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STRATEGIC GOAL 2: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People

48% of the Department's Net Costs support this Goal.

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

FY 2012 Outcome Goal: Dismantle a cumulative total of 212 organized criminal enterprises (FY 2007-2012)

FY 2010 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: Investigative subprograms that focus on criminal enterprises involved in sustained racketeering activities (mainly comprised of ethnic groups with ties to Asia, Africa, the Middle East, and Europe) are consolidated into the Organized Criminal Enterprise program. Organized criminal enterprise investigations, under the Racketeering Influenced Corrupt Organization (RICO) statute, target the entire entity responsible for the crime problem. The FBI focuses on the following groups involved in racketeering activities: La Cosa Nostra and Italian organized crime groups, Russian/Eastern European/Eurasian organized crime groups, Balkan/Albanian Organized crime groups, Middle Eastern criminal enterprises, Asian criminal enterprises and Nigerian/West African criminal enterprises. Each of these groups is engaged in a myriad of criminal activities.

Gangs/Criminal Enterprises

The mission of the FBI's Gangs/Criminal Enterprise Program is to disrupt and dismantle the domestic cells (local, regional, national, and transnational) of criminal enterprises with ethnic ties to North, Central, and South America that pose the greatest threats to the economic and national security of the U.S. This is accomplished through the FBI's Violent Gang and Drug Programs, Major Theft initiatives, increased involvement in the Organized Crime Drug Enforcement Task Forces (OCDETF) Program, and support and leadership of high-intensity drug trafficking area initiatives. In recent years, the FBI has concentrated anti-gang efforts in the Mara Salvatrucha (MS-13) National Gang Task Force, which supports, coordinates, and facilitates the development of local, state, federal, and international investigations of the MS-13 and 18th Street transnational criminal gangs into national and international level investigations and prosecutions.

The National Gang Intelligence Center (NGIC) supports this mission by sharing and coordinating information among both state and local law enforcement organizations, as well as among other federal law enforcement agencies. The NGIC analyzes a broad spectrum of gang information to identify migration patterns and current trends.

The Gang Targeting and Coordination Center focuses on enhancing gang investigations conducted by federal agencies by acting as a deconfliction and case coordination center. It facilitates operations across agency lines and promotes the complete dismantlement of national and transnational violent gangs. Tactical and strategic intelligence is shared between law enforcement agencies in conjunction with the NGIC.

Performance Measure: Number of Organized Criminal Enterprises Dismantled

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

FY 2010 Target: 36

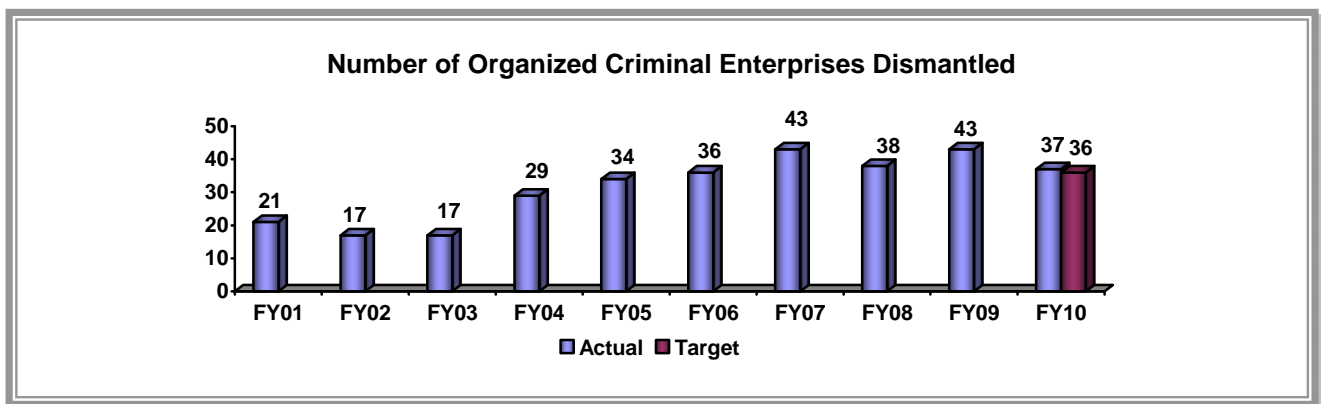
FY 2010 Actual: 37

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

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

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

The FBI, DEA, Secret Service and Cambodian National Police (CNP) jointly conducted an investigation targeting an Asian Criminal Enterprise involved in distributing heroin, ecstasy, and North Korean counterfeit U.S. currency known as "Supernotes." In October 2009, the FBI conducted a buy/bust in Phnom Penh, Cambodia, of two kilograms of heroin. Subsequently, the CNP conducted search warrants at five separate locations, including a "Mega Lab" for the production of crystal methamphetamine. Agents seized an additional fifteen kilograms of Asian heroin, two kilograms of crystal methamphetamine, over one ton of precursor chemicals and the equipment to manufacture crystal methamphetamine. Eleven indictments were issued in Cambodia and eight arrests were made, including the head of the CNP Anti-Narcotics Division. The source of the Supernotes was identified and indicted, but remains a fugitive.



Data Definition: Dismantlement means destroying the targeted organization's leadership, financial base, and supply network such that the organization is incapable of operating and/or reconstituting itself.

Data Collection and Storage: The data source is the FBI's Integrated Statistical Reporting and Analysis Application (ISRAA) database that tracks accomplishments from inception to closure.

Data Validation and Verification: Before data are entered into the system, they are reviewed and approved by an FBI field manager, and subsequently verified through inspection. Inspections occur at least once annually, tracing sampled data to source documents contained in FBI files.

Data Limitations: FBI field personnel are required to enter accomplishment data within 30 days of the accomplishment or a change in the status of an accomplishment, such as those resulting from appeals. Data for this report are compiled less than 30 days after the end of the fiscal year, and thus may not fully represent the accomplishments during the reporting period.

FY 2012 Outcome Goal: Target a cumulative total of 793 children depicted in child pornography identified by the FBI.

FY 2010 Progress: The Department is on track to achieve this long-term goal.

Background/Program Objectives: Facilitation of crimes against children through the use of a computer and the Internet is a national crime problem that is growing dramatically. The Innocent Images National Initiative (IINI), a component of the FBI's Cyber Crimes Program, is an intelligence-driven, proactive, multi-agency investigative initiative to combat the proliferation of child pornography and/or child sexual exploitation using online computers. The mission of the IINI is to: identify, investigate, and prosecute sexual predators who use the Internet and other online services to sexually exploit children; identify and rescue witting and unwitting child victims; and establish a law enforcement presence on the Internet as a deterrent to subjects who seek to exploit children.

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

FY 2010 Target: 130

FY 2010 Actual: 246

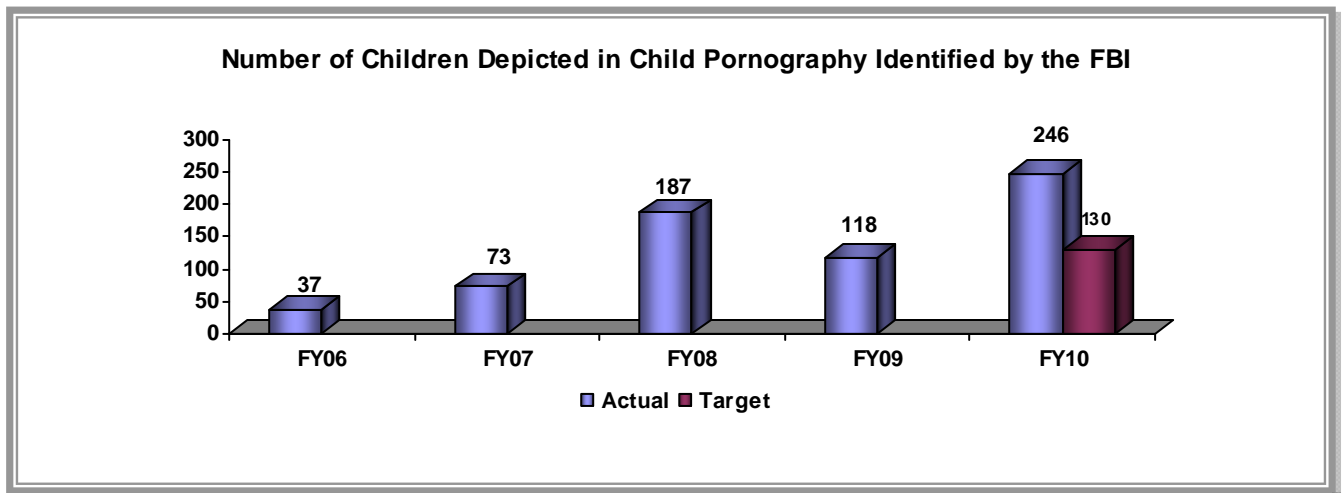
Discussion of FY 2010 Results: The FBI significantly surpassed its target for this measure. The FBI continues its collaboration with the National Center for Missing & Exploited Children's (NCMEC) Child Victim Identification Program (CVIP) and CyberTipline as well as successful FBI initiatives such as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

