
STRATEGIC GOAL III



Ensure the Fair and Efficient
Administration of Justice

GOAL 3

ENSURE THE FAIR AND EFFICIENT ADMINISTRATION OF JUSTICE

Several components of DOJ play key roles in the administration of the federal justice system. The USMS supports the federal courts by providing courtroom security, protecting federal judges, witnesses, and other participants in federal court proceedings. The USMS, along with the Office of the Federal Detention Trustee (OFDT), is also responsible for providing secure detention space to individuals who have been arrested and await final disposition of their cases. Deputy Marshals ensure that detainees are escorted to and from proceedings in a safe and secure manner; they also apprehend federal fugitives from justice.

The Federal Bureau of Prisons (BOP) ensures that sentenced criminals are removed from society and housed in prisons that are safe and secure. BOP also provides programs and activities to inmates to occupy their time in incarceration more gainfully, and to prepare them for reentry into society.

OJP exerts DOJ's considerable leverage, expertise, and funding to make the Nation's criminal and juvenile justice systems more responsive to the needs of state, local, and tribal governments and their citizens. Finally, immigration judges and members of the BIA, part of the Department's EOIR, adjudicate immigration cases in a timely manner, ensuring that criminal aliens serving sentences in United States prisons are deported upon release, before they become physical threats or economic burdens to the public.

STRATEGIC OBJECTIVE 3.1

Protect judges, witnesses, and other participants in federal proceedings, and ensure the appearance of criminal defendants for judicial proceedings or confinement

The federal judiciary system is the bedrock of the United States system of government, ensuring that laws are upheld fairly and that offenders receive just punishment for their crimes. Federal judicial proceedings must be open, secure, and free from obstruction, intimidation, or threat of violence. The system cannot work unless judges, witnesses, and other court participants are free from threats, intimidation, or harassment. The Department's aim is to ensure that no judge, witness, or other court participant is the victim of an assault stemming from his or her involvement in a federal court proceeding.

With the war on terrorism, the work has taken on a dangerous new dimension. In FY 2005, there were 698 terrorism related defendants in the federal court system. The threat of violence perpetrated upon the courts by terrorists sympathetic to the defendants has led the USMS to provide heightened facility protection and personal protective details for judges, prosecutors, and other court officials, witnesses, and the general public. USMS further mitigates threats by assessing court facilities prior to terrorist court proceedings, evaluating courthouse security plans to identify deficiencies, and responding with security upgrades when needed in USMS-controlled areas and cellblock space.

Strategies to Achieve the Objective

Monitor, assess, and investigate threats made against judges, court personnel, witnesses, and victims to stop or deter potential violence

"[W]e have taken aggressive measures . . . to handle the many high threat trials involving suspected terrorists, violent gang members, and drug traffickers."

Director, U.S. Marshals Service, March 2006

Investigating potential threats of violence planned against court officials – judges, prosecutors, victims, witnesses, and court support staff – is a critical aspect of providing security. Because of such threats, security must sometimes be provided both inside and outside the court facility. In FY 2005, there were 953 threats and inappropriate communications investigated that were directed at judges and other members of the court family. The USMS, with the help of other federal, state, and local law enforcement agencies, carefully assesses each potential threat based on the best intelligence available and responds in a timely and appropriate way.

Congress appropriated funds to help the USMS improve judicial security outside of United States Federal courthouse facilities by installing home intrusion detection systems in the residences of federal judges. The USMS administers the program in consultation with the judiciary. To date, approximately 1,600 judges participate in this initiative.

In addition, the USMS provides witness security protection for Government witnesses and their immediate dependents whose lives are in danger as a result of their testimony against known terrorists and other criminals who would resort to violence for retaliation.

Meet court security standards

In 2002, the USMS conducted a security survey of prisoner movement space in federal courthouse facilities in the United States, Guam, Puerto Rico, and the Virgin Islands. The survey

evaluated each facility against USMS security specifications and requirements. This was the second time the survey was conducted. The first time was in 1999, where survey results indicated that 94 percent of the federal courthouse facilities did not meet minimum security standards. Results of the most recent survey reflect a 13 percent improvement, with the number of facilities not meeting minimum security standards dropping to 81 percent. This significant improvement in building security was primarily accomplished by renovation construction. As a key means to improving security of these facilities, USMS continues to renovate United States courthouses and court-occupied space in order to bring them up to standards. The third security survey of prisoner movement space is underway and is scheduled to be completed by March 2007.

