### Discussion of FY 2023 Results

Actual results are not yet available for 2023. OJP expects verified data for 2023 actuals in spring 2024 from awardees from the Juvenile Indigent Defense and Juvenile Justice Mental Health Collaboration programs.

### FYs 2024/2025 Planned Future Performance

The Department of Justice has a responsibility to ensure equal access to justice for all. By having one defense counsel at all stages of representation for a case (i.e., arraignment, hearings, trial, sentencing, appeal, and reentry), eligible individuals are represented in a consistent manner. Counsel has increased time and familiarity with individuals, which assists with defense advocacy.

### Definition

OJP is measuring the percent of eligible individuals receiving vertical representation.

**Vertical representation:** Individual is represented by one defense counsel during all stages of their case under the jurisdiction of the juvenile justice system (i.e., arraignment, hearings, trial, sentencing, appeal, and reentry).

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts’ review, electronic controls in the reporting systems, and grant managers’ programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric.

## Strategic Objective 3.4: Expand Equal Access to Justice

**Performance Measure:** Number of Justice Department strategic partnerships established by the Office for Access to Justice [ATJ]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	6	10	Discontinued	
<b>Actual</b>	N/A	N/A	N/A	10	22		

### Discussion of FY 2023 Results

In FY 2023, the Office for Access to Justice successfully met and surpassed its performance target for establishing strategic partnerships. ATJ facilitates partnerships to achieve equal access to justice objectives, establishing strategic partnerships with federal, state, local, tribal, and territorial governmental actors, as well as social service providers, public defenders, civil legal aid providers, courts, community members, legal technology experts, and global partners including foreign governments, international organizations, and civil society organizations.

In FY 2023, ATJ established several strategic partnerships with other components as well as other federal agencies. In March 2023, ATJ partnered with the Bureau of Prisons on a comprehensive, 100-day review of current practices and policies related to access to counsel in BOP pretrial facilities, which incorporated significant stakeholder engagement and which was launched by Deputy Attorney General Monaco. The advisory group that was convened to conduct this review included representatives from the National Institute of Corrections and the U.S. Marshals Services, and it released a report in July 2023 with recommendations that are being implemented. ATJ also works to increase access to legal assistance by housing the Federal Government Pro Bono Program, which promotes volunteer opportunities for federal attorneys and legal staff; it expanded its strategic partnerships with legal services organizations nationwide

**DOJ Language Access Plan Update:** In FY 2023, ATJ led efforts to update and modernize the DOJ Language Access Plan, published on August 15, 2023. As part of this process, ATJ hosted multiple virtual community engagement sessions with leaders and members of nationally prominent organizations and groups that represent the interests of historically marginalized communities with limited English proficiency and/or who are Deaf or Hard of Hearing, which informed improvements to the DOJ Language Access Plan. The plan incorporates principles of equity across language access policies to provide meaningful access for individuals with limited English proficiency who interact with the Department, and for the first time, recognizes sign language as a language as well as the language access needs of those who are Deaf or Hard of Hearing.

**White House Legal Aid Interagency Roundtable (LAIR):** By Presidential mandate, ATJ directs and staffs LAIR, a collaboration between 28 federal agencies that works to expand access to justice through federal programs. LAIR’s 2022 Annual Report, released in March 2023, focused on people-centered simplification of government forms, processes, and language and developed a road map for simplification to increase federal programs’ accessibility. The report was developed with input from over 70 legal aid and advocacy providers and highlighted accomplishments and ongoing efforts by federal agencies to simplify processes so people can access government programs without legal assistance.

with the launch of an eighth branch in Atlanta, Georgia, in September 2023.

In addition, ATJ houses the DOJ Language Access Coordinator, whose work includes leading the Language Access Program and chairing the DOJ Language Access Working Group, which comprises representatives from over 30 components, including all components with a public-facing mission. With feedback from the working group as well as external stakeholders, the coordinator led efforts to update and modernize the DOJ Language Access Plan, published on August 15, 2023. In FY 2023, ATJ also launched a pilot translation initiative, supporting more than two dozen components and 14 United States Attorneys Offices in translating printed and digital content into 65 languages.

ATJ established strategic partnerships with external stakeholders in FY 2023 as well. ATJ partnered with the National Center for Urban Indian Health to discuss the links between the legal needs and medical needs of Urban Indian communities. ATJ also continued quarterly convenings of national public defense organizations with Department leadership to discuss ways the Department can help support and expand state, local, and tribal public defense and planned and launched a series of law school visits across the country to explore solutions to the recruitment and retention crisis in public defense, elevate public defender career opportunities, and spotlight public defender work in small, tribal, and rural communities. ATJ launched the first quarterly convening with the over 40 state Access to Justice Commissions in December 2022; over the course of three meetings in FY 2023, Commission chairs and staff met with ATJ staff to discuss civil access to justice topics related to convening and leadership, collaboration and innovation, data and evaluation, and resource development. Finally, in FY 2023, ATJ worked to further the U.S. government's efforts to implement UN Sustainable Development Goal 16 on ensuring equal access to justice for all through participating in global forums and multilateral bodies, collaborating with partner governments to promote access to justice, and facilitating information sharing and learning from partner governments on innovative access to justice practices. These include

the OECD, United Nations Commission on Crime Prevention and Criminal Justice, and Justice Action Coalition, as well as meeting with counterparts from Ghana (in partnership with DOJ's Criminal Division Office of Overseas Prosecutorial Development, Assistance and Training) and Canada.

## **FYs 2024/2025 Planned Future Performance**

Since Attorney General Merrick Garland reestablished the Office for Access to Justice in October 2021 to lead efforts on access to justice across the Department and across the federal government, ATJ has grown to almost forty staff, with much of that growth occurring in FY 2023. Over this time period, ATJ has established many initiatives and programs to promote access to justice, and continues to establish and maintain a number of strategic partnerships. However, ATJ has also grown dramatically in the number and types of strategic resources it produces, many of which are the fruit of these partnerships, and which reflect the mission of the Office and respond to critical access to justice needs and gaps. In order to better reflect this growth and ATJ's overall work, and to move beyond a focus on engagements to better understand the Office's impact by assessing interest in the resources it produces, in FY 2024 ATJ will replace this KPI with the "number of times individuals accessed strategic resources on advancing access to justice" that are produced by or in collaboration with ATJ.

## **Definition**

**Strategic partnership:** The collaboration with one or more federal or non-federal stakeholders to advance access to justice. This may include state, local, tribal, territorial, or foreign governments as well as domestic or international business, non-profit, academic, civil society, community-based, or philanthropic organizations.

## **Data Validation, Verification, and Limitations**

Data for this metric will be collected and validated internally by the Office for Access to Justice.

## Strategic Objective 3.4: Expand Equal Access to Justice

**Performance Measure:** Number of times individuals accessed strategic resources on advancing access to justice [ATJ]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	N/A	N/A	12,000	14,000
<b>Actual</b>	N/A	N/A	N/A	N/A	6,290	N/A	N/A

### Discussion of FY 2023 Results

This is a new KPI and the FY 2023 reported numbers established the baseline. FY 2024 will be the first year of reporting.

### FYs 2024/2025 Planned Future Performance

Despite the Department’s expansion of access to justice work in FY 2023, more efforts are required to deconstruct barriers to the promises and protections of our civil and criminal legal systems for all communities. As part of ATJ’s role within the Department, the Office plans, develops, and coordinates the implementation of access to justice policy initiatives of high priority to the Department and the executive branch. A critical aspect of this role is to create and leverage strategic resources that respond to access to justice needs. These strategic resources include policy documents, best practices guides, reports, and other substantive efforts produced by or in collaboration with ATJ that highlight, encourage, or support innovative work to promote access to justice. ATJ produces strategic resources that reflect its three guiding principles, which include in part: 1) access: expanding access and eliminating barriers to legal systems; 2) innovation: supporting research, data, innovative strategies, and evidence-based standards to further equal access to justice; and 3) integrity: promoting policies and reforms that improve the accountability, fiscal responsibility, and integrity of legal systems and process.

In FY 2024, ATJ intends to produce or substantively update and

expand strategic resources focused on language and disability access, pro bono volunteer opportunities, public defense, human-centered design and simplification, and fulfilling ATJ’s presidential mandate to support U.S. efforts to implement UN Sustainable Development Goal 16 on access to justice. In addition, planned strategic resources include the 2023 Legal Aid Interagency Roundtable Report on federal administrative proceedings and nonlawyer assistance, an Access to Justice Spotlight on fines and fees, and a report on state public defense systems and reform in partnership with the National Institute of Justice, among others.

As ATJ has grown, it has established many initiatives, programs, and strategic partnerships to promote access to justice, which have been matched by a concomitant growth in the number and types of strategic resources the Office produces. To better reflect this growth and diversity of topics, as well as assess stakeholders’ interest in obtaining and using these resources, in FY 2024, ATJ’s KPI measure will change to the “number of times individuals accessed strategic resources on advancing access to justice that were produced by or in collaboration with ATJ.” In FY 2023, there were a total of 6,290 unique pageviews of 10 such strategic resources. However, given the Office’s rapid growth in FY 2023, ATJ is projecting that the number of strategic resources will double, which will result in an approximate doubling of the accompanying number of unique pageviews to 12,000 in FY 2024. Now that staffing levels will be nearly complete in FY 2024, ATJ projects an increase at a more measured pace thereafter.

## **Definition**

This measure includes the number of unique pageviews of strategic resources on advancing access to justice.

**Strategic resource:** Examples include policy documents, best practices guides, reports, and other substantive efforts produced by or in collaboration with ATJ that highlight, encourage, or support innovative work to promote access to justice.

**Unique pageviews:** The number of web browsing sessions during which the specified webpage was viewed at least once. A unique pageview is counted for each page URL + page title combination.

**Session:** the period of time a user is actively engaged with the website.

## **Data Validation, Verification, and Limitations**

Data for this metric will be collected and validated internally by the Office for Access to Justice, using website and electronic portal analytics data.



## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

Although environmental crime and injustice can happen anywhere, communities of color, low-income communities, and tribal communities often bear the highest burden of the harm caused by environmental crime, pollution, and climate change. Equal justice does not exist where a person’s race or income determines their level of exposure to environmental and climate hazards that trigger deleterious health effects and diminished quality of life.

In recent years, the instability created by natural disasters and extreme weather events associated with climate change has emerged as a national security threat. Altered weather patterns due to climate change produce fires, floods, and, most recently, hard freezes in locations without the appropriate infrastructure for tolerating such events. Poor and underserved communities, as well as communities of color, are disproportionately impacted by these events. Additionally, the negative effects of climate change on agriculture and aquaculture impact both food prices and distribution, creating further insecurity for these communities.

Key Performance Indicators	
Total Measures	Targets Achieved
5	4

### Highlights

**Complaint against operators of Oasis Mobile Home Park:** DOJ, on behalf of the U.S. Environmental Protection Agency, filed a civil complaint against the operators of Oasis Mobile Home Park, located in the Eastern Coachella Valley in Southern California. The complaint alleges that the Administrator of the Estate of Scott Lawson and a corporation called Lopez to Lawson, Inc. failed to properly maintain and operate Oasis’ primary drinking water well, treatment, distribution, and wastewater system, and failed to perform corrective measures to protect the health of those who consume the drinking water. The legal action seeks a judicial order that will require Oasis Mobile Home Park to address the imminent and substantial endangerment conditions related to the drinking and wastewater systems, comply with the Safe Drinking Act, and pay a civil penalty.

**United States and the New Mexico Environment Department v. Matador Production Company Settlement:** In March 2023, the Environment and Natural Resources Division, along with New Mexico, settled a case in which the Matador Production Company agreed to pay a penalty of over \$1 million; to spend over \$2 million to implement extensive design, operation, maintenance, and monitoring improvements at all 239 of the company’s production facilities in New Mexico; and to spend over \$1 million on a supplemental environmental project for replacement of high polluting diesel engines. The agreement will result in reducing greenhouse gas emissions by more than 31,000 tons, the equivalent of taking more than 6,000 cars off the road for one year. The agreement also will improve local air quality substantially.