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

A major contributor to IINI's FY 2010 performance is IINI's presence at NCMEC. Currently, IINI details one agent and three investigative specialists to NCMEC. An actionable lead relayed to the Jacksonville Division in late FY 2010 from a NCMEC CyberTipline Report has led to the identification of 24 child victims.

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

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



Data Definition: These data record the number of children found in child pornography materials who have their identities determined as a result of FBI child pornography investigations.

Data Collection and Storage: Data are collected and stored in a database at NCMEC. Subsequent analysis of these data is reported in communications stored in the FBI's Automated Case Support (ACS) system.

Data Validation and Verification: Law enforcement personnel nationwide are required to submit data on child pornography materials and victims to CVIP, managed by FBI Cyber Division personnel assigned to the NCMEC. Submissions of child pornography material must include a law enforcement point-of-contact, who will be willing to testify as to the identification of the child in any investigation. As investigations identify specific children within submitted materials, they are listed in electronic communications (ECs) reported in the FBI's ACS system.

Data Limitations: The FBI cannot directly control the number of children identified at any given time through investigative techniques and/or any other methodology, due to the reactive nature of this measure. The FBI always makes every effort to identify and rescue victimized children. Historical data (prior to FY 2008) for this measure had to be retrieved from a manual count of identified victims in ECs during the years reviewed.

FY 2012 Outcome Goal: Increase the percentage of firearms criminal investigations resulting in referrals for prosecution to 62% (FY 2007-2012)

FY 2010 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: Violent firearms crime remains a significant and complex domestic problem, fueled by a variety of causes that vary from region to region. The common element, however, is the relationship between firearms violence and the unlawful diversion of firearms out of commerce into the hands of prohibited persons. ATF's unique statutory responsibilities and assets, including technology and information, are focused under the agency's Integrated Violence Reduction Strategy (IVRS) to remove violent offenders, including gang members, from our communities; keep firearms from those who are prohibited by law from possessing them; discourage, prohibit, and interrupt illegal weapons transfers in accordance with the law; and prevent firearms violence through community outreach.

The violence fueled by firearms trafficking is demonstrated in the crisis on our Southwest Border. Our firearms trafficking interdiction strategy complements our continued focus on the deployment of resources to specific localities where there is a high incidence of gang and gun violence. Through firearms trafficking interdiction efforts, ATF decreases the availability of illicit firearms and recommends for prosecution those who illegally supply firearms to prohibited possessors. Violent gang members are often involved in firearms trafficking, both for potential profit and in furtherance of drug trafficking and other crimes. Recent trends have shown an increase in the number of firearms recovered in Mexico, and these firearms fuel the growing violence along the border, including the brutal murders of hundreds of law enforcement officers and government officials. ATF's efforts to reduce violent firearms crime include:

- ATF's Southwest Border initiative, Project Gunrunner, is a focused subset of ATF's broader firearms trafficking initiative, addressing U.S.-based firearms trafficking that is fueling the violence along the Southwest Border and nationwide. Project Gunrunner attacks the prevalence of illegal firearms available in the Southwest Border region and stems the flow of firearms to criminal organizations in Mexico. Additionally, ATF enhances its efforts along the Southwest Border with an integrated violent crime and gang reduction program with initiatives like the Violent Crime Impact Teams and Regional Area Gang Enforcement Teams.
- Partnering with law enforcement agencies and prosecutors at all levels to develop focused strategies to investigate, arrest, and prosecute violent offenders, persons prohibited from possessing firearms, domestic and international firearms traffickers, violent gangs, and others who attempt to illegally acquire or misuse firearms.
- Assisting the law enforcement community in identifying firearms trafficking trends and resolving violent crimes by providing automated firearms ballistics technology, tracing guns used in crimes, and developing advanced firearms investigative techniques.
- Ensuring that only qualified applicants who meet the eligibility requirements of the law enter the regulated firearms industry by employing appropriate screening procedures prior to licensing.
- Inspecting firearms dealers to identify any illegal purchases or diversion of firearms to criminals and to ensure the accuracy of records used in tracing firearms. ATF ensures that firearms industry members comply with the Gun Control Act, the National Firearms Act, and the Arms Export Control Act.
- Keeping restricted firearms such as machine guns out of the hands of prohibited persons by performing criminal records checks on applicants. ATF maintains the accuracy and integrity of the

National Firearms Registration and Transfer Record so that the location and ownership of restricted firearms are kept current.

- Ensuring that only firearms that are legally importable under ATF and State Department rules are imported into the United States and are properly marked and recorded by the importer for sale domestically.
- Collaborating with schools, law enforcement agencies, community organizations, and the firearms industry to implement educational programs which help to reduce firearms violence.
- Informing the public and firearms industry about ATF policies, regulations, and product safety and security, so that they can better comply with the law. To do so, ATF uses a variety of communication methods such as the Internet, trade and community publications, seminars, and industry meetings.

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

FY 2010 Target: 60%

FY 2010 Actual: 56%

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

ATF has been at the forefront of efforts across the country to reduce violent crime involving firearms. ATF is the lead Federal agency in these efforts, actively initiating investigations against violent offenders and firearms traffickers and providing key services to its law enforcement partners. The following case examples highlight ATF's FY 2010 efforts:

- **Phoenix Field Division:** A subset of ATF's broader firearms enforcement program, Project Gunrunner is ATF's comprehensive firearms trafficking interdiction strategy to disrupt the illegal flow of firearms into Mexico, and to impact the firearms violence along the Southwest border associated with Mexican drug trafficking organizations and cartels. In May 2010, ATF launched a GRIT, an initiative under Project Gunrunner, involving a 100-day deployment of supplemental ATF resources to the Phoenix Field Division to disrupt and dismantle the southbound supply of firearms to Mexican drug trafficking organizations.

The GRIT initiative brought more than 80 experienced ATF personnel from around the country to Arizona and New Mexico. GRIT special agents initiated 174 firearms trafficking-related criminal investigations and seized approximately 1,300 illegally-trafficked firearms and 71,000 rounds of ammunition, along with drugs and currency. ATF's industry operations investigators conducted more than 800 federal firearms licensee compliance inspections.

The Phoenix GRIT was concluded in September 2010. As of September 17, 2010, 96 defendants have been arrested, charged, convicted or sentenced since June 2010 on gun-related charges. The majority of defendants include violent felons, drug traffickers who use weapons, and those trafficking firearms to Mexico. Cases involved more than 370 guns, many of them AK-47 style rifles and other "weapons

of choice” of drug cartels, and hundreds of thousands of rounds of ammunition smuggled into or destined for Mexico.

- **Tampa Field Division:** Orlando, Florida – In September 2010, ATF, U.S. Immigration and Customs Enforcement (ICE) and the U.S. Attorney, Middle District of Florida, announced the initial results of Operation Castaway, an intensive and wide-ranging OCDETF firearms trafficking investigation conducted by ATF, ICE, the Orange County Sheriff’s Office, the Osceola County Sheriff’s Office, the Brevard County Sheriff’s Office, and the Miami-Dade Police Department. This was an ATF led investigation initiated from analysis conducted by the ATF Field Intelligence Group, based on information derived from ATF Industry Operations referrals, and National Tracing Center trace and multiple sales data. ATF describes Operation Castaway as the most significant firearms trafficking investigation in Central Florida history.