At the same time, the USMS works to ensure that court proceedings are adequately staffed. With prisoner populations growing throughout the country, the USMS is challenged to maintain a high security standard. Along the Southwest Border in particular, large numbers of prisoners have dramatically affected the ability of Deputy Marshals to produce defendants. The USMS continues to work closely with the United States Courts, the United States Attorneys, and other federal law enforcement agencies to schedule court appearances to allow the USMS to keep pace with the rapidly growing workload.



Transport detainees securely and efficiently

The USMS is responsible for the safekeeping and transportation of federal prisoners in its custody. This includes the critically important function of providing in-district transportation of prisoners for judicial proceedings, legal hearings, meetings with attorneys, and trials, as well as for outpatient medical care and hospitalization when they are required. This function consumes an enormous amount of Deputy United States Marshal resources, in that prisoners must be produced in a timely fashion to meet court schedules. In FY 2005, the USMS completed more than 840,000 in-district prisoner productions.

In addition to the daily local transportation of prisoners to various legal proceedings and meetings, the Department uses the Justice Prisoner and Alien Transportation System (JPATS) for long-haul prisoner movements. JPATS was created in 1995 by merging the air transportation fleets of the USMS and Immigration and Naturalization Service, then part of DOJ. JPATS is responsible for moving federal prisoners and detainees in the custody of the USMS or BOP as well as handling many of the ICE alien movements throughout the world.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Memorandum of Understanding on Court Security.** An MOU established in December 1997 between the USMS and the AOUSC provides guidelines and procedures to implement the recommendations of the

Attorney General's Task Force on Court Security.

- ❖ **Memoranda of Understanding with other agencies.** Providing security in federal court facilities requires coordination among several key federal agencies, each with different jurisdictional responsibilities. The DHS Federal Protective Service is responsible for perimeter security and preventing unwarranted entry into a United States courthouse facility. The USMS Judicial Security Systems staff is responsible for security of the interior spaces within a United States courthouse facility for which the judiciary or AOUSC pays rent. The USMS Central Courthouse Management Group is responsible for security of all spaces for which the USMS pays rent, including all prisoner movement and detention areas. The physical unification of the specified security systems and devices usually occurs in the USMS command and control centers located in the USMS office within the United States courthouse. These agencies are mutually supportive of the mission to provide the proper level of security for a United States courthouse as defined in the MOU among them.

STRATEGIC OBJECTIVE 3.2

Ensure the apprehension of fugitives from justice

The Department enforces federal warrants and apprehends fugitives from justice, including escaped federal prisoners; bail jumpers; parole, probation, and supervised release violators; and other fugitives wanted in relation to complaints or indictments. Additionally, the Department maintains responsibility for locating and apprehending fugitives wanted by agencies lacking arrest authority, as well as for fugitives wanted by foreign governments, who have fled to the United States.



The apprehension of fugitives ensures the effective operation of the judicial system, reduces crime, and improves public safety. The aggressive pursuit of fugitives also serves as a deterrent for present and future defendants who contemplate flight from justice. Apprehending fugitives clears crowded dockets, ensures that convicted defendants serve their sentences, and prevents fugitives from committing additional crimes. Finally, fugitive apprehension ensures that flight from justice does not negate the expenditure of investigative and prosecutorial resources by other agencies. The Department currently has thousands of fugitives within its area of responsibility.

Strategy to Achieve the Objective

Focus on apprehending most wanted & violent fugitives

Locating and apprehending 15 Most Wanted and other violent fugitives represent the main priorities of the USMS fugitive program. These fugitives often have ties to terrorism or serious narcotics trafficking, and regularly comprise the most violent felons wanted by federal, state, local, and foreign law enforcement agencies. USMS currently participates in 91 district-based fugitive task forces, and has established 6 permanent Regional Fugitive Task Forces (RFTFs). Each of these task forces supports the investigation and capture of suspected terrorists.