**Seeking Easements for a New Mexico Water Project:** ENRD’s work recognizes the importance of planning for the impacts of climate change when making long-term infrastructure improvements. For example, ENRD filed multiple condemnation actions in FY 2023 in the district court in New Mexico to acquire easements for the Navajo Gallup Water Supply Project construction. This project will transport water from the San Juan River to the eastern section of the Navajo Nation, the southwestern portion of the Jicarilla Apache Nation, and the City of Gallup, New Mexico, via about 300 miles of pipeline, 19 pumping plants, and two water treatment plants. This project will provide a more sustainable and reliable water service, replacing a rapidly depleting groundwater source of poor quality and serve communities in which approximately 40 percent of families haul water regularly to their homes.

**U.S. Trustee Program’s Fight for Environmental Justice:** The USTP continues to train the private bankruptcy trustees it oversees on ways they can promote environmental justice through their recurring trustee activities. The training begins with the concepts of diversity and inclusion and how those topics relate to trustee qualifications and obligations. It encourages trustees to use their frontline role in the bankruptcy process to report to the USTP any patterns that may suggest community-wide environmental issues. Lastly, the training provides real-life examples of identifying environmental justice issues from interactions with and feedback from debtors in disadvantaged communities. In FY 2023, USTP conducted nine trainings across six different regions, reaching 140 trustees in total.

**Joint Trainings and Capacity Building Efforts with State, Local, and Tribal Partners:** ENRD regularly provides state, local, and tribal partners training and capacity-building opportunities. In August 2023, ENRD’s Office of Environmental Justice (OEJ) hosted a one-hour webinar for state attorneys general offices to discuss the importance of community outreach as part of an effective environmental justice strategy. The presenters, from CRS and ENRD shared ideas and tips for conducting effective outreach and examined environmental justice outreach and tools in environmental crimes cases. They also discussed the development of DOJ’s Comprehensive Environmental Justice Enforcement Strategy.

# Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Number of Environmental Coordinators Designated [USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	93	93	N/A	N/A
<b>Actual</b>	N/A	N/A	N/A	93	93	N/A	N/A

## Discussion of FY 2023 Results

As part of its effort to advance environmental justice throughout the country, the Department requires all USAOs to designate an AUSA as an environmental justice coordinator. During FY 2023, 93 of 93 environmental justice coordinators were designated, to include one for each USAO except the United States Attorney’s Offices for the Districts of Guam and the Northern Mariana Islands, which share a coordinator. By the end of FY 2023, 93 of 94 USAOs had also stood up environmental justice community reporting systems to improve their community’s ability to inform local government representatives about concerns, while the remaining USAO is in the process of doing so.

## FYs 2024/2025 Planned Future Performance

This key performance indicator is transitioning from “number of environmental coordinators designated” to “percent of environmental coordinators receiving training.”

## Definition

Each USAO has designated an individual as an environmental justice coordinator.

**United States v. Alabama Department of Public Health:** After an eighteen-month investigation, in May 2023, the Department of Justice and HHS announced an interim resolution agreement in their joint environmental justice investigation into the Alabama Department of Public Health and the Lowndes County Health Department (collectively ADPH) in Lowndes County, Alabama. This was the first time DOJ entered into a Title VI Environmental Justice (EJ) agreement. Under the resolution, some actions that ADPH agreed to take to address public health in Lowndes County include the following: suspending criminal penalties and liens, examining public health risks within Lowndes County, and conducting an assessment to determine appropriate septic and wastewater management systems. The investigation had revealed that ADPH’s enforcement of sanitation laws threatened residents of Lowndes County with criminal penalties and even potential property loss for sanitation conditions the residents could not alleviate. Representatives from both Departments met with community leaders and residents in Lowndes County to discuss the agreement and next steps.

## Data Validation, Verification, and Limitations

Data on designation will be collected via USAO's Consolidated District Information System, supplemented by direct follow-up to USAOs as appropriate.

## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Percent of Environmental Coordinators receiving training [USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	N/A	93%	95%	97%
<b>Actual</b>	N/A	N/A	N/A	N/A	98%	N/A	N/A

### Discussion of FY 2023 Results

As part of its effort to advance environmental justice throughout the country, the Department requires all USAOs to designate an environmental justice coordinator. While not a performance measure until FY 2024, during FY 2023, 91 of 93 (97.85 percent) designated USAO environmental justice coordinators received training relevant to their role. The United States Attorney’s Offices for the Districts of Guam and the Northern Mariana Islands share an environmental justice coordinator.

**Environmental Justice Training:** The Executive Office for United States Attorneys and the Office of Environmental Justice worked together to provide relevant training to environmental justice coordinators during FY 2023. During FY 2024, OEJ is continuing to provide monthly trainings and plans to continue to ensure that appropriate Department personnel, including USAO environmental justice coordinators, receive relevant training on environmental justice issues.

### FYs 2024/2025 Planned Future Performance

In response to Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, the Department developed its Environmental Justice Enforcement Strategy and will continue to deploy it. Consistent with the strategy, all but one USAO has established environmental justice reporting procedures for the public, and the remaining USAO is working to establish such procedures in FY 2024. Additionally, training has been provided for USAO environmental justice coordinators and will continue each year. Further, a number of USAOs, particularly those in industrial cities with aging housing stock, are bringing enforcement actions against building managers, property owners, and contractors who violate federal lead paint laws and endanger the health of children living in and near these apartments.

### Definition

Each USAO has designated an individual as an environmental justice coordinator and that individual has received training. Received training means that the individual in the environmental justice coordinator role has received training appropriate to allow them to perform the role in the applicable fiscal year.

### Data Validation, Verification, and Limitations

Data on designation will be collected via USAO's Consolidated District Information System, supplemented by direct follow-up to USAOs as appropriate. Data on training will be tracked and maintained by USAOs as training is provided to environmental justice coordinators and collected by EOUSA via an annual survey.

## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Percent of participants in CRS-facilitated environmental justice programs who perceive stronger community capacity to address alleged inequities [CRS]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	N/A	Discontinued	
<b>Actual</b>	N/A	N/A	N/A	0%	N/A		

### Discussion of FY 2023 Results

CRS is discontinuing this measure. This KPI is a survey instrument that has not been approved and therefore CRS has no data to report. Due to limited data, the current measure does not reflect the work that CRS is providing to communities. CRS is currently working on improving performance measures to more accurately capture its impact on communities. CRS is currently working with Mathematica to help conduct an evaluation of CRS programs. CRS will want to wait until there is a year of that data before reporting.

### FYs 2024/2025 Planned Future Performance

N/A.

**CRS Environmental Justice Outreach Efforts:** In FY 2023, CRS provided services to four communities that experienced tensions related to environmental justice. CRS continued to build its internal capacity to expand its outreach to relevant community groups and stakeholders. CRS’s program manager for environmental justice supported conciliation specialists to help communities experiencing environmental justice inequities. ENRD developed an Environmental Justice Fact Sheet to employ when CRS conducts community outreach.

### Definition

CRS-facilitated dialogue programs convene diverse stakeholders in a structured process to identify issues impacting the community and to develop solutions to address these issues.

### Data Validation, Verification, and Limitations

Evaluation data for CRS-facilitated dialogues are collected from dialogue participants, including community members and public officials via online surveys and focus groups. The data are analyzed by CRS to identify trends and then synthesized for internal and external reporting. The data are validated and verified by comparing the survey and interview results and identified outcomes (for example, SPCP Council accomplishments) to confirm consistency and identify any anomalies warranting further investigation. The data have limitations, including voluntary completion of surveys, voluntary participation in focus groups, potential respondent bias in areas such as their assessment of their own capabilities, and recall accuracy of survey and focus group participants.

## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Number of matters that address adverse environmental and public health effects brought under civil rights statutes [CRT]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	16	16	16	16
<b>Actual</b>	N/A	N/A	N/A	29	40	N/A	N/A

### Discussion of FY 2023 Results

In FY 2023, the Civil Rights Division resolved two significant environmental justice investigations. CRT conducted numerous outreach activities and interagency engagements related to those resolution agreements. There was also an increase in the number of pre-investigation activities undertaken.

### FYs 2024/2025 Planned Future Performance

In the upcoming fiscal years of 2024 and 2025, CRT's strategy will center around continued participation in several formal interagency efforts, including the White House Environmental Justice Interagency Council (where CRT leads the Title VI/EJ Coordination Working Group). The Division will explore opportunities to increase coordination with DOJ components to advance the Department's environmental justice goals.

### Definition

CRT will tabulate the number of matters under federal civil rights statutes that address adverse environmental justice concerns represented in litigation by the Civil Rights Division, and for the purpose of this performance measure, to include outreach, workshops and guidance documents addressing environmental justice.

**Investigation of the City of Houston:** On June 6, 2023, the Civil Rights Division secured a settlement agreement in its environmental justice investigation into the City of Houston's response to illegal dumping in Black and Latino neighborhoods. The agreement builds upon the city's One Clean Houston initiative, a comprehensive plan to address pervasive illegal dumping and its negative impacts on the health, safety and quality of life of Houston residents. In addition to confirming the city's commitment to One Clean Houston, the agreement establishes a three-year period of federal monitoring; data reporting obligations; enhanced community outreach with impacted neighborhoods, including engagement with residents with limited English proficiency; consideration of additional actions to combat commercial sources of illegal dumping and reduce restrictions for residents seeking to use waste depositories; and a federal civil rights training program for specified city employees.

### Data Validation, Verification, and Limitations

CRT captures all litigation data in the Interactive Case Management WebTime system. Data in that system are validated periodically by Division staff.

## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Percent of environmental enforcement matters in or substantially affecting overburdened and underserved communities that are favorably resolved [ENRD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	Baseline	80%	80%	80%
<b>Actual</b>	N/A	N/A	N/A	100%	100%	N/A	N/A

**Settlement with the Williams Companies, Inc., MPLX LP, and WES DJ Gathering LLC f/k/a Kerr-McGee Gathering LLC:** The April 20, 2023 settlements with three natural gas processors require the companies to pay combined civil penalties of over \$9 million in civil penalties and make improvements at 25 gas processing plants and 91 compressor stations to resolve violations of the Clean Air Act’s leak detection and repair requirements. These settlements will reduce harmful air pollution and improve air quality in 12 states, including in communities disproportionately impacted by pollution, and in Indian Country.

### Discussion of FY 2023 Results

The Department’s Comprehensive Environmental Justice Enforcement Strategy, adopted in May 2022, sets forth principles and actions to ensure that the entire Department is vigorously and transparently working to secure environmental justice with the full set of legal tools at its disposal. The Department is working to advance this strategy across all of its activities. Coinciding with the announcement of this new strategy, the Department established the Office of Environmental Justice within ENRD to coordinate these issues. ENRD exceeded its FY 2023 target with a 100 percent success rate.

### FYs 2024/2025 Planned Future Performance

In FYs 2024 and 2025, ENRD will continue implementation of the Comprehensive Environmental Enforcement Strategy, working with the Department-wide Enforcement Steering Committee established under the strategy. The strategy provides for annual progress reports to the Deputy Attorney General. As part of implementation of the strategy, OEJ will collaborate with CRT and other DOJ components to provide training and outreach resources to the entire Department. Training will foster awareness and community interactions that create opportunities for Department personnel to advance environmental justice in their work. In FY 2024, ENRD is aiming to meet or exceed the current baseline of favorable outcomes in 80 percent of cases.

### Definition

**Environmental enforcement matters:** Any DOJ civil affirmative or criminal matters in ENRD’s case management system coded with an environmental justice tag that implicates overburdened and underserved communities.

**Overburdened and underserved communities:** Disadvantaged communities that have been historically marginalized and overburdened by pollution and underinvestment, which often include

communities of color, low-income communities, and tribal and indigenous communities.