According to court documents, a group of defendants connected to Hugh Crumpler, III, were involved in a major international gun trafficking operation. Crumpler has trafficked, for several years, more than 1,000 firearms to various groups and defendants who exported these weapons all over Central and South America and to Puerto Rico. The defendants trafficked in Glock semi-automatic handguns, Fabrique Nationale Herstal 5.7x28 mm semi-automatic handguns, and AR-15 styled short-barreled rifles, among other firearms.

Recently, several of the Operation Castaway defendants were sentenced. Hugh Crumpler, III (age 63, of Palm Bay) was sentenced to 30 months in federal prison for dealing firearms without a license and unlawfully possessing short barreled rifles; Ramon Lopez, Jr. (age 29, of Kissimmee) was sentenced to 74 months in federal prison for dealing firearms without a license and unlawfully possessing short barreled rifles; Carlos Humberto Guillen-Rivera (age 29, of Honduras) was sentenced to 84 months in federal prison for conspiring to possess and illegally possessing short barreled rifles; Cesar Augusto Guillen-Rivera (age 31, of Honduras) was sentenced to 65 months in federal prison for conspiring to possess and illegally possessing short barreled rifles; Erlin Javier Guillen-Rivera (age 25, of Honduras) was sentenced to 63 months in federal prison for conspiring to possess and illegally possessing short barreled rifles; and Hector Saenz (age 38, of Honduras) was sentenced to 46 months for conspiracy.

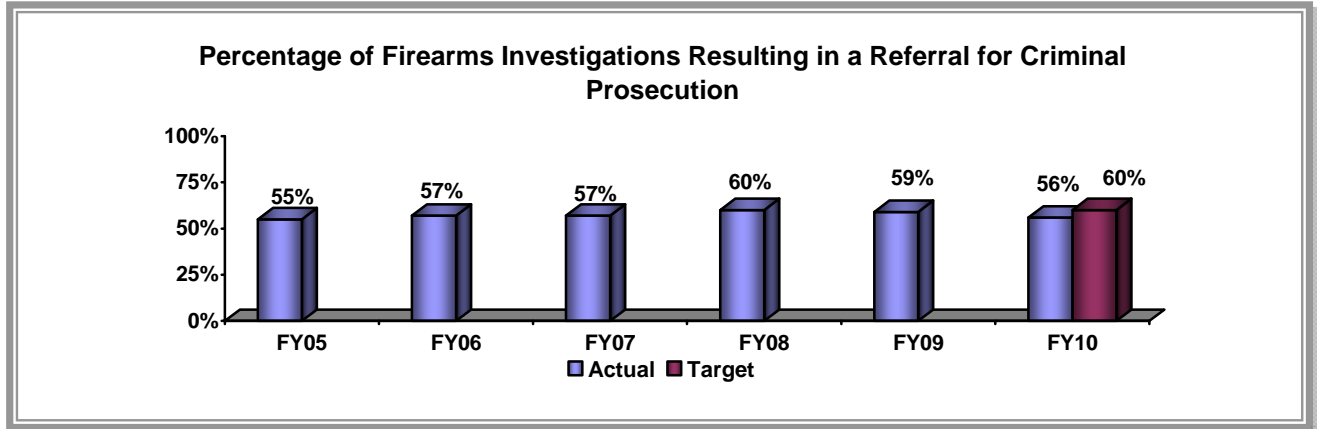
Operation Castaway defendant Jesus Puentes pleaded guilty on August 31, 2010 to conspiring to possess and illegally possessing short barreled rifles and will be sentenced on November 18, 2010. Defendant Jorge Acosta has pleaded guilty to conspiring to possess and illegally possessing short barreled rifles. Acosta will be sentenced at a future date. Two additional defendants, Antonia Ruiz-Varela and Manuel Dejesus Carrasco-Ruiz, are still at large and have yet to be arrested by authorities. Operation Castaway remains an ongoing investigation.

- **Atlanta Field Division:** Brunswick, Georgia – Recently, 34 federal indictments unsealed in federal court, have charged 57 defendants with federal firearms, drug trafficking or other federal offenses. Thirty-two additional defendants were charged by Glynn County authorities on related state firearms and drug charges. The federal and state charges follow a 9-month undercover investigation dubbed “Operation Thunderbolt.”

The U.S. Attorney’s Office, ATF, the Glynn County Police Department and the Glynn County-Brunswick Narcotics Enforcement Team initiated Operation Thunderbolt in the fall of 2009. Additional investigative support was provided by ICE and the U.S. Secret Service. Undercover ATF agents posed as members of the Brunswick community interested in purchasing guns and drugs from the criminal element. During the operation, undercover agents purchased 245 firearms, including handguns, rifles, assault rifles and sawed-off shotguns, and approximately \$200,000 worth of illegal drugs, including more than 3 pounds of cocaine, over 1,500 ecstasy pills, over 800 oxycodone pills, and a quantity of methadone. Many of the individuals who sold firearms and drugs to the undercover

agents are allegedly convicted felons. In addition, a number of the guns purchased by undercover agents were allegedly stolen.

Following numerous arrests, initial appearances for several of the federally indicted defendants were held in U.S. District Court, Brunswick, Georgia, on August 12, 2010. In summary, a total of 55 federal defendants were indicted, with two additional subjects yet to be identified also charged federally; and 29 adult defendants and three juveniles were arrested or being sought on state charges.



Data Definitions: This measure reflects the percentage of investigations within ATF’s firearms program area in which a defendant was referred for criminal prosecution. This measure is based on the premise that ATF is the Federal law enforcement agency with unique expertise and statutory authority to enforce Federal firearms laws, and that ATF reduces firearms violence through investigations and their resulting law enforcement consequences (specifically the referral for criminal prosecution and the ensuing incapacitation of criminals under these statutes).¹ More effective enforcement of Federal firearms laws contributes to disrupting criminal activity, deterring violent crime, and safeguarding the legitimate firearms industry from exploitation by criminals. This measure allows ATF to gauge the impact of applying its Federal statutory authority and resources to a national strategy to fight violent crime in our communities – targeting those who commit the violence and those who facilitate their commission by supplying firearms through straw purchases, unlicensed dealing, theft from Federal firearms licensees and interstate carriers, and other illegal means.

Data Collection and Storage: The data source is ATF’s National Field Office Case Information System, which is ATF’s integrated and centralized data management solution allowing real time monitoring and oversight of all criminal enforcement activities in the field.

Data Validation and Verification: There is an ongoing quality assurance and case management program in place within ATF which includes the required review and approval of case information by ATF field managers. The data are subsequently verified through ATF’s inspection process, performed internally by the Office of Professional Responsibility and Security Operations. The internal inspections occur on a four year cycle and are performed at each ATF field office and division.

Data Limitations: ATF investigations are often complex and time consuming in nature, and often span multiple years from initiation through closure. The data used to calculate this percentage are based on the date investigations are closed, and are therefore likely to include investigations that have spanned previous time periods.

¹ “Although studies that focus exclusively on violent offenders are rare, empirical evidence about violent offending can be found in cross-sectional and longitudinal studies of general offending careers. The results from this research generally support the conclusion that incapacitation has nontrivial consequences for the control of violent crime.” Commission on Behavioral and Social Sciences and Education: *Understanding and Preventing Violence, Volume 4: Consequences and Control* (1994).

FY 2012 Outcome Goal: Develop meaningful baselines for the supply of drugs available for consumption in the United States (FY 2007-2009). Achieve a 6% reduction in the supply of illegal drugs (FY 2010-2012) available for consumption in the United States using the baseline established by the close of FY 2010.

FY 2010 Progress: N/A

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

FY 2010 Target: Progress toward establishing baseline

FY 2010 Actual: See Discussion of FY 2010 Results

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

FY 2012 Outcome Goal: Dismantle 810 Consolidated Priority Organization Target-linked drug trafficking organizations (FY 2007-2012). Disrupt 1,260 CPOT-linked drug trafficking organizations (FY 2007-2012).