Fugitives often have lengthy criminal histories and will likely commit additional crimes if not

quickly apprehended. The Presidential Threat Protection Act of 2000 provided USMS with the ability to establish permanent fugitive apprehension task forces in designated regions of the United States. The creation of RFTFs allowed USMS to pool its resources and expertise with those of other agencies to more effectively apprehend violent fugitives. These permanent task forces exist in addition to the many multiagency task forces led by the USMS.

The Department will continue to solicit the public's assistance in fugitive apprehension through the effective utilization of media-based publicity. USMS currently maintains its 15 Most Wanted list, which receives significant media attention. USMS will continue to operate a web site displaying the most significant fugitive cases, and will carry on with the practice of airing cases on national television programs when practicable.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Fugitive Warrants.** During the last decade USMS and a number of other federal law enforcement agencies have entered into MOUs that relegated administrative and investigative responsibilities for fugitive warrants to USMS. These agencies include the DEA, organizations within DHS, the United States Air Force Office of Special Investigations, the IRS, the Naval Criminal Investigative Service, numerous Offices of Inspectors General, and others. These MOUs will allow participating agencies to take advantage of the experience and expertise USMS holds in fugitive matters, and will free their investigators to pursue additional crimes.
- ❖ **Interagency partnerships.** In addition to the above listed MOUs, USMS also signed several others addressing information-sharing, data matching, and other types of investigative assistance. They include:

- The United States Department of Agriculture's OIG conducts a periodic data match of USMS fugitives against a nationwide list of food stamp recipients.
- The Social Security Administration's OIG conducts a periodic data match of USMS fugitives against its list of Social Security Supplemental Security Income recipients.
- The United States DoS Office of Consular Affairs conducts a periodic data match of USMS fugitives against passport applications.
- The United States Department of Housing & Urban Development's OIG conducts a periodic data match of USMS fugitives against records of those individuals receiving housing-related assistance.
- The United States Department of Veterans Affairs' OIG conducts a periodic data match of USMS fugitives against records of individuals receiving benefits.
- DEA shares information contained in the USMS Warrant Information Network and Electronic Surveillance Unit databases with SOD. SOD also shares information contained in its indices with USMS in connection with narcotics-related fugitive investigations.
- The United States Secret Service provides forensic support and expert testimony from personnel assigned to its Forensic Services Division in connection with USMS criminal, fugitive, and protective investigations.
- The United States DoS Bureau of Diplomatic Security (DS) facilitates law enforcement assistance to USMS in foreign countries in connection with extraditions, fugitive investigations, and protective assignments. This MOU also describes the USMS role in providing

support to DS in relation to protective functions for foreign dignitaries.

- OCDETF - USMS participates in the OCDETF program in which it exercises responsibility for locating and apprehending most OCDETF fugitives, including the most serious drug offenders.
- ❖ **Fugitive Task Forces.** Through its network of fugitive task forces throughout the U.S., including RFTFs in New York, Los Angeles, Washington D.C., Chicago, Atlanta, and Birmingham, the USMS assists other federal, state, and local law enforcement agencies in locating fugitives wanted for violent criminal activities.
- ❖ **Fugitive Safe Surrender.** An initiative designed to partner faith-based organizations, nonprofit groups, law enforcement agencies, and judicial authorities in an effort to encourage fugitives to surrender in an environment conducive to the safety of the wanted individual, law enforcement personnel, and the public. Originally implemented in Cleveland, Ohio, the program's initial effort resulted in the safe surrender of 842 fugitives, 324 of whom had outstanding felony warrants. The success of the program will lead to nationwide implementation in a number of targeted regions.
- ❖ **Operation FALCON & FALCON II.** The USMS conducted two FALCON (Federal And Local Cops Organized Nationally) operations in an effort to achieve maximum impact on targeted fugitives over an intense 1 week period. Both operations were a tremendous success, capturing nearly 20,000 fugitives. A third FALCON operation will target the Eastern-half of the United States in FY 2007.