### **Data Validation, Verification, and Limitations**

Data are captured in ENRD's Case Management System.



# Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Percent change in energy intensity used by the Department [JMD]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	-2%	-2%	-2%	-2%
<b>Actual</b>	-2%	-4%	-3%	1%	-6%	N/A	N/A

## Discussion of FY 2023 Results

In FY 2023, the DOJ’s goal-subject facilities collectively decreased energy intensity by 5.7 percent compared to FY 2022. Primary factors contributing to this observed reduction are steady decreases by several bureaus.

- a. ATF decreased its energy intensity by 7.8 percent, driven by a 72.6 percent reduction in fuel oil consumption and a 5.1 percent reduction in electricity consumption.
- b. BOP experienced a 7.8 percent decrease in natural gas consumption and 2.4 percent decrease in purchased electricity consumption across its facilities. The BOP’s total energy intensity decreased by 6.3 percent in FY 2023.
- c. FBI decreased its facility energy intensity by 9.2 percent due to a 10 percent decrease in natural gas consumption and an increase in total gross square footage.

JMD Facilities and Administrative Services Staff tracks the reduction of energy usage throughout buildings they manage.

## FYs 2024/2025 Planned Future Performance

The Department maintains its commitment to reducing energy inefficiency, limit emissions and ensure strong progress in the Department and administration’s goals of implementing a comprehensive strategy in response to the climate crisis. Specifically, JMD FASS Environmental & Sustainability Services will continue to monitor energy intensity in Department

**Increased Facility Energy Efficiency:** The Justice Management Division’s Facilities and Administrative Services Staff assisted ATF in implementing ISO 50001-based energy management system (EnMS) at three ATF sites. The Department of Energy’s 50001 Ready program assists organizations with the implementation of the International Organization for Standardization standard for establishing and maintaining an EnMS. Using this program, FASS worked directly with ATF to increase its energy efficiency and aid with the 50001 Ready program. ATF received the DOE’s recognition certificates in June. In addition to increased energy efficiency at the three facilities, ATF also restructured inspections, increased investments in building automation systems, and added EnMS to required training.

infrastructure, ensuring compliance with updated guidance from OMB, and in line with Executive Order 14057. The implementing instructions for Executive Order 14057 Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability directed DOJ to submit the FY 2024 Sustainability Strategic Plan; that will come out in 2024.

## Definition

**Energy intensity:** The quantity of energy required per unit output or activity, so that using less energy to produce a product reduces the intensity. JMD uses the data call workbook provided by the Department of Energy.

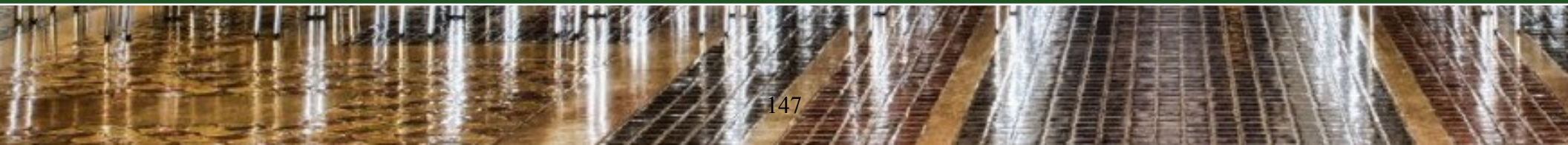
**Energy intensity reduction:** The reduction of the energy consumed per gross square foot of federal building space.

### **Data Validation, Verification, and Limitations**

The Department of Energy Federal Energy Management Program and the White House Council on Environmental Quality collect annual fiscal year energy management data from the owned and leased/delegated buildings where the components manage, control and pay the utilities. They conduct quality assessment and quality control of the submitted data for a final approval.



## Goal 4: Ensure Economic Opportunity and Fairness for All



## **Goal 4: Ensure Economic Opportunity and Fairness for All**

A fair economy is foundational to the American dream. Fraud, theft, corruption, bribery, environmental crime, market manipulation, and anti-competitive agreements threaten the free and fair markets upon which our economy is based. They decimate the assets of individuals, organizations, and governments alike, and they increase costs for every American. Corporate crime also weakens our economic institutions by undermining public trust in the fairness of those institutions. In its pursuit of fair markets, the Department will help ensure that all companies compete by the same rules; that tax dollars flow to their intended recipients; and that corporate crime is deterred, detected, and prosecuted.

### **Enterprise Risk Themes**

Macroeconomic trends

Impact of technology

Data collection and analysis limitations

Coordination challenges

Building trust

Changes in the legal landscape

## Strategic Objective 4.1: Reinvigorate Antitrust Enforcement and Consumer Protection

Antitrust and consumer protection laws are the charter of our economic liberty. The Department is committed to the vigorous enforcement of these laws. Robust enforcement ensures that all businesses play by the same rules and that Americans can compete and thrive. The Department will examine and prevent harmful mergers and will partner with other agencies to promote competition. In addition, the Department is committed to using criminal, civil, and administrative actions to protect consumers. The Department will work to ensure the safety of food, medicines, and consumer products, and will safeguard consumer information from unlawful acquisition and use. Using our full array of civil and criminal enforcement tools, we will hold accountable those who make fraudulent or misleading representations in the marketing of goods, especially where such conduct risks consumer harm.

Key Performance Indicators	
Total Measures	Targets Achieved
2	2

### Highlights

**United States v. Bertelsmann:** In October 2022, the U.S. District Court for the District of Columbia ruled in favor of the Justice Department in its civil antitrust lawsuit to block book publisher Penguin Random House’s proposed \$2 billion acquisition of Simon & Schuster. The court found that the proposed merger would substantially lessen competition in the market for the U.S. publishing rights to anticipated top-selling books in violation of Section 7 of the Clayton Act.

**Spring 2023 Enforcers Summit:** In March 2023, DOJ and the Federal Trade Commission cohosted an Enforcers Summit that included formal and informal discussions between the Department and its state, federal, and international partners. The Enforcers Summit provided members of the public an opportunity to hear directly from enforcers about their priorities, strengthened interagency partnerships, and informed the Antitrust Division merger guidelines review and enforcement efforts.

**Report on Improving Competition in the Mobile Application Ecosystem:** The National Telecommunications and Information Administration, in consultation with ATR, issued a report highlighting certain firms’ market power and potentially anticompetitive conduct in digital markets related to app ecosystems. This report informed ATR’s investigative priorities in digital markets, development of merger guidelines, and technical assistance to Congress.

**Long-term Reorganization Means Diversely Skilled Teams:** ATR has hired technologists and industry experts to adequately assess increasingly complex mergers and other forms of potentially anticompetitive conduct. ATR is also working to build a data unit comprising of data scientists and other experts who can help ATR detect and analyze potentially anticompetitive behavior, such as bid rigging.

***United States. v. Kerry Inc., and United States v. Chermala:*** In March 2023, food and ingredient manufacturing company Kerry Inc. pleaded guilty to a misdemeanor count of distributing adulterated cereal, leading to an outbreak of salmonellosis cases. Kerry manufactured Kellogg's Honey Smacks cereal under insanitary conditions and distributed it in violation of the Food, Drug, and Cosmetic Act. The company also agreed to pay a criminal fine and forfeiture amount of over \$19 million, which was the largest-ever criminal penalty following a criminal conviction in a food safety case. A former Kerry Director of Quality Assurance, Ravi Chermala, also pleaded guilty to three misdemeanor counts of causing violations of the Food, Drug, and Cosmetic Act and was sentenced to one year of probation.

# Strategic Objective 4.1: Reinvigorate Antitrust Enforcement and Consumer Protection

**Performance Measure:** Number of active civil non-merger investigations [ATR]

	FY 2019	FY 2020	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	N/A	50	50	60	60
<b>Actual</b>	31	22	40	33	51	69	N/A	N/A

## Discussion of FY 2023 Results:

In FY 2023, ATR conducted 69 civil non-merger investigations. The goal of the civil non-merger enforcement strategy is the promote savings to U.S. consumers that arise from addressing and deterring anticompetitive behavior.

## FYs 2024/2025 Planned Future Performance:

ATR continues to vigorously police anticompetitive conduct outside the merger context, initiating civil enforcement actions in numerous industries to protect consumers and competition. In FYs 2024 and 2025, the Division will seek to reinvigorate antitrust enforcement, combat fraud, and protect consumers by:

- Reviewing and blocking potentially anticompetitive mergers;
- Investigating and litigating civil conduct that violates the antitrust laws; and
- Investigating and prosecuting criminal antitrust violations.

## Definition

**Investigations:** ATR identifies and investigates alleged conduct violations of the Sherman Act and the Clayton Act.

*United States v. American Airlines and JetBlue Airways:* The Antitrust Division successfully sued American Airlines and JetBlue to stop the companies from continuing the Northeast Alliance, which was a series of agreements between American Airlines and JetBlue through which the two airlines consolidated their operations in Boston and New York City. In May 2023, the U.S. District Court for the District of Massachusetts ruled in favor of the United States and the Attorneys General of six states and the District of Columbia, concluding that the Northeast Alliance violates Section 1 of the Sherman Act.

## Data Validation, Verification, and Limitations

Because staff may be working on an investigation for some time, this indicator accounts for the number of investigations with hours reported during the fiscal year, as opposed to the number of opened investigations during the fiscal year.

# Strategic Objective 4.1: Reinvigorate Antitrust Enforcement and Consumer Protection

**Performance Measure:** Percent of Consumer Protection Branch cases favorably resolved [CIV]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	85%	85%	85%	85%
<b>Actual</b>	N/A	N/A	96%	92%	97%	N/A	N/A

## Discussion of FY 2023 Results

The Civil Division’s Consumer Protection Branch once again exceeded its target goal of 85 percent of cases favorably resolved, demonstrating its consistent efforts to protect Americans’ health, safety, economic security, and identity integrity. In FY 2023, CIV CPB successfully resolved civil actions such as those that helped to prevent the diversion of controlled substances and ensure the safety of critical food and medication relied upon by consumers across the country. The Branch also successfully resolved prosecutions against fraudsters who defrauded consumers through mass-mailing schemes and telephone imposter schemes, individuals who falsified clinical trial data, and corporations and their executives and employees who engaged in illegal acts related to consumer products.

## FYs 2024/2025 Planned Future Performance

The Consumer Protection Branch plans to continue to lead efforts to protect American consumers through both civil and criminal enforcement. In so doing, the Branch anticipates that its performance for FYs 2024 and 2025 should also meet or exceed its target goal of 85 percent.

## Definition

**Consumer Protection Branch cases:** Includes cases handled by the Consumer Protection Branch and those handled jointly with U.S.

*United States v. Amazon.com, Inc.:* In July 2023, Amazon.com, Inc., and its wholly-owned subsidiary Amazon.com Services LLC (collectively Amazon), agreed to a permanent injunction and a \$25 million civil penalty as part of a settlement to resolve alleged violations of the Children’s Online Privacy Protection Act (COPPA), the COPPA Rule, and the Federal Trade Commission Act relating to Amazon’s voice assistant service Alexa. The stipulated order requires, amongst other things, that Amazon identify and delete inactive child profiles unless a parent requests that they be retained and that Amazon not make misrepresentations about its retention, access to, or deletion of certain information.

Attorney’s Offices or other Department components.

**Favorably resolved:** Cases that resulted in court judgments favorable to the government, such as convictions and government-endorsed motions to dismiss.

## Data Validation, Verification, and Limitations

CIV’s Office of Management Information will generate reports and validate data.



## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

Financial crime can be devastating for victims, wiping out a lifetime of savings. In 2020, reports of financial victimization via fraud, especially internet-enabled fraud, reached all-time highs. Even when there are no identifiable individual victims, corporate crime destabilizes markets and creates risks to consumers. To prevent and disrupt such violations, the Department will work to pursue not just corporations that participate in such practices, but also the individuals responsible. Finally, the government has an obligation to spend taxpayer dollars responsibly, which requires detecting, targeting, and reducing fraud in government contracting and programs.