FY 2010 Progress: The Department is on target to achieve the long-term goal of dismantling 810 CPOT-linked drug organizations (FY 2007-2012). The Department is also on target to achieve the long-term goal of disrupting 1,260 CPOT-linked drug trafficking organizations by FY 2012. The Department remains committed to target, disrupt and dismantle these priority organizations in the future.

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

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

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

Revised FY 2009 Actual:

Dismantled: 143

Disrupted: 276

FY 2010 Target:

Dismantled: 149

Disrupted: 281

FY 2010 Actual:

Dismantled: 176

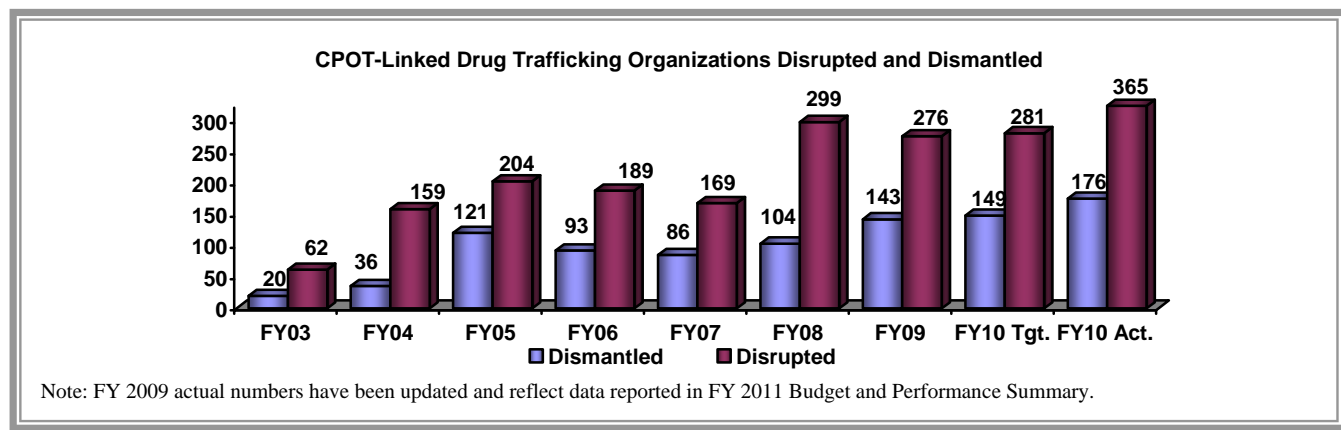
Disrupted: 365

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

linked organizations in FY 2010, exceeding its target by 30%. This is a 32% increase over the 276 reported in FY 2009 and a 22% increase over the 299 reported in FY 2008, the highest number reported prior to FY 2010.

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

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



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

Data Collection and Storage: For this measure, OCDETF reviews all of the cases worked by FBI and DEA. When there are cases that both agencies work, they are counted as one case in the consolidated numbers reported in the Department's Performance and Accountability Report. This procedure is in place to prevent double counting in Department-level reports.

Investigations may be linked to a CPOT organization at any time during the investigation. Once the link is verified, a specific code or other identifier is assigned to the investigation. Accordingly, data on this performance measure may lag behind actual identification of the link by the investigative agency. The investigation is tracked as "CPOT-linked" by the agency and within the OCDETF Management Information System.

Data Validation and Verification: The CPOT List is updated bi-annually. Each OCDETF agency has an opportunity to nominate targets for addition to/deletion from the List. Nominations are considered by the CPOT Working Group (made up of mid-level managers from the participating agencies). Based upon the Working Group's recommendations, the OCDETF Operations Chiefs decide which organizations will be added to/deleted from the CPOT List.

Once a CPOT is added to the List, OCDETF investigations can be linked to that organization. The links are reviewed and confirmed by OCDETF field managers using the OCDETF Fusion Center, agency databases, and intelligence information. Field recommendations are reviewed by the OCDETF Executive Office. In instances where a link is not fully substantiated, the sponsoring agency is given the opportunity to follow-up. Ultimately, the OCDETF Executive Office "un-links" any investigation for which sufficient justification has not been provided. When evaluating disruptions/dismantlements of CPOT-linked organizations, OCDETF verifies reported information with the investigating agency's headquarters.

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

FY 2012 Outcome Goal: Neutralize a cumulative total of 78 high-impact Internet fraud targets (FY 2007-2012)

FY 2010 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: Internet fraud is defined as any scam that uses one or more components of the Internet to present fraudulent solicitations to prospective victims, conduct fraudulent transactions, or transmit the proceeds of fraud to financial institutions or others that are connected with the scheme. Identity theft, Internet auction fraud, and unauthorized electronic funds transfers are problems that plague millions of U.S. victims.

The FBI and the National White Collar Crime Center (NW3C) partnered in May 2000 to support the Internet Crime Complaint Center (IC3). NW3C is a non-profit membership organization funded by Office of Justice programs (OJP) Bureau of Justice Assistance (BJA) and dedicated to supporting law enforcement in the prevention, investigation, and prosecution of economic and high-tech crime. For victims of Internet crime, IC3, which is a partnership between FBI, NW3C, and BJA, provides a convenient and easy way to alert authorities of a suspected violation. For law enforcement and regulatory agencies, IC3 offers a central repository for complaints related to Internet crime, uses the information to quantify patterns, and provides timely statistical data of current trends. In addition, the FBI uses synchronized, nationwide takedowns (i.e., arrests, seizures, search warrants, and indictments) to target the most significant perpetrators of on-line schemes.

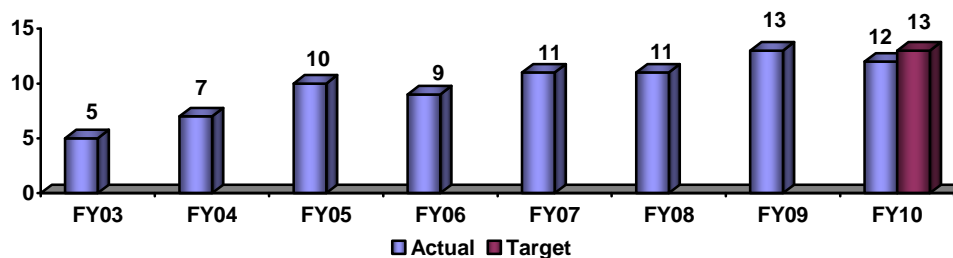
Performance Measure: Number of High-Impact Internet Fraud Targets Neutralized

FY 2010 Target: 13

FY 2010 Actual: 12

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

Number of High-Impact Internet Fraud Targets Neutralized



Data Definition: Case data are reviewed by the IC3 staff to determine if investigative targets meet certain “high impact” criteria: Total loss amount greater than \$100,000; Internal nexus; White-Collar Crime-related fraud; Money Laundering scheme; Pharmaceutical Fraud; Phishing; Attack/Identity Theft; and High volume of victims. The IC3 evaluates and tracks the progress of investigations meeting these criteria throughout the year.

Data Collection and Storage: The data source is a record system maintained by the IC3. The list of targets is updated each year.

Data Validation and Verification: Targets are determined by subject matter expert teams at the IC3 and approved by the Unit Chief. IC3 staff maintains the list and determines when a target has been the subject of an action.

Data Limitations: There are no requirements for the IC3 to receive feedback from FBI field offices or state and local law enforcement regarding neutralizations that were a result of IC3 case referrals. Due to this lack of feedback, the IC3 may under-report the number of neutralizations.

FY 2012 Outcome Goal: Dismantle a cumulative total of 745 criminal enterprises engaging in white-collar crime (FY 2007-2012)

FY 2010 Progress: The Department has achieved this long-term goal.

Background/Program Objectives: Through the White-Collar Crime (WCC) Program, the FBI investigates criminals and criminal enterprises that seek illicit gains through fraud and guile. Corporate fraud, health care fraud, financial institution fraud, government fraud (housing, defense procurement, and other areas), insurance fraud, securities and commodities fraud, mass marketing fraud, bankruptcy fraud, environmental crimes, and money laundering are among the illegal activities investigated.