STRATEGIC OBJECTIVE 3.3

Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing, and those in the custody of the Federal Prison System

Through BOP, DOJ protects society by confining sentenced offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

The Department, principally through the USMS, is responsible for detaining persons charged with violating federal criminal statutes, provided they have not been released on bond or personal recognizance pending disposition of their cases. The USMS houses and maintains presentenced detainees in secure facilities from the time they are initially brought into federal custody until they are acquitted, arrive at a designated BOP facility to serve a sentence, or are ordered released. BOP assists the USMS by housing some presentenced federal detainees in specified BOP facilities, including metropolitan detention centers (MDCs). The OFDT collects and analyzes critical data in order to provide long-range projections of detention needs.

Strategies to Achieve the Objective

Manage Bureau of Prisons operations efficiently

BOP uses a multipronged approach to house sentenced and unsentenced federal inmates, utilizing 113 BOP-operated institutions of varying security levels, privately operated facilities, residential reentry centers (halfway houses),



and facilities utilized through Intergovernmental Agreements (IGA). BOP strives for the most effective use of resources and efficient delivery of services by placing inmates in the least restrictive correctional environment commensurate with their custody and security needs.

In recent years BOP has faced numerous fiscal challenges. A number of initiatives to streamline operations, centralize and automate functions, and reduce management positions bureauwide have been implemented in response to these challenges. Additionally, BOP has closed four outmoded and inefficient prison camps to more effectively utilize resources. BOP continuously reviews facilities and has identified the need for changes to some institutions' security levels based on efficiencies and inmate population needs, particularly at older institutions.

Acquire additional prison capacity through contracts and new construction

BOP relies on accurate population forecasting to project and plan for future resource and bedspace needs. The federal inmate population has increased dramatically over the past 25 years, up nearly 700 percent, from approximately 25,000 inmates and 41 institutions to over 190,000 inmates and 113 institutions as of the middle of 2006. BOP has experienced an increase in the inmate population of 3,880 since September 2005. Most inmates were confined in 1 of the 113 BOP-operated facilities located across the country. Over 29,500 were housed in privately managed institutions, state and local facilities, residential reentry centers (halfway houses), or home confinement. At the end of FY 2005, the crowding rate was 34 percent over rated capacity. As of July 27, 2006, overcrowding had risen to 36 percent. Future population is expected to grow by more than 5,000 inmates per year. BOP projects that by 2012 the total inmate population will exceed 225,000 and BOP facilities will experience an overcrowding rate of 28 percent.

Since federal inmate population levels are projected to increase so rapidly and continue to exceed the rated capacity of BOP facilities and current contracts, every possible action is being

taken to keep institution crowding at manageable levels to ensure that federal inmates continue to serve their sentences in a safe and humane environment. BOP continues to seek additional bedspace through competitively-bid contracts and activation of new prisons. BOP will continue to add private and other contract beds and other forms of alternative confinement where appropriate, activate new facilities, and expand existing facilities.

Ensure safety and security

A safe and secure institutional environment for inmates and staff is of fundamental importance. BOP assigns inmates to institutions according to their security and custody needs, ensures that correctional staff are properly trained and equipped, and has systems in place to minimize violence and the introduction of drugs in prison facilities. In addition, BOP conducts routine mock emergency exercises with the FBI and other law enforcement agencies. It works closely with both the FBI and USMS when an escape or emergency situation exists. BOP continuously provides intelligence data referrals to the National JTTF; local JTTF; FBI's CTD; and CIA liaison personnel. BOP is housing an increasing number of dangerous inmates who have been convicted of terrorist acts (including domestic, international, violent anti-Government, White Supremacy, and BioChem-Nuclear). As a result, BOP has added equipment, patrols, and specialized services for the safe incarceration of these individuals.

Provide quality health care while controlling costs

Several major initiatives have been implemented to improve the quality of health care while controlling health care costs. Examples of these initiatives include teleradiology, the development and deployment of an electronic medical record, a national drug formulary (a standardized listing of medications to be provided to inmates), and Clinical Practice Guidelines for the treatment of several chronic diseases and conditions such as diabetes, hypertension, viral hepatitis, and HIV.