Key Performance Indicators	
Total Measures	Targets Achieved
4	2

### Highlights

***United States v. Castro et al.***: The Civil Division’s Consumer Protection Branch and the USAO for the District of Nevada secured guilty verdicts in April 2023 as to three Nevada men responsible for perpetrating a prize-notification scheme that stole more than \$6 million from victims. The notices led victims to believe they could claim a large cash prize if they paid a fee of \$20 to \$30. This was false; victims who paid the fees did not receive anything of value. Many of the schemes’ victims were retirees or other adults. The defendants and their co-conspirators ignored multiple cease and desist orders from the U.S. Postal Service that prohibited their companies from sending fraudulent mail. Instead of complying with those orders, the defendants responded by changing the names of their companies and using straw owners to hide their continuing fraud. The three defendants were sentenced in September 2023 to 168, 235, and 240 months in prison. Four other scheme participants were previously convicted.

***United States v. Diaz and Velasquez***: CRM secured a conviction against the former National Treasurer of Venezuela, Claudia Patricia Diaz Guillen, and her husband, Adrian Jose Velasquez Figueroa. In December 2022, the defendants were convicted for their roles in a billion-dollar currency exchange, bribery, and money laundering scheme. According to court documents and evidence presented at trial, Diaz and Velasquez accepted over \$100 million in bribes from co-conspirator Raul Gorrin Belisario, a Venezuelan billionaire businessman who owned the Globovision news network. Gorrin paid bribes to Diaz, including through her husband Velasquez, to obtain access to purchase bonds from the Venezuela National Treasury at a favorable exchange rate, resulting in hundreds of millions of dollars of profit. The defendants were each sentenced to 15 years in prison.

**Recovery of Over \$53 Million Related to Corruption in the Nigerian Oil Industry**: In March 2023, the Criminal Division’s Money Laundering and Asset Recovery Section led the Department’s successful recovery of over \$53 million in profits obtained from corruption in the Nigerian oil industry to Nigeria. The funds were obtained as a result of CRM MLARS’ Kleptocracy Asset Recovery Initiative’s forfeiture of assets

such as luxury real estate and yachts that were purchased with proceeds from a scheme to pay bribes to Nigeria's former oil minister and launder the proceeds through the United States.

**Attorney General Expands Transnational Elder Fraud Strike Force:** As part of its continuing efforts to protect older adults and to bring perpetrators of fraud schemes to justice, the Department expanded its transnational elder fraud strike force by adding 14 additional USAOs to the strike force in FY 2023. Since 2019, strike force members — including CIV CPB, six USAOs, the FBI, U.S. Postal Inspection Service, and DHS' Homeland Security Investigations — have brought successful cases against the most significant and most harmful global elder fraud schemes and worked with foreign law enforcement to disrupt criminal enterprises, disable their infrastructure, and bring perpetrators to justice. Expansion of the strike force helps to coordinate the Department's ongoing efforts to combat sophisticated fraud schemes that target or disproportionately impact older adults. The expansion increases the total number of USAOs comprising the strike force from six to 20, including all USAOs in California, Arizona, Texas, Florida, Georgia, Maryland, and New York.

**Bribery Investigation:** In August 2023, Corporación Financiera Colombiana S.A. (Corficolombiana), a Colombian financial services institution, agreed to pay over \$80 million to resolve parallel bribery investigations by criminal, civil, and administrative authorities in the United States and Colombia stemming from the company's involvement in a scheme to pay millions of dollars in bribes to high-ranking government officials in Colombia. Corficolombiana conspired with Odebrecht S.A. (Odebrecht), a global construction conglomerate based in Brazil, to pay bribes to Colombian government officials in the executive and legislative branches and to an executive at Colombia's state-owned infrastructure agency, in order to win the rights to construct and operate the Ocaña-Gamarra Extension.

## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

**Performance Measure:** Percent of corporate criminal cases in which individual responsibility was evaluated [CRM, USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	95%	95%	95%	95%
<b>Actual</b>	N/A	N/A	N/A	100%	100%	N/A	N/A

### Discussion of FY 2023 Results

During FY 2023, USAOs reported the individual responsibility was evaluated in 101 out of 101 (100 percent) of corporate criminal cases. USAOs have engaged in various efforts to ensure individual responsibility is properly evaluated in corporate criminal cases.

Every corporate resolution the Criminal Division’s Fraud Section enters into requires evaluation of all of the factors in the Principles of Federal Prosecution of Business Organizations, JM 9-28.300, including prosecution of individuals. Every resolution entered into in FY 2023 required the submission of a prosecution memorandum that described the status of prosecution of relevant individuals. This assessment is confidential and is not described in public press releases. There were certain indictments made public during FY 2023 of individuals connected to ongoing corporate investigations, but DOJ will not identify these as public-facing accomplishments before the corporate investigations have been resolved.

### FYs 2024/2025 Planned Future Performance

The Department seeks to annually evaluate individual responsibility in at least 95 percent of its criminal corporate cases. Based on the results of its survey of USAOs, EOUSA does not believe additional training is needed at this time to effectively evaluate individual

**United States v. Li:** In July 2023, Zhang Li, founder and Chief Executive Officer of a Chinese real estate development company appeared in court on one count of conspiracy to commit honest services fraud. Zhang is alleged to have bribed former head of the San Francisco Department of Public Works Mohammed Nuru. The information charging Zhang alleges the purpose of the bribe was to influence Nuru so that he would provide favorable treatment on decisions and city approvals needed during the construction and development of a mixed-use property in San Francisco being developed by Zhang and a company Zhang controlled.

responsibility in connection with corporate prosecutions. EOUSA will continue to monitor how USAOs are approaching these cases, and if it is determined that USAOs would benefit from additional training, either on an individual basis or community-wide, EOUSA will develop and provide that training.

### Definition

The measure is calculated by taking the number of corporate criminal cases resolved in the fiscal year in which individual responsibility was evaluated divided by total number of corporate criminal cases resolved in that fiscal year.

### **Data Validation, Verification, and Limitations**

For EOUSA, the data has been gathered by surveying each USAO and cross-referencing the survey results with existing data on corporate cases collected in connection with its suspension and debarment reporting. For CRM, the data will be manually tracked for compliance to required evaluation.

## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

**Performance Measure:** Percent of corporate criminal resolutions containing compliance reporting obligations that are evaluated by DOJ at least annually [CRM, USAO]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	95%	95%	95%	95%
<b>Actual</b>	N/A	N/A	N/A	96%	97%	N/A	N/A

### Discussion of FY 2023 Results

CRM and USAOs have engaged in various efforts to ensure that compliance reporting obligations are properly evaluated in corporate criminal cases. During FY 2023, they reported 69 out of 71 of corporate criminal cases in which compliance reporting obligations were evaluated.

### FYs 2024/2025 Planned Future Performance

The Department seeks to annually evaluate individual responsibility in at least 95 percent of its criminal corporate cases. Based on the results of its survey of USAOs, CRM and EOUSA do not believe additional training is needed at this time to effectively evaluate compliance in connection with corporate prosecutions. CRM and EOUSA will continue to monitor how CRM and USAOs are approaching these cases, and if it is determined that CRM and USAOs would benefit from additional training, either on an individual basis or community-wide, they will develop and provide that training.

### Definition

The measure is calculated by taking the number of corporate criminal resolutions with compliance reporting obligations that are evaluated by DOJ at least annually divided by total number of corporate criminal resolutions that contain compliance reporting obligations.

**United States v. ABB Ltd.:** CRM’s Fraud Section entered a Deferred Prosecution Agreement with ABB Ltd, a Swiss-based global technology company. Under the December 2022 agreement, ABB agreed to pay more than \$315 million to resolve an investigation into violations of the Foreign Corrupt Practices Act stemming from the bribery of a high-ranking official at South Africa’s state-owned energy company. This was the Department’s first coordinated resolution with authorities in South Africa, reflecting the Department’s commitment to relationship-building with partners around the globe.

### Data Validation, Verification, and Limitations

CRM captures all data in internal systems. Data are validated annually by the respective section chiefs. For EOUSA, the data has been gathered by surveying each USAO and cross-referencing the survey results with existing data on corporate cases collected in connection with its suspension and debarment reporting. Together, EOUSA and CRM will produce comprehensive data for this metric.

## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

**Performance Measure:** Number of criminal disruptions or dismantlements in public corruption and fraud against the government [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	468	487	487	400
<b>Actual</b>	530	426	453	407	320	N/A	N/A

**Operation Fighting Peacock:** FBI San Juan successfully investigated, charged, and convicted seven city mayors, one vice-mayor, two public works directors, and four contractors on bribery and extortion charges in a scheme for kickbacks in exchange for lucrative contracts. Sentencings ranged from 24 months to 46 months of incarceration and resulted in forfeiture of over \$8 million in cash and three properties.

### Discussion of FY 2023 Results

In FY 2023, the FBI Public Corruption program conducted 320 disruptions and dismantlements to mitigate public corruption at all levels of government. While the FBI Criminal Investigation Division did not meet its FY 2023 target, Public Corruption squads continued to mitigate the public corruption threat through disruptions and dismantlements against senior-level public officials, in addition to a variety of other mitigation efforts that did not include specific disruptions and dismantlements.

### FYs 2024/2025 Planned Future Performance

FBI's Public Corruption Unit anticipates meeting targets in FYs 2024 and 2025. Through continued partnerships and taking an intelligence-based strategy to stay ahead of the ever-changing threat, the FBI Public Corruption program will continue to disrupt corrupt actors and uphold democracy.

### Definition

This measure uses the combined score of two types of statistical accomplishments.

**Disruption:** 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. Disruptions affect an entire organization, subgroup, or cell rather than individual subjects.

**Dismantle:** Occurs when the targeted organization's leadership, financial base, and supply network have been destroyed, such that the organization is incapable of operating and/or reconstituting itself.

### Data Validation, Verification, and Limitations

Disrupt and dismantle accomplishment claims are verified by two FBI supervisors with knowledge of the case by reference to the Claiming Guidance Library definitions. Offices have 30 days to enter accomplishment claims and have them adjudicated. Accomplishments may be entered too late for inclusion in fiscal year roll up data.

## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

**Performance Measure:** Percent of new contacts by the FBI with foreign anti-corruption agencies that progress to mutual sharing of information or assistance or result in a new international corruption case [FBI]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	60%	60%	60%	60%
<b>Actual</b>	N/A	N/A	70%	62%	47%	N/A	N/A

### Discussion of FY 2023 Results

For FY 2023, the International Corruption Unit (ICU), including the field-based squads, headquarters, and internationally placed representatives, conducted approximately 135 initial meetings with foreign anti-corruption counterparts. As a result of these meetings, 64 exchanges of information or new investigations occurred. The International Corruption program continued to establish and enhance its foreign partner relationships. Included in this cultivation was the hosting of Regional Anti-Corruption Working Groups by ICU's Transnational Anti-Corruption Partnership Advisors, which brought together investigators and prosecutors from anti-corruption agencies in multiple jurisdictions in a particular region. Two of these working groups were the Black Sea Working Group (hosted in Budapest, Hungary) and the Southern African Working Group (hosted in Gaborone, Botswana).

### FYs 2024/2025 Planned Future Performance

During FY 2024 and beyond, ICU will continue to enhance its foreign liaison and partnership initiatives in order to build the capacities of itself and its partners while also leveraging these relationships in its own law enforcement activities. Multiple working groups are scheduled for FY 2024, including meetings in South America and Southeast Asia.

**Illicit Virtual Asset Notification (IVAN):** The FBI and the Financial Crimes Enforcement Network (FinCEN) are leading an effort to develop the IVAN platform. IVAN will enable the government and industry participants to proactively share indicators and alerts on potential virtual asset illicit proceeds. The IVAN platform will immediately notify committed partners of illicit virtual asset addresses and allow the FBI to monitor the virtual assets received by the actor by industry partners. Moreover, a notification will be sent from the industry to the United States government when any illicit value is sent to an industry partner. These actions will allow the FBI to freeze illicit values, preventing the assets from further movement in support of an actor's laundering processes. The FBI has been working with a third party to complete the PPP charter and participant agreement and the platform development.