U.S. citizens and businesses lose billions of dollars each year to criminals engaged in non-violent fraudulent enterprises. Technological advances, the globalization of economic and financial systems, the sophistication of criminal organizations, and declining corporate and individual ethics, have resulted in annual increases in the number of illegal acts characterized by deceit, concealment, or violations of trust. Losses incurred as a result of these crimes are not merely monetary; these crimes also contribute to a loss of confidence and trust in financial institutions, public institutions, and industry.

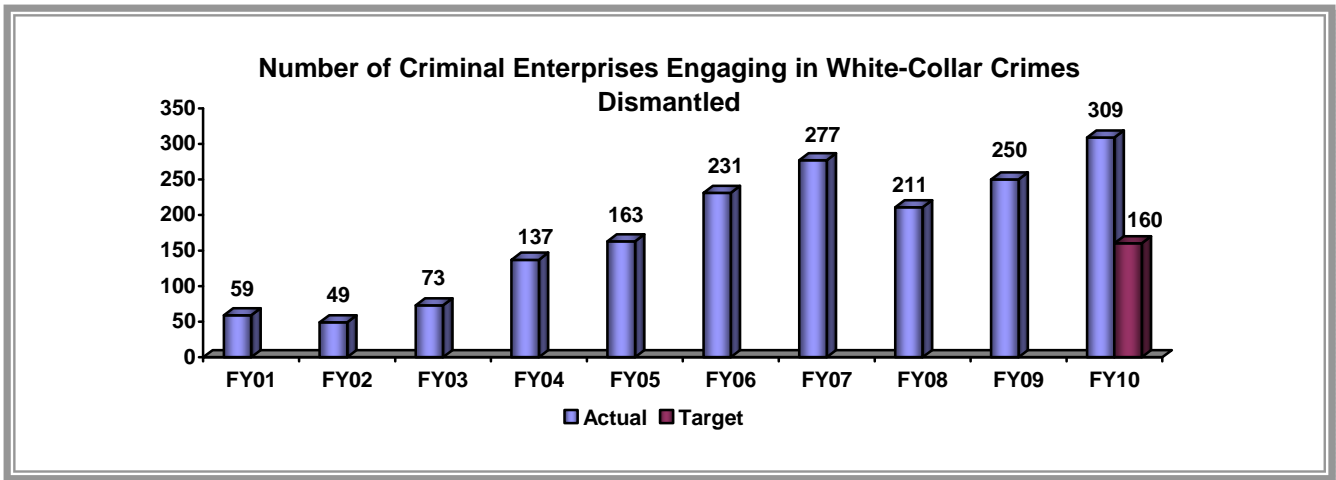
Performance Measure: Number of Criminal Enterprises Engaging in White-Collar Crimes Dismantled

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

FY 2010 Target: 160

FY 2010 Actual: 309

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



Data Definition: Dismantlement means destroying the organization’s leadership, financial base, and supply network such that the organization is incapable of operating and/or reconstituting itself.

Data Collection and Storage: The data source is the FBI’s ISRAA database that tracks accomplishments from inception to closure.

Data Validation and Verification: Before data are entered into the system, they are reviewed and approved by an FBI field manager, and subsequently verified through inspection. Inspections occur at least once annually, tracing sampled data to source documents contained in FBI files.

Data Limitations: FBI field personnel are required to enter accomplishment data within 30 days of the accomplishment or a change in the status of an accomplishment, such as those resulting from appeals. Data for this report are compiled less than 30 days after the end of the fiscal year, and thus may not fully represent the accomplishments during the reporting period.

FY 2012 Outcome Goal: Favorably resolve 90% of Criminal Cases (litigating divisions)
FY 2012 Outcome Goal: Favorably resolve 80% of Civil Cases (litigating divisions)
FY 2010 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: Representing the rights and interests of the American people is a top priority for the Department of Justice. Among the DOJ components sharing responsibilities to achieve this goal are the Executive Office of the U.S. Attorneys, the Antitrust, Civil, Civil Rights, Criminal, Environment and Natural Resources and Tax Divisions.

There are 94 U.S. Attorney Offices located throughout the United States and its territories. Each U.S. Attorney serves as the chief federal law enforcement officer within his or her judicial district and, as such, is responsible for the prosecution of criminal cases brought by the federal government; the litigation and defense of civil cases in which the United States is a party; the handling of criminal and civil appellate cases before United States Courts of Appeal; and the collection of civil and criminal debts and restitutions owed the federal government which are administratively uncollectable.

Additionally, the Department has litigators that specialize in the areas of: preserving a competitive market structure; defending the public fisc against unwarranted claims; protecting civil rights; enforcing federal civil and criminal statutes; safeguarding the environment; and administering internal revenue laws.

The Antitrust Division (ATR) promotes and protects the competitive process – and the American economy – through the enforcement of antitrust laws. These laws apply to virtually all industries and to every level of business, including manufacturing, transportation, distribution, and marketing.

The Civil Division (CIV) defends challenges to Presidential actions; national security issues; benefit programs; energy policies; commercial issues such as bankruptcy, contract disputes, banking, insurance, patents, fraud, and debt collection; all manner of accident and liability claims; and criminal violations of the immigration and consumer protection laws.

The Civil Rights Division (CRT) enforces federal statutes prohibiting discrimination in education, employment, credit, housing, public accommodations and facilities, voting, and certain federally funded and conducted programs. Additionally, CRT enforces criminal civil rights responsibilities for human trafficking and involuntary servitude statutes, acts of racial, ethnic or religious violence, “color of law” offenses by local and federal law enforcement officials, and conspiracies to interfere with federally protected rights.

The Criminal Division (CRM) develops, enforces, and supervises the application of all federal criminal laws (except those specifically assigned to other divisions). The mission of the Criminal Division is to identify and respond to critical and emerging national and international criminal threats, and to lead the enforcement, regulatory, and intelligence communities in a coordinated, nationwide response to reduce those threats. The Division engages in several functions vital to achieving its mission: investigating and prosecuting significant criminal cases and matters; providing expert legal advice and training; providing critical law enforcement tools (i.e., Title III wiretaps); and forging global law enforcement partnerships.

The Environment and Natural Resources Division (ENRD) brings cases against those who violate the nation's civil and criminal pollution-control and wildlife protection laws. Additionally, the Division defends environmental challenges to government programs and activities and represents the U.S. in matters concerning the stewardship of the nation's natural resources and public lands. In addition, the Division litigates cases concerning Indian rights and claims.

And finally, the Tax Division's (TAX) mission is to enforce the nation's tax laws fully, fairly, and consistently, through both criminal and civil litigation, in order to promote voluntary compliance with the tax laws, maintain public confidence in the integrity of the tax system, and promote the sound development of the law.

Performance Measure: Percent of Cases Favorably Resolved

FY 2010 Target:

Criminal Cases: 90%

Civil Cases: 80 %

FY 2010 Actual:

Criminal Cases: 94%

Civil Cases: 85%

Discussion of FY 2010 Results: The collaboration of the U.S. Attorneys' Offices in each of the FBI's Mortgage Fraud Task Forces and Working Groups, together with the targeted mortgage fraud training provided at the National Advocacy Center resulted in significant accomplishments. For example, in the Northern District of Georgia, Edward William Farley, was sentenced to 25 years in federal prison on charges of bank fraud and conspiracy involving mortgage fraud, a real estate investment "Ponzi" scheme with over 100 victims, a check-kiting scheme, and bankruptcy fraud. As a result of the defendant's lies and manipulations, the lenders lost millions of dollars in this flip scheme. In an example of investment fraud, in the Southern District of Florida, Scott Rothstein was sentenced to 50 years in prison in connection with the operation of a \$1.2 billion Ponzi scheme through his defunct law firm Rothstein Rosenfeldt and Adler, P.A (RRA). At the time of his guilty plea, Rothstein had agreed to forfeit \$1.2 billion, including 24 pieces of real property, numerous luxury cars, boats, and other vessels, jewelry, sports memorabilia, business interests, bank accounts, and more. In a health care fraud settlement in the Eastern District of Pennsylvania, Novartis Pharmaceuticals Corporation (NPC) will pay \$422.5 million for off-label drug marketing. Criminal information was filed against NPC for the off-label marketing of the anti-epileptic drug Trileptal. In a separate civil settlement agreement, NPC agreed to pay the United States and participating states \$237.5 million, plus interest, to settle allegations that it caused invalid claims for payment for Trileptal, Diovan, Tekturna, Exforge, Sandostatin, and Zelnorm to be submitted to government programs such as Medicare, Medicaid, TRICARE, and the Federal Employees Health Benefits Program.