A phased implementation strategy has been developed for a medical classification system

(Levels of Care) which identifies inmate health care needs (medical, mental health, and forensic) and assigns inmates to facilities with appropriate health care capabilities. This concept allows BOP to place inmates at institutions that have the healthcare resources to meet their medical needs.

Ensure that Bureau of Prisons facilities comply with the standards of the American Correctional Association and all applicable environmental, health, and safety codes and regulations

BOP will prepare all activated facilities for accreditation with the American Correctional Association (ACA). ACA is an independent accrediting authority for correctional agencies that wish to validate that their correctional management is sound and effective. This program offers the opportunity to evaluate programs and facilities, remedy deficiencies, and upgrade the quality of programs and services. Once accredited, all facilities submit annual statements of continued compliance. Facilities are reaccredited every 3 years to ensure continued compliance with standards.

BOP also maintains a modernization and repair program to ensure that its facilities are safe and secure. Facilities vary in age from new construction to those 100 or more years old. Thirty-six BOP facilities are over 50 years old. Included in this program are "life safety" projects to meet National Fire Code standards. These projects are given the highest priority. Work within the maintenance program is



accomplished almost entirely by inmate crews, supervised by highly skilled staff with experience and training in every phase of construction and maintenance work (i.e., steamfitting; heating, ventilation, air conditioning (HVAC); and mechanics/electronics repair).

Ensure adequate, economical detention capacity and services

Accurately projecting the continually rising detainee population is the first step to ensuring adequate space. Although there is no methodology to guarantee complete accuracy, OFDT will continue to improve the existing methodology for forecasting detention population by: identifying key detention indicators from United States Government components that affect detention and integrating them into current detention forecasting models; analyzing case law and proposed legislation to determine the impact on future detention population trends; and refining the detention population forecasting model to more effectively merge trend analysis with out-year projections, thereby reducing the degree of error.

In meeting the detention space requirements, the Department acquires detention beds through reimbursable agreements with state and local governments for the use of their jail space, through contracts with private vendors, and through federally-managed and maintained detention facilities. DOJ also encourages state and local governments with limited capacity to provide bed space for federal use by awarding funds under the Cooperative Agreement Program for jail modifications and renovations. OFDT will ensure the capability to maximize the use of available space by expanding the capabilities of the Detention Services Network (DSNetwork).

Not only must OFDT ensure adequate housing, but it must ensure sufficient detention space at other mission critical locations. For example, JPATS currently uses a single transfer Federal Transfer Center which often operates at full capacity. When the facility is unable to process additional incoming prisoners, delays are created that retard prisoner movements in other districts. With in-transit housing capabilities increased, JPATS is able to move prisoners

faster, resulting in a decrease in the number of days in detention.

In recent years, the Department's ability to rely on state and local facilities to meet its detention needs has decreased proportionately as these facilities are increasingly used to satisfy non-federal detention requirements. With available space diminishing and prohibitive costs for federal construction, the Department must turn to the private sector to meet its detention needs. During FY 2006, 12.5% of the USMS detention population was housed in private facilities; by FY 2008 this will increase to 15.4%.

Improve the management of detention resources

Detainee population increases, coupled with the increase in the use of private facilities, which are more expensive, has resulted in increased detention costs. To mitigate this problem, OFDT has engaged in several strategies to contain or lower costs. These include initiatives to contain rising costs in housing and medical services, process improvements, and investments in detention alternatives.

Housing Costs: OFDT, in conjunction with BOP and USMS, will maximize the use of the most cost effective space by establishing policy and procedures to ensure that allocated federal bed space, which is the least costly detention space, is at 100% utilization for housing detainees. In addition, OFDT is developing a core-rate IGA agreement that establishes the baseline in negotiation of a fixed per diem rate for each facility, based on rates paid to similar facilities, and limits future adjustments to the per diem rate to the inflation rate established by the Consumer Price Index.

Medical Costs: OFDT, in cooperation with the USMS, is in the process of establishing and awarding a National Medical Contract to meet the needs of the detention agencies, the legislative requirements of Medicare and Medicaid, and the Federal Acquisition Regulations. Although the USMS has been able to contain costs, establishing the contract will ensure the best price is achieved while consolidating the current methods, ensuring a uniform, systematic approach that will reduce

staff work hours and track medical savings nationwide.