### Definition

The measure is calculated using the foreign anti-corruption agency collaboration rate and the international corruption case initiation rate. ICU tracks whenever a member of the program establishes a relationship with one of these partners and whether this relationship has subsequently resulted in the exchange of information (intelligence, presentations, referrals to other partners/agencies to assist with investigations or capacity building) or a referral from the partner which resulted in an ICU investigation.

### **Data Validation, Verification, and Limitations**

All data will list meetings, participants, dates, and informational aspects as well as all new case initiations based on new foreign contacts will be documented in opening documentation.

**Limitation:** The data are dependent on individuals' diligence.





## Goal 5: Administer Just Court and Correctional Systems



## Goal 5: Administer Just Court and Correctional Systems

Administering the federal prison system and immigration courts are among the Department's most solemn responsibilities. Prison serves as a necessary deterrent to and consequence of criminal behavior, but it also provides an opportunity to prevent recidivism through rehabilitation and reentry programs that successfully reintegrate formerly incarcerated individuals into communities. Similarly, the rule of law requires that the immigration laws be enforced, but justice requires that this enforcement be humane and compassionate. In both realms, the Department strives to demonstrate the professionalism, integrity, and respect that are the Department's hallmarks.

### Enterprise Risk Themes

Impact of technology

Building trust

Need for community support

Changes in the legal landscape

Data collection and analysis limitations

Staffing

COVID-19 pandemic-related challenges

Threats to prison security

## Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

The Justice Department is responsible for equitably and efficiently administering our nation’s immigration courts. In January 2021, there were nearly 1.3 million outstanding cases before the immigration courts – the largest ever pending caseload.<sup>17</sup>

Key Performance Indicators	
Total Measures	Targets Achieved
4	3

### Highlights

**Voluntary Remands:** In FY 2023, the Civil Division’s Office of Immigration Litigation – Appellate Section authorized motions seeking voluntary remand in 368 review petition cases in the federal circuit courts under the Section’s publicly available remand criteria. Voluntary remands ensure a measure of quality control on decisions issued in immigration proceedings and aid in ensuring and encouraging reasoned agency decision-making. Such remands also avoid long delays before the circuit courts and foster confidence in a fair and equitable immigration system.

**Pro Bono Representation, Child Advocates, Friend of the Court Initiative, and Limited Appearances:** In July 2023, EOIR issued DM 23-03, “The Role of Child Advocates in Immigration Court.” EOIR clarified the role of child advocates in immigration court proceedings, including the purpose of best interest determinations and procedures for considering input from Child Advocates. Additionally, in September 2022, EOIR published a final rule expanding the circumstances in which practitioners may assist pro se noncitizens in proceedings before EOIR. This “Limited Appearance Rule” went into effect in November 2022, and has resulted in more noncitizens receiving legal assistance, in turn resulting in higher quality filings that enable adjudicators to process cases more efficiently.

**Enterprise Workforce Planning:** EOIR contracted with the Office of Personnel Management to assist in designing and documenting a robust and sustainable enterprise workforce planning process. To date, this partnership has resulted in strategic consultation and planning sessions with EOIR leadership, improved workforce planning procedures and integration, a significant reduction in operational silos, and increased component-level perspective in the daily execution of EOIR’s operational mission. OPM is presently interviewing EOIR components and will provide a written assessment by the second quarter of FY 2024.

**Credible and Reasonable Fear Review Docket:** In May 2023, EOIR expanded its adjudication of CFR and RFR dockets to seven days a week to ensure fear reviews are completed within seven to ten days, including holidays. Leveraging resources across the country, EOIR conducts the RFR docket via web hearings and video teleconference (VTC) at 14 DHS facilities. The ability to observe RFR hearings in person is available seven

<sup>17</sup> At the end of 2023, there were 2.4 million outstanding cases before the immigration courts – the largest ever pending caseload

days a week at the Harlingen Immigration Court. In FY 2023, the median completion time for detained CFRs was reduced from six to three days, which is a 50 percent decrease from FY 2022.

# Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

**Performance Measure:** Median case completion time [EOIR]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	852	710	Discontinued	
<b>Actual</b>	N/A	N/A	947	1,085	791		

## Discussion of FY 2023 Results

Since FY 2021, EOIR’s pending caseload has increased from approximately 1.4 million to 2.4 million in FY 2023. EOIR completed a record number of cases in FY 2023. For FY 2023, the median case completion time decreased to approximately 791 days but was still higher than the intended target due to the completion of a large volume of older cases in FY 2023. The decrease in median case completion time was due, in part, to many of the new receipts coming in from DHS being completed quickly based on prioritization, prosecutorial discretion, and an increasing number of in absentia orders. The increasing number of in absentia orders is attributable to the concomitant increase in non-detained case initiations post-COVID. Furthermore, detained populations decreased significantly in FY 2023, and detained dockets were relatively smaller as well, which contributed to the overall decrease in median completion times. However, EOIR determined that median case completion time varies from year to year due to the ages of the cases being completed including remands, motions to reopen, and cases that aged while they were temporarily paused (e.g., administratively closed cases that were re-calendared and cases on EOIR’s status docket, which are docket management tools for holding cases in abeyance in certain instances, such as where the case is not ready for adjudication).

In an effort to shorten the hearing time, EOIR conducted two pilots using technology that allows audio channel segregation, which

enables simultaneous interpretation sessions. The pilot results were captured for broader implementation considerations.

## FYs 2024/2025 Planned Future Performance

Because of the variance in EOIR’s caseload, it is not possible to project with confidence what EOIR’s median completion time will be from year to year. Therefore, EOIR is discontinuing this key performance indicator and is adding a new indicator, “increase the number of case resolutions,” to better reflect EOIR’s efforts to reduce the pending case backlog.

## Definition

**Median case completion time:** The value lying at midpoint of all case completion times. Case completion time is measured from filing of the charging document in immigration court to an immigration judge's issuance of a decision.

## Data Validation, Verification, and Limitations

Data are collected from the Case Access System for EOIR, a nationwide case tracking system for the trial and appellate levels. Court staff nationwide enter data, which are electronically transmitted and stored at EOIR headquarters, allowing for timely and complete data collection. 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 managed by interagency memoranda of understanding. Data in the system are continuously updated to reflect the most current data. One example of a data update is a previously completed case that has been reopened/remanded such that it reverts to pending status. Such a change could impact previously reported numbers.

# Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

**Performance Measure:** Increase the number of case resolutions [EOIR]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	N/A	405,787	678,749	698,142
<b>Actual</b>	N/A	N/A	N/A	N/A	646,436	N/A	N/A

**Historic Case Resolutions:** EOIR achieved 646,436 case resolutions in FY 2023. This was a 67 percent increase of FY 2022 case resolutions (405,787). This was an historic high due to EOIR’s effective initiatives.

## Discussion of FY 2023 Results

EOIR achieved 646,436 case resolutions in FY 2023. Despite these record high numbers, EOIR’s pending caseload continues to increase due to the sheer volume of incoming filings from the Department of Homeland Security. In FY 2023, the Board of Immigration Appeals, which is EOIR’s appellate component, completed 35,882 cases, which is a 13 percent increase over the FY 2022 total of 31,764 cases.

For FY 2023, EOIR was authorized 734 immigration judges. As of September 30, 2023, EOIR had 734 immigration judges onboard. EOIR grew to 601 courtrooms nationwide. Adding available court space as the immigration judge corps expands allows EOIR to hear more cases and reduce the backlog more expeditiously. EOIR authorized the hiring of 50 additional full-time employee Spanish-language court interpreters to facilitate hearings and decrease reliance on contract interpreters.

Multiple technical modernizations contributed to the higher number of cases resolved. To provide seamless virtual hearings, network bandwidth at all courts was at least doubled and increased tenfold at critical congestion points. The monthly virtual hearing minutes

logged increased by 20 percent to 2.2 million minutes, and additional remote hearing equipment was deployed to enable immigration video teleconference upgrades. As of FY 2023, all EOIR courtrooms and many conference rooms are equipped with VTC capability. Most internet-based hearings are conducted by web conferencing software, and the use of VTC for hearings is generally limited to detention centers. In May 2023, all courts implemented plans to reduce the number of underutilized courtrooms and to increase adjudicative efficiencies. For now, EOIR uses virtual hearings to conduct credible fear reviews at border detention centers, which are spread out over 15 different hearing locations and may not have a court within close geographical proximity. Although almost 60 percent of EOIR conference rooms were equipped with VTC capability as of October 27, 2023, EOIR intends to equip all 94 non-detained pro bono rooms with VTC equipment to present respondents from non-detained courts. Forty-seven pro bono rooms were fit out with VTC equipment to connect respondents and DHS representatives to any immigration judge as needed.

FY 2023 was the first full year since the EOIR Case and Adjudication System (ECAS) deployment and mandate to file all new cases in digital format. Multiple technical optimizations were implemented to minimize capacity challenges related to the exponential system access and file processing growth.

During FY 2023 — the first full year in which data is available — EOIR held 1,673 prehearing conferences. By expanding the use of

prehearing conferences and creating specialized dockets, EOIR decreased the need for continuances on the day of the merits hearing and created greater trial date certainty. Additionally, prehearing conferences have helped to ensure that hearings move forward or are resolved before trial where appropriate, and they also provide an opportunity for the parties to narrow issues for the expeditious adjudication of cases.

In FY 2023, EOIR continued an off-docketing effort that began in April 2022. This initiative prioritizes docket and hearing space in matters that EOIR considers ripe for adjudication to reduce the backlog.

In FY 2023, EOIR also promulgated several Director's Memoranda. In April 2023, EOIR clarified its process for requesting a record of proceeding by providing guidance on requesting copies of court records directly from the immigration courts and the Board of Immigration Appeals. The guidance was responsive to requesters' needs by providing an additional avenue for obtaining court records while simultaneously helping to reduce the number of requests made through FOIA.

Other key initiatives that contributed to the increase in case resolutions included:

- a. Continued prehearing conferences by creating prehearing and specialized dockets across all courts;
- b. Implemented the weekend credible fear review docket;
- c. Continued case flow management and dedicated dockets;
- d. Continued to work with U.S. Citizenship and Immigration Services to implement the Asylum Officer Rule that took effect May 31, 2022;
- e. Implemented Family Expedited Removal Management (FERM) dockets in 42 courts in July 2023 pursuant to DHS's delayed rollout of its FERM program on May 17, 2023;
- f. Implemented a realignment plan in March 2023 to reorganize the assignments of courts, including administrative control and detained courts, across federal circuit court lines. Through these new court pairings, EOIR created efficiencies that are measurable through detained

completions, adherence to circuit law, and improvements in the consolidation of dockets.

### **FYs 2024/2025 Planned Future Performance**

(1) EOIR will increase adjudicatory capacity to hear and resolve cases by pursuing a robust hiring strategy for line immigration judges; increase support staff hiring to support the filing of documents and case processing, including the hiring of additional law clerks to support the judges. EOIR is projected to open the Lowell, Concord, and Los Angeles-West courts in FY 2024. By the end of FY 2024, EOIR anticipates having 657 courtrooms.

(2) Within the non-detained docket, EOIR will focus court resources on completing those cases ripe for adjudication and taking action on those appropriate for other resolution; continue the off-docket initiative at all courts; continue case flow management (CFM) for the expeditious resolution of cases; continue asylum officer rule dockets, dedicated dockets, pre-hearing conferences, and Family Expedited Removal Management dockets; provide regular and ongoing training for immigration judges to continuously improve adjudication and docket management skills; continue efforts to make information about proceedings more accessible for non-citizens; and work with DHS and the private bar to find solutions that will improve docket efficiencies.