The Criminal Division prosecuted and achieved favorable dispositions in FY 2010 in cases covering a wide range of complex case law. Examples of this work include the successful resolution of a long-running investigation of Credit Suisse AG for its efforts to help sanctioned countries avoid U.S. banking regulations (resulting in the forfeiture of \$536 million, representing the largest forfeiture ever entered against an entity for violations of what is known as the International Emergency Economic Powers Act); the sentencing of a MS-13 gang leader to life in prison for racketeering offenses including the murder of a witness; the indictment of 18 defendants and 95 defendants who pleaded guilty in healthcare fraud cases.

The Antitrust Division assessed \$554.8 million in criminal fines in FY 2010 against antitrust violators. The Division's investigations into the liquid crystal display panel and air transportation industries yielded significant fines which help to fund the Department's Crime Victims Fund. In addition, the Division continued its Economic Recovery Initiative efforts to provide nationwide training and public outreach to ensure successful results from the implementation of the American Recovery and Reinvestment Act of 2009. On the civil side, the Division was successful in protecting competition and U.S. consumers by challenging proposed mergers and agreements in areas as diverse as entertainment event ticketing, digital e-books, credit and debit card networks, and air transportation.

The Civil Division exceeded its target by defeating billions of dollars in unmeritorious claims, in addition to the successful defense of suits filed against the government as a result of the government's policies, laws, and involvement in commercial activities, domestic and foreign operations and entitlement programs, as well as law enforcement initiatives, military actions, and counterterrorism efforts. The Division also pursued

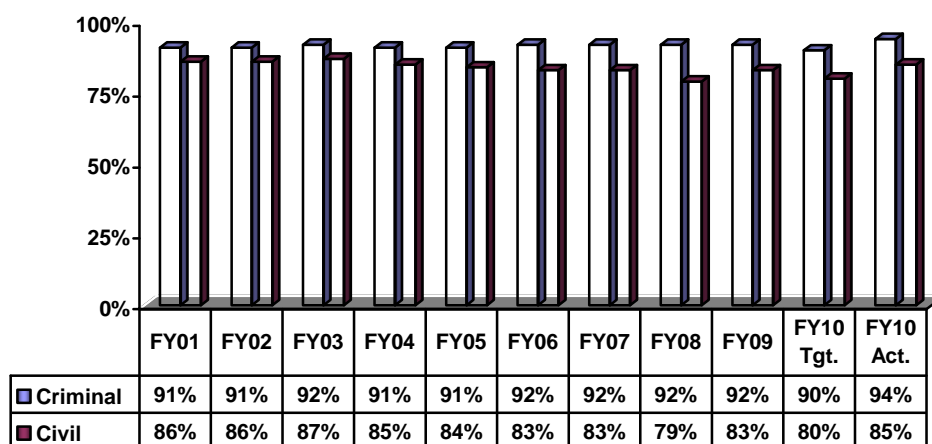
affirmative litigation, bringing suits on behalf of the United States, which resulted in the return of nearly three billion dollars to the Treasury, Medicare, and other entitlement programs.

The Civil Rights Division has made significant strides in fulfilling its mission to vigorously enforce the civil rights of all Americans. The cornerstone of this effort is the Division's commitment to fair, vigorous, and evenhanded enforcement of all of the laws within its authority, including: in the wake of the foreclosure crisis, CRT substantially increased efforts to enforce the fair lending laws, including through the establishment of a new fair lending unit, and obtained a \$6.1 million settlement with AIG subsidiaries resolving allegations of discrimination against African-American borrowers—the largest fair lending settlement ever secured by DOJ; filed 52 Fair Housing Act (FHA) lawsuits and entered into 54 consent decrees, including the largest monetary settlement of rental-discrimination claims DOJ has ever obtained under the FHA; vigorously enforced the Supreme Court's 1999 decision in *Olmstead v. L.C.*, which prohibits the unnecessary institutionalization of people with disabilities; robustly implemented the Project Civic Access (PCA) initiative, a wide-ranging effort to ensure that all public facilities and programs in cities, counties, towns, and villages throughout the United States are accessible to people with disabilities; obtained significant settlements affecting thousands of institutionalized inmates and youth in juvenile justice facilities, including a landmark settlement of conditions in one of the largest jails in the country; opened more than 80 investigations under the newly enacted Hate Crimes Prevention Act, filed record numbers of labor trafficking cases including cases of unprecedented scope and impact, and filed numerous cases alleging police abuse and other official misconduct; and promoted the expeditious resolution of service members' employment discrimination complaints through the Uniformed Services Employment and Reemployment Rights Act (USERRA) fast-track program.

The Environment and Natural Resources Division made significant progress in addressing civil litigating activities involving the enforcement of environmental statutes such as the Comprehensive Environmental Response, Compensation, and Liability Act. Specifically, the Division secured the largest recovery ever of funds for hazardous waste cleanup and environmental restoration through the bankruptcy reorganization of American Smelting and Refining Company LLC, known as ASARCO. The Company and its predecessors operated in the mining, milling, and smelting industries for more than 100 years, leaving a legacy of environmental contamination at more than 80 sites in 19 states. ASARCO's 2005 bankruptcy is the largest environmental bankruptcy in history, in terms of both number of sites and the amount of the company's liability. The ASARCO reorganization plan includes total payments of \$1.67 billion to the United States, various trusts, and 14 different states. Much of the money paid to the U.S. will be placed in special accounts in the Superfund for the Environmental Protection Agency to pay for future cleanup work. It also will be placed into accounts at the Departments of Agriculture and the Interior to pay for natural resource restoration.

The Tax Division continues to work hand-in-hand with the IRS to combat the serious problem of non-compliance with our tax laws by US taxpayers using secret offshore accounts – a problem that a 2008 Senate report concluded costs the US Treasury at least \$100 billion annually. As part of the deferred prosecution agreement the Tax Division negotiated in 2009 with UBS AG, Switzerland's largest bank, as well as a 2009 agreement negotiated among the US, UBS, and the Swiss government to settle a civil summons enforcement proceeding brought by the Tax Division, the IRS is receiving, from UBS and from the Swiss, account information about thousands of the most significant tax cheats among the US taxpayers who maintain secret Swiss bank accounts. The prosecution results so far have been encouraging: To date, approximately 150 grand jury investigations of UBS clients have been initiated, six cases have been charged and are awaiting trial, 12 guilty pleas have been entered and a number of facilitators who helped clients hide assets offshore have been indicted. In addition, grand jury investigations have been opened into six additional offshore banks across the world. Moreover, the IRS credits these two agreements with prompting a huge increase in the number of taxpayers – nearly 18,000 in the past year, in contrast to fewer than 100 in a typical year – who have “come in from the cold” and voluntarily disclosed to the IRS their previously hidden foreign accounts and who have also agreed to pay hundreds of millions of dollars to the US Treasury.

Percent of Cases Favorably Resolved



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

Data Collection and Storage: Data are currently captured within each component’s automated case management system and companion interface systems. The following information about the data should be noted. Cases worked on by more than one component are included in the totals from CRM, CRT, ENRD, and EOUSA. The court’s disposition date is used for reporting purposes for ATR, CIV, CRM, CRT, and ENRD; however, EOUSA and TAX use the date it is entered into their current case management system. Additionally, CIV counts at the party level; CRM, ENRD, and the Executive Office for United States Attorneys (EOUSA) count cases at the defendant level; CRT and TAX count Civil and Criminal cases. Lastly, ATR includes Criminal, Civil Merger, and Civil Non-Merger; ENRD includes affirmative, defensive, criminal, and condemnation cases in their totals.

Data Validation and Verification: Each component implements their individual methodology for verifying data; however, in general, case listings and reports are reviewed by attorney managers for data completeness and accuracy on a routine basis. Batch data analysis and ad hoc reviews are also conducted.