Detention Alternatives: OFDT will establish and implement with BOP and USMS, policy and procedures to reduce the practice of leaving prisoners with short-term sentences in local detention beds, rather than committing them to BOP facilities. This effort will result in significant detention cost avoidance. Additionally, OFDT will continue the partnership with the federal judiciary to ensure adequate funds are available for the courts to place defendants the courts would otherwise detain into non-secure detention settings (e.g., halfway house and home confinement), with an electronic monitoring component. Use of non-secure detention is significantly less expensive than secure detention.

Process Improvements: Developed by OFDT, e-Designate provides for a more efficient workflow among the Court, the USMS, and BOP during the sentence-to-commitment process. Operationally, e-Designate accelerates the movement of prisoners from detention to BOP facilities thereby reducing the number of days in detention and the corresponding pressure on appropriated resources.

Ensure safe, secure, and humane confinement in detention facilities through the implementation and oversight of Federal Performance-Based Detention Standards

Concurrent with the desire to create efficiencies within detention is the critically important need to ensure safe, secure, and humane confinement. However, this is especially challenging considering the vast number (over 1,900) of facilities in use as well as the different types of facilities. To ensure adequate and acceptable conditions of confinement, OFDT implemented Federal Performance-Based Detention Standards (FPBDS). The FPBDS, developed in cooperation and coordination with BOP, USMS, and ICE, provide a system of objective checks and balances to ensure that all providers understand and are able to achieve and maintain the standards while ensuring the Government receives the quality services for which it has paid.

Federal contract vehicles will be written or modified to reflect the FPBDS for all private contract facilities and to high-volume (facilities with average daily populations greater than 500) state and local facilities. Private contractor performance evaluation and compensation will be based on the ability to demonstrate alignment with the standards. The comprehensive Quality Assurance Review Program includes assessment, followup, and training to ensure that the safe, secure, and humane confinement criteria are met.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Bedspace Providers.** BOP works cooperatively with the private sector and state and local governments to establish and maintain capacity to house persons in federal custody in cost-effective, safe, secure, and humane facilities. The USMS and OFDT work cooperatively with the private sector and state and local governments to establish and maintain adequate capacity to detain persons in federal custody.
- ❖ **Interagency Cooperation.** BOP works cooperatively with DHS, United States Courts, United States Probation, United States Military, other state and local law enforcement, and numerous private and not-for-profit organizations to carry out its mission successfully.
- ❖ **Detention Services Network.** OFDT's DSNetwork allows state and local governments and private detention service providers to electronically post vacancies, rates, services, administrative costs, availability, mode of transport, and medical facilities and services.
- ❖ **Partnership with the Federal Judiciary.** OFDT will continue the long-established

partnership with the federal judiciary to ensure that adequate funds are available for the courts to place defendants whom the courts would otherwise detain into non-secure detention settings (e.g., halfway house and home confinement), with an electronic monitoring component.

"The real purpose of prisons is rehabilitation of inmates so as many as possible can go back into society as productive citizens."

Director, Federal Bureau of Prisons, July 2005

support their reintegration into society. According to BOP's Post Release Employment Study, participation in education and vocational programs leads to a reduction in recidivism.

With few exceptions, sentenced inmates who do not have a high school diploma or a General

Educational Development (GED) certificate must participate in the literacy program for a minimum of 240 hours or until they obtain the GED. The ESL program enables inmates with limited English proficiency to improve their English language skills.

In FY 2007, BOP will implement a literacy life skills program (GOALS) as an alternative to the traditional GED program. This program is designed for special need learners who have reached their optimum level of achievement in the literacy program, but can no longer benefit from traditional academic instruction. The GOALS program offers these inmates the opportunity to develop the skills needed to function successfully while incarcerated and in society. The focus is on goal setting, money management, health maintenance, family relationships and personal growth, getting and keeping a job, and reentry.