(3) EOIR will continue to utilize internet-based hearings, including web conferencing software and video teleconferencing where appropriate. The Los Angeles-West court will serve as both a stand-alone court and a training center, thus serving a dual purpose. EOIR expects to continue to utilize and expand the use of virtual hub courts, which will allow judges to hear priority cases such as fear reviews from anywhere in the country and enable the agency to complete them within the statutory guidelines.

### **Definition**

This measure is defined as the percentage increase in initial case completions, subsequent case completions, administrative closures,



and off-calendared cases, greater than those recorded in the previous year.

**Case resolution:** A case that has been adjudicated to the extent that it is concluded or is no longer on the court's active calendar. Within EOIR, case resolutions include final appealable immigration judge decisions (i.e., initial case completions and subsequent case completions), administrative closures, and adjournments that require external, non-EOIR action to be re-calendared (e.g., motion to reopen, re-calendar, or reconsider).

### **Data Validation, Verification, and Limitations**

The data are collected from the Case Access System for EOIR (CASE), a nationwide case tracking system for the trial and appellate levels. Court staff nationwide enter data, which is electronically transmitted and stored, allowing for timely and complete data collection. Headquarters and field office staff use routine daily, weekly, and monthly reports to verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases managed by interagency memoranda of understanding. Data in CASE are continuously updated to reflect the most current data. One example of a data update is a previously completed case that has been reopened/remanded such that it reverts to pending status. Such a change could impact previously reported numbers. Each fiscal year, EOIR will calculate the data of the four quarters.

## Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

**Performance Measure:** Percent of immigration judges who have received all relevant continuing legal education annually [EOIR]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	90%	92%	95%	95%
<b>Actual</b>	N/A	N/A	N/A	100%	99%	N/A	N/A

**Immigration Judge Training on Juvenile Issues:** In September 2023, EOIR facilitated an in-person immigration judge training on juvenile issues. The training included presentations from subject matter experts on child development, child trauma, child advocates, and best interest determinations. Immigration judges presiding over juvenile dockets also share best practices with their colleagues.

### Discussion of FY 2023 Results

In FY 2023, 99 percent of immigration judges received the required continuing legal education. To support EOIR’s requirements to host multi-location virtual training venues, enterprise video streaming devices were implemented that enable such heavy bandwidth sessions with minimal impact to virtual hearing sessions.

### FYs 2024/2025 Planned Future Performance

EOIR will continue to strive for high levels of success in meeting expected immigration judge training plan requirements. In FY 2024, EOIR plans to open the Los Angeles-West Immigration Court. This facility will be a stand-alone, mixed-use immigration court and training center. This is a new concept for the Office of the Chief Immigration Judge and a first-of-its kind innovation for EOIR. EOIR anticipates that the operation of the new facility will increase the frequency and quality of immigration judge training, as well as

create financial savings for the agency by serving as a regional training center.

### Definition

The percentage of immigration judges who have received all relevant legal training as referenced in the EOIR annual immigration judge training plan. Training includes updates in substantive immigration law; examinations of cultural differences that may be relevant in an adjudicatory or litigation context; compassion fatigue and education on trauma; and individual responsibilities regarding fairness, integrity, and judicial temperament.

### Data Validation, Verification, and Limitations

Data are collected through EOIR’s Office of Policy, in coordination with other agency components that may present relevant trainings or track attendance at such trainings. Data entered will be cross-checked before use in the metrics. Limitations may include issues surrounding the onboarding date of new immigration judges and opportunities to attend training. With five scheduled onboarding dates, some of which are close to the end of the fiscal year, for some new immigration judges it will be impracticable to complete all training within the fiscal year in which they are appointed.

## Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

**Performance Measure:** Average number of vacancy days for immigration adjudicator positions [EOIR]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	403	382	357	350
<b>Actual</b>	N/A	N/A	424	655	142	N/A	N/A

**Closing the IJ Vacancy Gap:** The Deputy Attorney General set a target of achieving 382 IJ vacancy days for adjudicator positions in FY 2023. EOIR reduced the vacancy days to 142 days. EOIR has taken various steps to meaningfully reduce vacancy days, including shortening the number of days a job candidate can accept or decline a job offer to two days. EOIR also revamped its applicant reference verification process. For example, some of the applicant references did not respond to inquiries or were deployed for service duty and could not respond. To counter this issue, EOIR incorporated three primary changes: 1) required candidates to provide alternative references in the event the original reference was unavailable; 2) required staff to complete reference checks within ten business days; and 3) implemented a policy that if the candidate was deployed abroad and able to call back, EOIR would move forward with the candidacy without reference checks because the Office of Attorney Recruitment & Management would conduct a formal and thorough background check. Additionally, EOIR no longer waits for the entire applicant pool to complete the first round of interviews. If a candidate is selected to advance, the second interview happens as soon as possible. Finally, EOIR changed its offer letter process. In the past, EOIR waited until after all second-round interviews were completed to decide whether to offer the position to a candidate. After each second-round interview, the Director decides whether to extend an offer letter. After making these changes, EOIR succeeded in closing the immigration judge vacancy gap in FY 2023.

### Discussion of FY 2023 Results

EOIR made significant progress and improvements in the hiring process in FY 2023. EOIR successfully brought on board 133 immigration judges in FY 2023, the largest number of immigration judges to enter on duty in a single year. By the end of FY 2023, EOIR reached its authorized level of 734 immigration judges. In FY 2023, EOIR conducted more second-round interviews than ever before, including FY 2022. Although conducting these interviews took significant time, they helped to identify a strong pool of candidates from which the component can fill future vacancies, ultimately speeding up the hiring process and reducing the time positions are vacant in the future.

### FYs 2024/2025 Planned Future Performance

EOIR seeks to reduce the number of vacancy days for immigration judges to an annual average of 357 days in FY 2024 and 350 days in FY 2025 from a FY 2021 baseline of 424 days. To better enable operations through human capital, EOIR will continue to recruit, allocate, and retain talented staff in accordance with workforce planning goals, provide training opportunities and performance feedback to staff, foster and maintain an agency culture committed to a positive environment and success, and ensure compliance with human capital goals. Key activities and initiatives to achieve these objectives include continuing the following tactics:

- Improving upon efficient and rigorous hiring and screening

processes;

- Aligning the construction of new courtrooms with the hiring of new immigration judges;
- Ensuring that all courts, the Board, and the Office of the Chief Administrative Hearing Officer are adequately staffed with support personnel; and
- Bolstering and standardizing employee job-specific training and mentoring across all positions at headquarters and in the field.

### **Definition**

**Average number of vacancy days:** The number of days between the date an immigration judge vacates an existing position or a new position is approved to the date when an immigration judge fills that position.

### **Data Validation, Verification, and Limitations**

Data are collected through EOIR's Office of the Chief Immigration Judge, in coordination with other agency components that may gather relevant data. Data will be cross-checked before use in the metrics. Limitations may include the fact that some aspects are outside of EOIR's control, for example, the time it takes for a candidate to resolve an issue with their background or candidates unwilling to enter on duty at the earliest possible time.

# Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

**Performance Measure:** Visits to the Immigration Court Online Resource (ICOR) [EOIR]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	12,000	24,000	400,000	400,000
<b>Actual</b>	N/A	N/A	N/A	276,913	462,503	N/A	N/A

## Discussion of FY 2023 Results

EOIR continued to far exceed its goal for visits to the Immigration Court Online Resource webpage in FY 2023, again achieving more than twenty times the target number of visits. The agency continued to roll out important new information on ICOR, which may have contributed to the extremely high level of visits in 2023. EOIR will continue providing new information to the public via ICOR and is hopeful to continue this trend of significant public interest. Given that ICOR is a relatively new resource, it may take some time to level set as to what is a normal number of expected visits.

**Access EOIR:** EOIR began the Access EOIR initiative to address language access needs in court proceedings. The program offers the notice of hearing document in 12 languages online, which is also easily accessible through a QR code that is printed on every notice of hearing. EOIR also provided each immigration court with sets of “I Speak” cards that assist individuals in identifying their preferred language, choosing from 120 available languages. Court staff are, in turn, able to identify individuals’ language needs more quickly and connect them with information on the Immigration Court Online Resource.

## FYs 2024/2025 Planned Future Performance

By maintaining traffic to the ICOR website, EOIR will make immigration court resources available to a broader audience and improve access to information for pro se respondents. EOIR will strive for at least 400,000 visits per year in FYs 2024 and 2025. EOIR recognizes that there will be fluctuation based on the amount of new content, changes to laws or regulations, and policy implications on EOIR’s proceedings.

## Data Validation, Verification, and Limitations

Data are collected from EOIR's Office of Information Technology web tools through Google Analytics, a trusted provider in web metrics. The platform provides verification tools. No limitations are known.

## Definition

ICOR is an online tool available 24 hours a day, seven days a week, and 365 days year in English, Spanish, Chinese, Portuguese, Haitian Creole, and Punjabi. EOIR will count the number of hits the website receives quarterly to provide responsive data.

## Strategic Objective 5.2: Maintain a Safe and Humane Prison System

The federal prison and pretrial detention systems are a critical part of the Department’s criminal justice mission. It is equally critical that prisons, detention centers, and community-based facilities are safe, humane, cost-efficient, and appropriately secure. Adequate staffing is a prerequisite to safe and secure facilities, and we must ensure that even facilities in hard-to-recruit areas are fully staffed. Additionally, we must pay special attention to the changing health and safety needs of incarcerated individuals. As more individuals who have paid their debt to society complete their prison terms, we must combat barriers to reentry and proactively provide the tools and resources these individuals need to succeed and thrive.

Key Performance Indicators	
Total Measures	Targets Achieved
3	2

### Highlights

**Bulger v. Hurwitz:** In March 2023, the Civil Division defended prison officials against lawsuits after an inmate was killed following his transfer to a facility with a history of inmate-on-inmate assaults. The district court and the U.S. Court of Appeals for the Fourth District both agreed that Congress’s activities in the prison field through the Prison Litigation Reform Act (PLRA) were reasons not to extend a Bivens remedy against prison officials. The courts also agreed that to prevent adverse impacts on BOP’s operations, PLRA grants BOP discretion over housing decisions and the power to determine alternatives to its administrative remedy program.

**Tate v. Harmon:** CIV and the USAO for the Western District of Virginia successfully defended BOP officials sued for damages under Bivens for allegedly subjecting an inmate to cruel and unusual punishment. In December 2022, the U.S. Court of Appeals for the Fourth Circuit held that the claim presented a “new context” in comparison to Carlson and that a Bivens remedy should not be extended given “the broad nature of the inmate’s claim” and its “separation-of-powers implications.”

**Enhancing the Quality of Prison Rape Elimination Act (PREA) Audits:** BJA has significantly strengthened and expanded its PREA auditor oversight program to ensure Department of Justice-certified auditors are conducting high-quality audits that convey accurate information to federal, state, local, and tribal confinement facility officials on their compliance with the PREA standards. The PREA standards are intended to promote safer and more humane confinement facilities. BJA has more than doubled the number of PREA auditors enrolled in the Auditor peer review program, whereby an auditor’s professional peers evaluate an auditor’s compliance with the auditing requirements in the PREA standards. Additionally, in November 2022, BJA implemented a new six-month intensive remediation program for auditors with deficiencies in their auditing practices. This program is tailored to auditors' needs and includes one-on-one coaching with subject experts and synchronous and asynchronous instruction on auditing PREA standards.

**Organizational Health Initiatives:** In FY 2023, BOP published three policies: Correctional Support Teams, Employee Assistance Program, and Employee Wellness. These policies outline strategies to both track organizational wellness across the agency and in institutions as well as

intervene where appropriate. BOP wants to deploy responses earlier in the process of organizational distress, when there are indications of poor health, stress, or strain, so BOP isn't responding to crises or near crises but instead is preemptively on top of the issues. One example of this occurs under the new Employee Wellness policy which requires a Headquarters team to be deployed to an institution under stress (e.g., employee suicide, mission change) to the Chief Executive Officer, leadership, and staff directly. BOP has started initial efforts to identify metrics for organizational health.