Data Limitations: The quality of the data is limited because each component captures its respective data within its own system and may use different methodology in capturing the data. Due to the inherent variances in data collection and management, cases may refer to cases or individuals. In addition, due to reporting lags, case closures for any given year may be under or over-reported. Furthermore, Criminal Division data for FYs 2001 through 2002 are estimates. Actual data are not available due to technical and policy improvements that were not implemented until FY 2003. Lastly, EOUSA data do not include information for the month of September 2005 for the Eastern District of Louisiana due to Hurricane Katrina.

FY 2012 Outcome Goal: Return 58% of assets/funds to creditors in Chapter 7 cases
FY 2012 Outcome Goal: Return 85% of assets/funds to creditors in Chapter 13 cases
FY 2009 Progress: Although the Department missed its 2009 Chapter 7 and 13 targets, the Department is on track to achieve both long-term goals.

Background/Program Objectives: The U.S. Trustee Program (USTP) was established nationwide (except in North Carolina and Alabama) in 1986 to separate the administrative functions from the judicial responsibilities of the bankruptcy courts and to bring accountability to the bankruptcy system. The USTP protects and preserves the integrity of the bankruptcy system by ensuring that parties comply with the law and that bankruptcy estate assets are properly handled. The USTP appoints Trustees who serve as fiduciaries for bankruptcy estates and administer cases filed under Chapter 7 and Chapter 13. The U.S. Trustee regulates and monitors the activities of these private trustees and ensures their compliance with fiduciary standards. To promote the effectiveness of the bankruptcy system and maximize the return to creditors, the Department targets and reports the percent of assets/funds returned to creditors.

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

FY 2009 Target: Chapter 7: 58%

Chapter 13: 86%

FY 2009 Actual: Chapter 7: 56%

Chapter 13: 82%

FY 2010 Target: Chapter 7: 58%

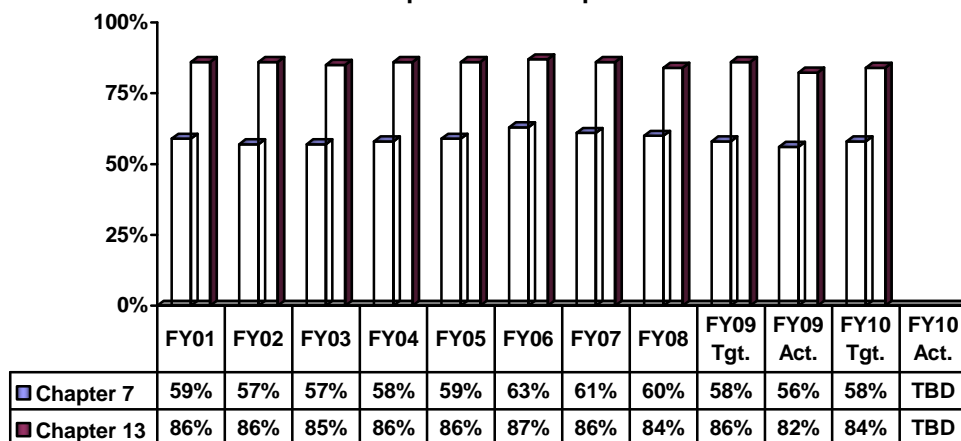
Chapter 13: 84 %

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

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

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

**Percent of Assets/Funds
Returned to Creditors for
Chapter 7 and Chapter 13**



Data Definition: Chapter 7 bankruptcy proceedings are those where assets that are not exempt from creditors are collected and liquidated (reduced to money). Chapter 7 percentages are calculated by dividing the disbursements to secured creditors, priority creditors, and unsecured creditors by the total disbursements for the fiscal year. In Chapter 13 cases, debtors repay all or a portion of their debts over a three to five year period. Chapter 13 percentages are based on the Chapter 13 audited annual reports by dividing the disbursements to creditors by the total Chapter 13 disbursements.

Data Collection and Storage: The data are collected on an annual or semi-annual basis. For Chapter 7 cases, the USTP receives trustee distributions reports as part of the Final Account on each Chapter 7 case closed during the year. The Chapter 7 data are aggregated on a nationwide basis and reported twice a year in January and July. Chapter 13 data are gathered from the standing Chapter 13 trustees' annual reports on a fiscal year basis.

Data Validation and Verification: Data on these annual reports are self-reported by the trustees. However, each trustee must sign the reports certifying their accuracy. In Chapter 7 cases, independent auditors periodically review the annual reports, in addition to the USTP's on-site field examinations. Additionally, USTP Field Office staff review the trustee distribution reports. The Field Office and Executive Office staff performs spot checks on the audited reports to ensure that the coding for the distributions is accurate. They also verify whether there have been any duplicate payments. Finally, the USTP conducts bi-annual performance reviews for all Chapter 7 trustees. In Chapter 13 cases, independent auditors must audit each report. This indirectly provides an incentive for trustees to accurately report data. In addition, the Executive Office staff reviews the combined distribution spreadsheet to ensure that the amounts stated coincide with what is reported in the audit reports.

Data Limitations: Out-year performance cannot be accurately projected, as the USTP has no reliable method of calculating the disbursements of future bankruptcy cases. Additionally, data are not available until January (Chapter 7) and April (Chapter 13) following the close of the fiscal year because of the need to audit data submitted by private trustees prior to reporting.

FY 2012 Outcome Goal: Reduce homicides at Weed and Seed Program sites from 4.4 (CY 2005) to a maximum of 4.0 per Weed and Seed site by 2012

FY 2009 Progress: The FY 2011 President’s Budget does not request funding for this program.

Background/Program Objectives: The Office of Justice Programs’ Community Capacity Development Office (CCDO) administers the Weed and Seed program, an innovative, comprehensive multiagency approach to law enforcement, crime prevention, and community revitalization. The Weed and Seed program assists communities with linking federal, state, and local law enforcement and criminal justice efforts with private sector and community efforts. The Weed and Seed program assists communities in “weeding out” violent crime, gang activity, drug use, and drug trafficking in targeted neighborhoods and “seeding” with programs that lead to social and economic rehabilitation and revitalization. In addition, the Weed and Seed sites engage in community policing activities that foster proactive police and community engagement and problem solving.

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

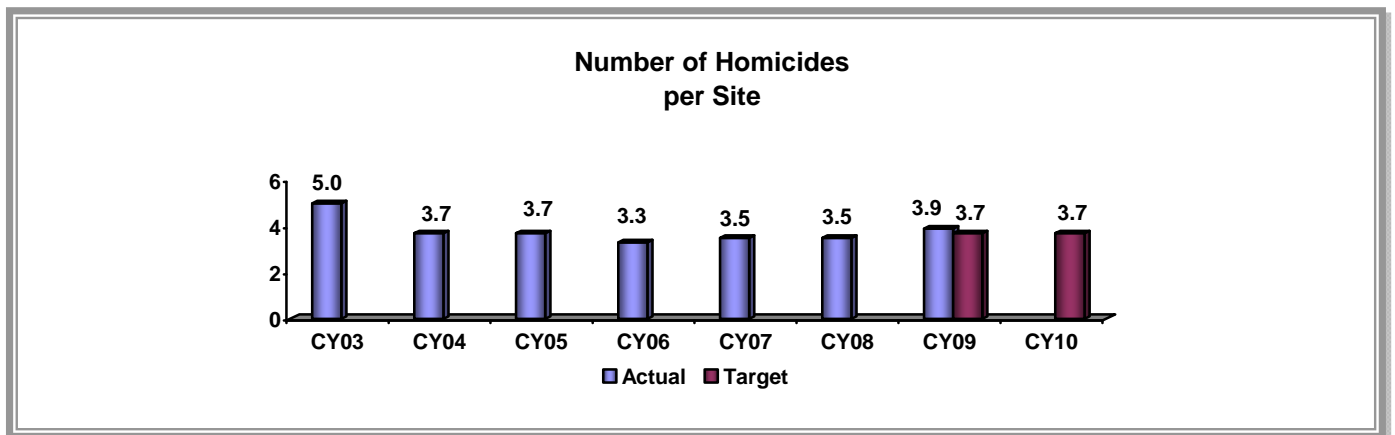
CY 2009 Target: Reduction to 3.7 homicides per site

CY 2009 Actual: 3.9 homicides per site

CY 2010 Target: Reduction to 3.7 homicides per site

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

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



Data Definition: Although sites are affected by a range of criminal activities, such as drugs and vandalism, CCDO selected homicide statistics as the indicator of the severity of sites’ crimes. The number of homicides per site is an average calculated by summing the number of homicides reported for all sites and dividing by the number of sites reporting.