BOP provides a wide range of occupational education classes (vocational training and apprenticeship programs) which give inmates the opportunity to obtain marketable skills. Traditional programs include carpentry, plumbing, building trades, horticulture, among others. Advanced occupational programs, such as business management and business computer, lead to either a marketable certificate or degree from an outside vocational training or post-secondary school. Program offerings are based on general labor market conditions, institution labor force needs, and vocational training needs of inmates. In addition to classroom instruction, occupational education programs may include "live work" which contributes to the operation and maintenance of institutions and/or community service projects, while providing actual hands-on work experiences for inmates.

STRATEGIC OBJECTIVE 3.4

Provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards

In addition to providing inmates with basic services (such as clothing, food, and access to health care), BOP provides opportunities for inmates to participate in an array of educational, vocational, religious, drug treatment, and other programs. These programs provide inmates with the means to increase their chances for successfully reentering society as law-abiding and productive citizens and improve institution security by reducing idleness. Most inmates lack education and job skills and many have a history of drug dependency. Research has shown that inmates who complete at least one educational course or a residential drug treatment program and those who work in prison industries while incarcerated are less likely to recidivate. As a result, providing residential drug treatment and work and education programs is one of the agency's highest priorities.

Strategies to Achieve the Objective

Provide education and vocational training programs

Inmate education programs include literacy, English-as-a-Second Language (ESL), occupational education (vocational training and apprenticeship), advanced occupational training, parenting, and release preparation courses. Education programming provides inmates with an opportunity to learn the functional skills which

Provide programs that support inmates' reintegration into society

Research has conclusively demonstrated that participation in programs that address health problems and antisocial behavior, and that teach marketable skills, helps to reduce recidivism. Accordingly, BOP offers a wide variety of program opportunities for inmates that facilitate their return to society:

Drug Treatment: In response to the rapid growth of federal inmates with drug use histories (40 percent of inmates admitted in 2005 compared to 34 percent in 1990), BOP continues to operate a comprehensive drug abuse treatment strategy consisting of: screening, referral, and assessment; drug abuse education; residential drug abuse programming; nonresidential drug abuse counseling; and institution and community-transitional drug treatment.

Under the Violent Crime Control and Law Enforcement Act of 1994, BOP is required to provide residential drug treatment to all eligible inmates. The Residential Drug Abuse Treatment Program is designed for inmates with moderate to serious substance abuse problems who are in need of intensive treatment. These programs are typically 9-months long and provide a minimum of 500-hours of drug abuse treatment.

Life Connections: Consistent with the President's Governmentwide *Faith-Based and Community Initiative*, BOP established the intensive, multi-phase, Life Connections Program in 2002. The curriculum of personal, social, and moral development (e.g., education, parenting, family responsibilities, victim-offender mediation) is designed to instill values and character and provide opportunities for the development and maturation of inmates' faith commitment, with a goal of reducing recidivism rates. The program has been implemented in institutions of various security levels in various geographical regions of the country and is being carried out in partnership with a broad spectrum of religious and community organizations. This voluntary program is available to both male and female inmates. Thus far, 422 inmates have completed the incarceration phase of the

program. Twenty-one percent, or 88, of those have been released to residential reentry centers or directly to the community. Inmates who are participating in the program continue to be matched with a faith-based or secular mentoring community. BOP will expand the initiative by awarding contracts for up to six additional faith-based or secular residential reentry programs.

Sex Offender Management Program: BOP has a comprehensive management and treatment strategy for all sex offenders created for the purpose of increasing institution security and ensuring effective management of sex offenders to ensure public safety. The Sex Offender Management Program has several components, which include identifying, monitoring, managing, treating, and transitioning these inmates back to the community upon release.

Sex Offender Treatment Program: Established in 1990, the Sex Offender Treatment Program (SOTP) is an intensive, voluntary residential therapeutic program for male sexual offenders. The program employs a wide range of cognitive-behavioral and relapse prevention techniques to treat and manage sexual offenders. The primary goal of the SOTP is to help sexual offenders manage their sexual deviance in order to reduce sexual recidivism.