**Update to the Federal Time Credits Program:** A new rule was submitted to the Federal Register implementing the time credits program required by the First Step Act for persons incarcerated in federal institutions for nonviolent offenses. The FSA allows eligible inmates to earn 10 to 15 days of time credits for every 30 days of successful participation in evidence-based recidivism reduction (EBRR) programs and productive activities (PAs). The earned credits can be applied toward earlier placement in prerelease custody, such as residential reentry centers and home confinement. Since the Justice Department announced the new rule, BOP has monitored the number of adults in custody participating in FSA programs and activities. There was a 31 percent increase in individuals participating in any FSA program or activity in FY 2023 compared to FY 2022.

# Strategic Objective 5.2: Maintain a Safe and Humane Prison System

**Performance Measure:** Percent of funded corrections officer positions filled at the end of each fiscal year [BOP]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	88%	93%	87%	90%
<b>Actual</b>	N/A	N/A	N/A	88%	83%	N/A	N/A

## Discussion of FY 2023 Results

The Federal Bureau of Prisons overall saw increased hiring; however, despite recruiting efforts, BOP had approximately 624 fewer corrections officers at the beginning of FY 2024 than the prior year.

## FYs 2024/2025 Planned Future Performance

BOP is taking a multistep approach to filling all funded vacancies, to include correctional officers, across the agency. The BOP is continuing its efforts to attract new and highly qualified applicants to apply to current vacancies by employing a marketing and branding campaign; utilizing various recruitment incentives and pay flexibilities to offer comparable and/or competitive salaries; utilizing special salary rates above minimum rate and student loan repayment; and utilizing retention incentives, where warranted, to retain highly qualified and knowledgeable employees. In February 2024, the BOP will begin a new initiative to hire externally first to increase overall new hire levels. Further, BOP continues to offer the \$10,000 or a 25 percent recruitment incentive (whichever is more) to all new corrections officer hires.

## Definition

**Percentage of funded corrections officer positions filled at the end of each fiscal year:** BOP’s Human Resource Management Division’s (HRMD) data report position filled rates for authorized positions only — not funded correctional officer rates. “Funded” refers to full-time equivalent.

## Data Validation, Verification, and Limitations

BOP’s HRMD reports the position filled rates — positions filled over the number of positions authorized as a percent. HRMD provides this data at the end of any specific pay period, which includes the end of the calendar year or fiscal year. HRMD calculates the number of filled correctional officer positions via National Finance Center data.

The number of authorized correctional officer positions is collected from the Administration Division and position management reports. The data from each system are cross-referenced to ensure accuracy. All information is subject to timely and accurate data entered into each system.



## Strategic Objective 5.2: Maintain a Safe and Humane Prison System

**Performance Measure:** Percent of inmates in federal custody who have successfully completed or are enrolled in an FSA program or activity [BOP]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	50%	55%	80%	88%
<b>Actual</b>	N/A	N/A	N/A	61%	79%	N/A	N/A

### Discussion of FY 2023 Results

Due to the change in the First Step Act Time Credits Rule, guidance was provided to offenders to help them understand the eligibility requirements to earn FSA time credits. Since the rule change and additional guidance provided to the inmate population, there has been an increase in participation in FSA programs and activities. In FY 2023, the contractor for literature reviews worked with BOP staff to obtain additional information about evidence-based recidivism reduction programs and productive activities and will subsequently be providing reports for those areas of programming. They completed their review of education programs and submitted a preliminary report that has been reviewed by subject matter experts.

### FYs 2024/2025 Planned Future Performance

While BOP expects the percentage of those in custody who have completed one or more programs or are currently participating in one or more program to be around 90 percent of the population, Reentry Services Division is continuing to review submitted programs for consideration as new EBRRs or PAs. The Division is currently reviewing all programs for recommended changes to address needs. The measure of this goal is currently being updated to increase reliability and validity.

**FSA Guide:** The BOP implemented new productive activity and evidence-based recidivism reduction programs in the FSA Guide. The guide currently has 109 total programs: 49 EBRRs and 60 PAs. Additionally, any program submitted by BOP staff or external organization is reviewed for possible inclusion in the FSA Programs Guide.

### Definition

The percentage of inmates who have successfully completed an FSA evidence-based recidivism reduction program or productive activity during their term of incarceration or are enrolled or participating in an FSA evidence-based recidivism reduction program or productive activity each month.

### Data Validation, Verification, and Limitations

Evidence-based recidivism reduction programs and productive activities utilize standardized program codes for program monitoring and tracking purposes. Participation and completion data for these programs are maintained in the BOP's data system. At a minimum, case managers and the inmate's unit team review, verify, and update the data input for that inmate during the inmate's routine program review, which occurs every 180 days for inmates with 12 months or more remaining on their sentence, and every 90 days for inmates with less than twelve months remaining on their sentence.

## Strategic Objective 5.2: Maintain a Safe and Humane Prison System

**Performance Measure:** Percent of inquiries from external stakeholders that BOP responds to within the target response time [BOP]

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Target</b>	N/A	N/A	N/A	80%	80%	80%	80%
<b>Actual</b>	N/A	N/A	N/A	87%	90%	N/A	N/A

### Discussion of FY 2023 Results

BOP continues to improve its response time to inquiries from external stakeholders. Each of the relevant components has improved processes to ensure prompt responses. Within the FOIA section, the overall metrics, which are submitted as part of BOP’s annual report to DOJ, inquiries from requesters, and evaluations of the program, preliminary estimates suggest BOP sends acknowledgment letters at least 98 percent of the time within the statutory and regulatory deadline. BOP received 5,146 FOIA requests in FY 2023. The External Auditing Branch continued to provide responses to external stakeholders within the target response time approximately 100 percent of the time. Finally, BOP’s Office of Legislative Affairs responded to nearly 2,000 inquiries on target.

**FOIA Response Times:** BOP FOIA response times averaged 6.85 days to process requests on the simple track, which is significantly better than the 20-day statutory time limit. BOP’s External Auditing Branch continues to respond to all external stakeholder requests received within allotted responses times. The Office of Legislative Affairs added three attorneys to help improve their processing times.

### FYs 2024/2025 Planned Future Performance

BOP components responding to external stakeholders will continue to improve their response times to responses that are either directly provided to external stakeholders or submitted for intra-DOJ review within BOP’s target response times at least 90 percent of the time. The offices responsible for these responses will continue to leverage their current systems to track responses and flag any incidents where target response times are not met. Additionally, BOP expects an increase in the percentage of inquiries received because of increased attention from Congress and investigative reports. BOP looks to increase staffing to address the potential increase in inquiries.

### Definition

Number of inquiries from external stakeholders, specifically Congress, the media, and the public via the FOIA process that BOP responds to within the target response time over the total number of inquiries from external stakeholders.

### Data Validation, Verification, and Limitations

BOP tracks and processes all FOIA requests in its internal database, including deadlines for external auditors. The database is used to run reports to determine which requests are processed within the statutory time limits. BOP reports every FOIA request – opened or closed – during the fiscal year to the Department’s FOIA staff to publish on FOIA.gov. BOP does not identify FOIA requesters as first or third parties. Each requester is considered an external stakeholder regardless of their status.



**Section III:  
Appendices**

## Appendix A: Abbreviations and Acronyms

A		B	
<b>ADA</b>	Americans with Disabilities Act	<b>BCJI</b>	Byrne Criminal Justice Innovation (BJA)
<b>ADOC</b>	Alabama Department of Corrections	<b>BJA</b>	Bureau of Justice Assistance (OJP)
<b>ADPH</b>	Alabama Department of Public Health	<b>BOP</b>	Federal Bureau of Prisons
<b>AECA</b>	Arms Export Control Act	<b>BSCA</b>	Bipartisan Safer Communities Act
<b>AFF</b>	Asset Forfeiture Fund	<b>BWC</b>	Body worn camera
<b>AFMS</b>	Asset Forfeiture Management Staff (JMD)	C	
<b>AI</b>	Artificial Intelligence	<b>CARD Team</b>	Child Abduction Rapid Deployment Team
<b>API</b>	Application Programming Interface	<b>CARES ACT</b>	Coronavirus Aid, Relief, and Economic Security Act
<b>ATF</b>	Bureau of Alcohol, Tobacco, Firearms, and Explosives	<b>CCCPR</b>	Centro Comprensivo de Cancer de Puerto Rico
<b>ATJ</b>	Office for Access to Justice	<b>CCIPS</b>	Computer Crime and Intellectual Property Section (CRM)
<b>ATR</b>	Antitrust Division	<b>CEHTTF</b>	Child Exploitation and Human Trafficking Task Force (FBI)
<b>AUSA</b>	Assistant United States Attorney	<b>CES</b>	Counterintelligence and Export Control Section (NSD)

<b>CFIUS</b>	Committee on Foreign Investment in the United States	<b>CY</b>	Calendar year
<b>CFR/RFR</b>	Credible fear review/reasonable fear review	<b>CyD</b>	Cyber Division (FBI)
<b>CGIC</b>	Crime Gun Intelligence Center	<b>D</b>	
<b>CID</b>	Criminal Investigative Division (FBI)	<b>DEA</b>	Drug Enforcement Administration
<b>CISA</b>	Cybersecurity and Infrastructure Security Agency	<b>DEIA</b>	Diversity, equity, inclusion, and accessibility
<b>CIV</b>	Civil Division	<b>DHS</b>	Department of Homeland Security
<b>COPS</b>	Community Oriented Policing Services	<b>DoD</b>	Department of Defense
<b>CPB</b>	Consumer Protection Branch (CIV)	<b>DOJ</b>	Department of Justice
<b>CPOT</b>	Consolidated priority organization targets	<b>DT</b>	Domestic terrorism
<b>CRM</b>	Criminal Division	<b>DTO</b>	Drug trafficking organization
<b>CRS</b>	Community Relations Services	<b>DVE</b>	Domestic violent extremism
<b>CRT</b>	Civil Rights Division	<b>E</b>	
<b>CTD</b>	Counterterrorism Division (FBI)	<b>EBRR</b>	Evidence-based recidivism reduction
<b>CTS</b>	Counterterrorism Section (NSD)	<b>ECAS</b>	EOIR Case and Adjudication System

<b>ECRA</b>	Export Control Reform Act	<b>FOIA</b>	Freedom of Information Act
<b>EIDL</b>	Economic Injury Disaster Loans	<b>FSA</b>	First Step Act
<b>EJ</b>	Environmental justice	<b>FSB</b>	Russian Federal Security Service
<b>EJI</b>	Elder Justice Initiative	<b>FTSF</b>	Firearms Trafficking Strike Force
<b>ELS</b>	Employment Litigation Section (CRT)	<b>FY</b>	Fiscal year
<b>EnMS</b>	Energy Management System	<b>G</b>	
<b>ENRD</b>	Environment and Natural Resources Division	<b>GAO</b>	Government Accountability Office
<b>EOIR</b>	Executive Office for Immigration Review	<b>H</b>	
<b>EOUSA</b>	Executive Office for United States Attorneys	<b>HHS</b>	Department of Health and Human Services
<b>F</b>		<b>HR</b>	Human resources
<b>FBI</b>	Federal Bureau of Investigation	<b>HRMD</b>	Human Resources Management Division (BOP)
<b>FCC</b>	Federal Communications Commission	<b>HTPU</b>	Human Trafficking Prosecution Unit (CRT)
<b>FEVS</b>	Federal Employee Viewpoint Survey	<b>I</b>	
<b>FIRS</b>	Foreign Investment Review Section (NSD)	<b>ICHIP</b>	International Computer Hacking and Intellectual Property