Data Collection and Storage: Weed and Seed grantees report performance measure data on an annual basis via web submissions to the Justice Research and Statistics Association (JRSA) and OJP’s Grants Management System.

Data Validation and Verification: CCDO validates and verifies performance measure data through site visits and follow-up phone calls conducted by the JRSA. Additionally, homicide statistics reported by jurisdictions are verified against the Uniform Crime Report published annually by the FBI.

Data Limitations: Data for this performance measure are only reported by calendar year to coincide with submissions to the FBI Uniform Crime Reports. The data are not comparable across years because dissimilar sites are added and graduated (continue to use the Weed and Seed strategy without additional federal funding) each year and, due to the small number of sites overall, these changes can greatly affect performance data.

FY 2012 Outcome Goal: Realize a 31% reduction in the Casework DNA backlog by FY 2012.
FY 2010 Progress: The Department is on target to achieve this long-term goal.

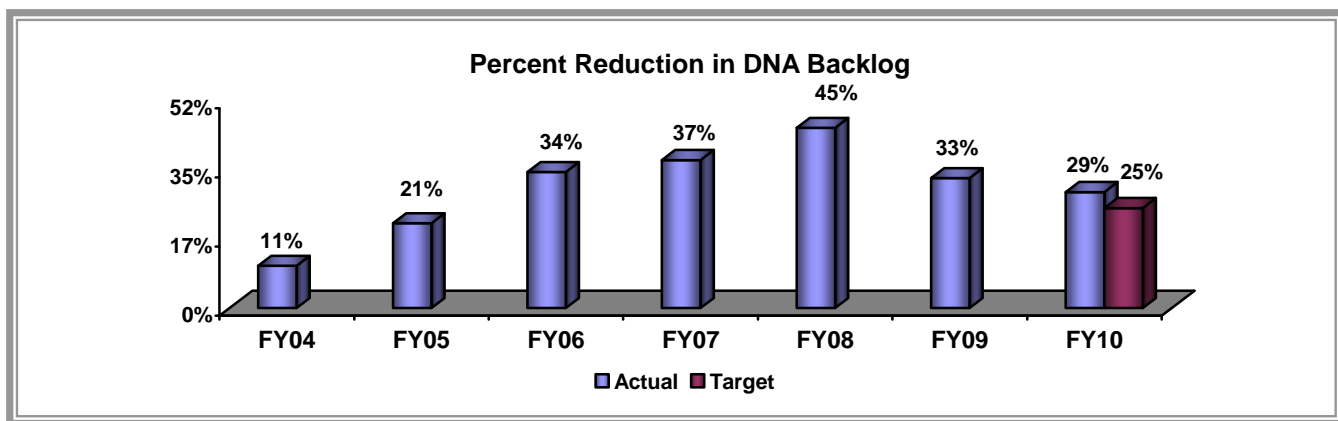
Background/Program Objectives: The National Institute of Justice (NIJ) funds and administers the DNA Backlog Reduction Program to increase the capacity of the nation’s public DNA laboratories and to reduce the number of backlogged casework DNA samples awaiting analysis and entry into the Combined DNA Index System (CODIS). The goals of both of these efforts are to reduce the size of the backlog so that more DNA samples profiles are available in CODIS for matching to forensic cases, offenders, and arrestees. CODIS matches offer powerful investigative leads that can solve past crimes and prevent new crimes from occurring. In the past, funds awarded for analysis of backlogged forensic casework DNA samples were only available for the analysis of violent offense samples (i.e., murder, non-negligent manslaughter and forcible rape); however, from FY 2008 to date, funds can be used for any criminal DNA case. OJP’s role in reducing the DNA backlog is to provide additional funding to qualified labs that apply for federal funding to assist in analyzing cases.

Performance Measure: Percent Reduction in DNA Backlog

FY 2010 Target: Casework: 25%

FY 2010 Actual: Casework: 29%

Discussion of FY 2010 Results: OJP’s FY 2010 target for reducing the DNA casework backlog was set at 25 percent in 2009. In FY 2010, NIJ-funded crime labs reduced the DNA backlog by 29 percent, which exceeded the target, due to a funding increase of \$2.6 million over the FY 2009 amount. OJP is now collecting updated national backlog data each year, and the trend shows the backlog to be increasing.



Data Definition: The NIJ computes this measure by calculating the cumulative number of backlogged DNA cases federally-funded for analysis as part of the FY 2010 solicitation process (32,400). This number is then divided by the total number of backlogged DNA cases as of December 31 of the year prior to when the solicitations are released (111,649).

Data Collection and Storage: Data for this measure are collected by NIJ program managers and are maintained in office files.

Data Validation and Verification: The number of cases funded for analysis in FY 2010 is computed from applications submitted by grantees to the FY 2010 DNA Backlog Reduction Program.

Data Limitations: None known at this time.

FY 2012 Outcome Goal: Continue to ensure a 75% or greater recovery rate in the number of children recovered within 72 hours of the issuance of an AMBER alert through FY 2012

FY 2010 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: Research shows that it is critical to post and resolve AMBER alerts as soon as possible because abductors who murder children are most likely to do so within four hours following the abduction. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) administers OJP's AMBER Program, which supports best practices training and technical assistance for state and regional AMBER alert teams. At the end of 2001, there were only four statewide AMBER alert plans. Today, all 50 states and twelve Indian tribes have plans in place. The AMBER alert strategy focuses on: (1) strengthening the existing AMBER alert system; (2) expanding the scope of AMBER alert; and (3) enhancing communication and coordination.

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

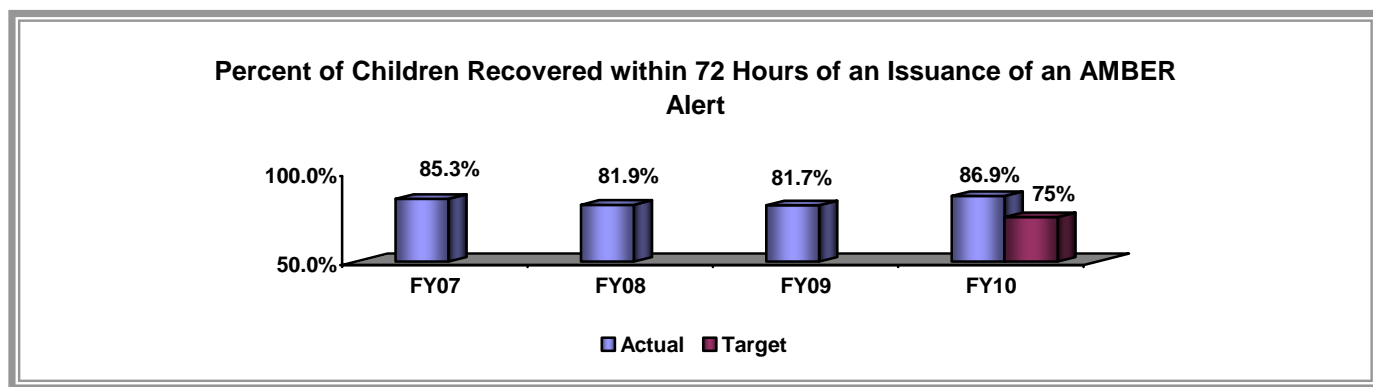
FY 2010 Target: 75%

FY 2010 Actual: 86.9%

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

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

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



Data Definition: Recovery rate is determined by taking the total number of AMBER Alerts cancelled within 72 hours of issuance because the subject child/children are recovered divided by the total number of alerts issued. The result is expressed as a percentage.

Data Collection and Storage: Data are collected from law enforcement and the National Crime Information Center database. This database stores abducted children's names and other critical data elements.

Data Validation and Verification: Data for this measure are validated and verified through a review of progress reports submitted by grantees, telephone contact, and monitoring.

Data Limitations: None known at this time.