<b>ICITAP</b>	International Criminal Investigative Training Assistance Program (CRM)	<b>JMD</b>	Justice Management Division
<b>ICOR</b>	Immigration Court Online Resource (EOIR)	<b>JRI</b>	Justice Reinvestment Initiative
<b>ICTS</b>	Information and Communications Technology and Services (NSD)	<b>JRTF</b>	Joint Ransomware Task Force
<b>ICU</b>	International Corruption Unit (FBI)	<b>K</b>	
<b>IDEA</b>	21st Century Individuals with Disabilities Education Act	<b>KPI</b>	Key performance indicator
<b>IEEPA</b>	International Emergency Economic Powers Act	<b>KSA</b>	Kingdom of Saudi Arabia
<b>IIR</b>	Intelligence information report	<b>L</b>	
<b>IJ</b>	Immigration judge	<b>LAIR</b>	Legal Aid Interagency Roundtable
<b>IOI</b>	Industry operation investigator	<b>LEP</b>	Limited English proficiency
<b>IP</b>	Intellectual property	<b>LGBTQIA+</b>	Lesbian, gay, bisexual, transgender, queer, intersex, and asexual
<b>ISIS</b>	Islamic State of Iraq and ash-Sham	<b>M</b>	
<b>IVAN</b>	Illicit Virtual Asset Notification	<b>MAT</b>	Medication assisted treatment
<b>J</b>		<b>MLARS</b>	Money Laundering and Asset Recovery Section (CRM)
<b>JAG</b>	Justice Assistance Grant	<b>MMIP</b>	Missing or murdered Indigenous persons

<b>MOU</b>	Memorandum of understanding	<b>OEJ</b>	Office of Environmental Justice (ENRD)
<b>N</b>		<b>OFAC</b>	Department of the Treasury's Office of Foreign Assets Control
<b>NATO</b>	North Atlantic Treaty Organization	<b>OIG</b>	Office of the Inspector General
<b>NCIJTF</b>	National Cyber Investigative Joint Task Force	<b>OIP</b>	Office of Information Policy
<b>NDRN</b>	National Disability Rights Network	<b>OJJDP</b>	Office of Juvenile Justice and Delinquency Prevention (OJP)
<b>NIBIN</b>	National Integrated Ballistic Information Network	<b>OJP</b>	Office of Justice Programs
<b>NICS</b>	National Instant Criminal Background Check System (FBI)	<b>OLP</b>	Office of Legal Policy
<b>NSD</b>	National Security Division	<b>OMB</b>	Office of Management and Budget
<b>NSR</b>	National Security Review	<b>OPA</b>	Office of Public Affairs
<b>O</b>		<b>OPDAT</b>	Office of Overseas Prosecutorial Development, Assistance and Training (CRM)
<b>OARM</b>	Office of Attorney Recruitment and Management	<b>OPEN</b>	Open, Public, Electronic, and Necessary Government Data Act
<b>OCDETF</b>	Organized Crime Drug Enforcement Task Forces	<b>OPM</b>	Office of Personnel Management
<b>OCIO</b>	Office of the Chief Information Officer	<b>OPR</b>	Office of Professional Responsibility
<b>OECD</b>	Organization for Economic Co-operation and Development	<b>OST-HP</b>	Officer Safety Training - Human Performance



<b>OTJ</b>	Office of Tribal Justice	<b>R</b>	
<b>OVC</b>	Office for Victims of Crime (OJP)	<b>RPP</b>	Release Preparation Program
<b>OVW</b>	Office on Violence Against Women	<b>S</b>	
<b>P</b>		<b>SBA</b>	Small Business Administration
<b>PARDON</b>	Office of the Pardon Attorney	<b>SDG</b>	Sustainable Development Goal
<b>PAs</b>	Productive activities	<b>SEC</b>	U.S. Securities and Exchange Commission
<b>PDMP</b>	Prescription Drug Monitoring Program (DEA)	<b>SECURE Technology Act</b>	Strengthening and Enhancing Cybercapabilities by Utilizing Risk Exposure Technology Act
<b>PIN</b>	Public Integrity Section (CRM)	<b>SMART Office</b>	Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking
<b>PLRA</b>	Prison Litigation Reform Act	<b>SPCP</b>	Strengthening Police and Community Partnership (CRS)
<b>POST</b>	Peace Officers Standards and Training	<b>SRT</b>	Special Response Team
<b>PPP</b>	Paycheck Protection Program	<b>SUD</b>	Substance Use Disorder
<b>PRC</b>	People's Republic of China	<b>SUPPORT</b>	Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment
<b>PREA</b>	Prison Rape Elimination Act	<b>SVPI</b>	Sexual Violence Prevention Initiative
<b>PWFA</b>	Pregnant Workers Fairness Act		

<b>T</b>		<b>USTP</b>	United States Trustee Program
<b>TAX</b>	Tax Division	<b>V</b>	
<b>TCO</b>	Transnational Criminal Organization	<b>VAWA</b>	Violence Against Women Act
<b>U</b>		<b>VOCA</b>	Victims of Crimes Act
<b>UAH</b>	United Against Hate	<b>VRA</b>	Voting Rights Act
<b>UN</b>	United Nations	<b>VTC</b>	Video teleconferencing
<b>USAO</b>	United States Attorney's Office	<b>W</b>	
<b>U.S.</b>	United States	<b>WPD</b>	Worcester Police Department
<b>U.S.C.</b>	United States Code	<b>Misc</b>	
<b>USERRA</b>	Uniformed Services Employment and Reemployment Rights Act	<b>IMDB</b>	Malaysia Development Berhad
<b>USIC</b>	United States intelligence community		
<b>USMS</b>	United States Marshals Service		
<b>USNCB</b>	United States National Central Bureau		
<b>USPC</b>	United States Parole Commission		

## Appendix B: Component Websites

<b>Component</b>	<b>Website</b>
<b>American Indian and Alaska Native Affairs Desk (OJP)</b>	<a href="http://www.ojp.gov/topics/tribal-justice">www.ojp.gov/topics/tribal-justice</a>
<b>Antitrust Division</b>	<a href="http://www.justice.gov/atr">www.justice.gov/atr</a>
<b>Bureau of Alcohol, Tobacco, Firearms and Explosives</b>	<a href="http://www.atf.gov">www.atf.gov</a>
<b>Bureau of Justice Assistance (OJP)</b>	<a href="https://bja.ojp.gov/">https://bja.ojp.gov/</a>
<b>Bureau of Justice Statistics (OJP)</b>	<a href="http://www.bjs.ojp.gov">www.bjs.ojp.gov</a>
<b>Civil Division</b>	<a href="http://www.justice.gov/civil">www.justice.gov/civil</a>
<b>Civil Rights Division</b>	<a href="http://www.justice.gov/crt">www.justice.gov/crt</a>
<b>Community Oriented Policing Services</b>	<a href="https://cops.usdoj.gov/">https://cops.usdoj.gov/</a>
<b>Community Relations Service</b>	<a href="http://www.justice.gov/crs">www.justice.gov/crs</a>
<b>Criminal Division</b>	<a href="http://www.justice.gov/criminal">www.justice.gov/criminal</a>
<b>Diversion Control Program (DEA)</b>	<a href="http://www.dea.gov/operational-division/diversion">www.dea.gov/operational-division/diversion</a>
<b>Drug Enforcement Administration</b>	<a href="http://www.dea.gov">www.dea.gov</a>
<b>Environment and Natural Resources Division</b>	<a href="http://www.justice.gov/enrd">www.justice.gov/enrd</a>
<b>Executive Office for Immigration Review</b>	<a href="http://www.justice.gov/eoir">www.justice.gov/eoir</a>
<b>Executive Office for U.S. Attorneys</b>	<a href="http://www.justice.gov/usao/eousa">www.justice.gov/usao/eousa</a>
<b>Executive Office for U.S. Trustees</b>	<a href="http://www.justice.gov/ust">www.justice.gov/ust</a>
<b>Federal Bureau of Investigation</b>	<a href="http://www.fbi.gov">www.fbi.gov</a>
<b>Federal Bureau of Prisons</b>	<a href="http://www.bop.gov">www.bop.gov</a>
<b>Foreign Claims Settlement Commission of the United States</b>	<a href="http://www.justice.gov/fcsc">www.justice.gov/fcsc</a>
<b>INTERPOL Washington</b>	<a href="http://www.justice.gov/interpol-washington">www.justice.gov/interpol-washington</a>
<b>Justice Management Division</b>	<a href="http://www.justice.gov/jmd">www.justice.gov/jmd</a>
<b>National Criminal Justice Reference Service (OJP)</b>	<a href="http://www.ojp.gov/ncjrs">www.ojp.gov/ncjrs</a>
<b>National Institute of Corrections</b>	<a href="http://www.nicic.gov">www.nicic.gov</a>
<b>National Institute of Justice (OJP)</b>	<a href="https://nij.ojp.gov/">https://nij.ojp.gov/</a>
<b>National Security Division</b>	<a href="http://www.justice.gov/nsd">www.justice.gov/nsd</a>
<b>Office for Access to Justice</b>	<a href="http://www.justice.gov/atj">www.justice.gov/atj</a>

<b>Component</b>	<b>Website</b>
<b>Office of the Associate Attorney General</b>	<a href="http://www.justice.gov/asg">www.justice.gov/asg</a>
<b>Office of the Attorney General</b>	<a href="http://www.justice.gov/ag">www.justice.gov/ag</a>
<b>Office of the Deputy Attorney General</b>	<a href="http://www.justice.gov/dag">www.justice.gov/dag</a>
<b>Office of Information Policy</b>	<a href="http://www.justice.gov/oip">www.justice.gov/oip</a>
<b>Office of the Inspector General</b>	<a href="http://www.justice.gov/oig">www.justice.gov/oig</a>
<b>Office of Justice Programs</b>	<a href="http://www.ojp.gov">www.ojp.gov</a>
<b>Office of Juvenile Justice and Delinquency Prevention (OJP)</b>	<a href="https://ojjdp.ojp.gov/">https://ojjdp.ojp.gov/</a>
<b>Office of Legal Counsel</b>	<a href="http://www.justice.gov/olc">www.justice.gov/olc</a>
<b>Office of Legal Policy</b>	<a href="http://www.justice.gov/olp">www.justice.gov/olp</a>
<b>Office of Legislative Affairs</b>	<a href="http://www.justice.gov/ola">www.justice.gov/ola</a>
<b>Office of the Pardon Attorney</b>	<a href="http://www.justice.gov/pardon">www.justice.gov/pardon</a>
<b>Office of Professional Responsibility</b>	<a href="http://www.justice.gov/opr">www.justice.gov/opr</a>
<b>Office of Public Affairs</b>	<a href="http://www.justice.gov/opa">www.justice.gov/opa</a>
<b>Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (OJP)</b>	<a href="https://smart.ojp.gov/">https://smart.ojp.gov/</a>
<b>Office of the Solicitor General</b>	<a href="http://www.justice.gov/osg">www.justice.gov/osg</a>
<b>Office of Tribal Justice</b>	<a href="http://www.justice.gov/otj">www.justice.gov/otj</a>
<b>Office for Victims of Crime (OJP)</b>	<a href="https://ovc.ojp.gov/">https://ovc.ojp.gov/</a>
<b>Office on Violence Against Women</b>	<a href="http://www.justice.gov/ovw">www.justice.gov/ovw</a>
<b>Organized Crime Drug Enforcement Task Forces</b>	<a href="https://www.justice.gov/ocdef">https://www.justice.gov/ocdef</a>
<b>Professional Responsibility Advisory Office</b>	<a href="https://www.justice.gov/prao">https://www.justice.gov/prao</a>
<b>Tax Division</b>	<a href="http://www.justice.gov/tax">www.justice.gov/tax</a>
<b>U.S. Attorneys</b>	<a href="http://www.justice.gov/usao">www.justice.gov/usao</a>
<b>U.S. Marshals Service</b>	<a href="http://www.usmarshals.gov">www.usmarshals.gov</a>
<b>U.S. Parole Commission</b>	<a href="http://www.justice.gov/uspc">www.justice.gov/uspc</a>