Inmate Skills Development Initiative: Through the *Inmate Skills Development initiative*, the Bureau focuses on building the kinds of skills essential to successful reintegration. These range from activities of daily living, such as budgeting, to cognitive skills, such as the ability to maintain self-control. This initiative assesses individual inmate skill needs and strengths; monitors and tracks skill enhancement throughout incarceration; links program assignments; prioritizes skill needs of high risk populations (i.e., sex offenders, career criminal, mental health cases); and develops effective communication for sharing information with institution departments and external agencies. Inmates are given opportunities to develop skills in areas such as academic, vocational, interpersonal, cognitive, character, daily living, leisure, wellness, and mental health to equip them with the necessary tools to succeed upon release.

Provide work programs

Research has shown that inmates who work in prison industries while incarcerated are less likely to recidivate than inmates who have not had Federal Prison Industries (FPI) experience. To date, FPI (whose trade name is UNICOR) provides job skills training and work for nearly 21,000 inmates in 106 factories. FPI provides constructive industrial work to develop job skills and habits, while reducing inmate idleness, which has been linked to inmate unrest and violence in prison. BOP continues to work toward balancing the increased need for inmate employment while minimizing FPI's effect on private labor and business.

Monitor the reintegration of convicted offenders into society

The United States Parole Commission (USPC) makes decisions about the release of persons convicted of crimes and establishes release conditions to ensure that these individuals are supervised in the community to the maximum extent possible. To ensure their successful reentry in society, USPC will implement policies and procedures that help enable offenders under supervision in the community to lead law abiding lives. USPC will achieve this by establishing working relationships with community based-organizations within 30 or 60 days of reentry to create transitional housing and to develop long-term residential drug treatment programs.

To ensure the safety of those in the community, USPC will oversee the supervision of the released offenders; issue warrants for those who are alleged to have violated a condition of supervision; and remove from the community those violators, under sanctions appropriate to the nature of the violation.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective

involving DOJ components and organizations outside the Department:

- ❖ **Community Partnerships.** BOP actively recruits volunteers to assist with the Life Connections Program and other religious programming. In addition, community services projects and mock job fairs are organized through partnerships with community groups, public service organizations, and other agencies.
- ❖ **Drug Treatment Providers.** BOP also works closely with and monitors private sector drug treatment service providers to ensure inmates receive appropriate drug treatment after-care.
- ❖ **Federal Agency Partnerships.** BOP contracts with the United States Public Health Service for qualified health care personnel; with the Department of Veterans Affairs to utilize its laboratory testing contracts and prime vendor contract for pharmaceuticals; and with United States Probation and Pretrial Services agencies to provide Joint Offender Workforce Development Training and formulate local offender workforce development partnerships with other agencies.

STRATEGIC OBJECTIVE 3.5

Adjudicate all immigration cases promptly and impartially in accordance with due process

EOIR provides for the review and adjudication of immigration cases. EOIR's workload is determined largely by the activities and initiatives undertaken by various components of DHS. EOIR's ability to process cases in a timely fashion directly affects DHS goals to remove criminal or other removable aliens expeditiously and to use limited detention space efficiently.



Strategy to Achieve the Objective

Adjudicate priority cases within specified time frames

EOIR has identified three adjudication priorities for the immigration courts and has set specific processing time frames for each. The first priority concerns the Institutional Hearing Program, which is the adjudication of alien inmates incarcerated in federal, state, and local institutions as a result of convictions for criminal offenses. The aim is to adjudicate these cases prior to the inmate's release from criminal custody so that those found by EOIR to be removable may be removed quickly from the United States by DHS. The second priority is the adjudication of expedited asylum cases within 180 days. The third priority is the adjudication of cases involving detained aliens (without applications for relief) within 30 days.

Similarly, EOIR has established adjudication priorities for the BIA. To ensure efficient use of DHS detention space, EOIR has established 150 days as its goal for processing appeals for detained aliens.

Key Crosscutting Programs and Activities

The following is representative of programs and activities related to this objective involving DOJ

components and organizations outside the Department:

- ❖ **Interagency Relationships.** EOIR coordinates with DHS and BOP in operating its Institutional Hearing Program, intended to resolve immigration cases before non-citizen inmates are released from prison. With respect to adjudication processes, EOIR coordinates routinely with DHS and the DOJ Civil Division. EOIR's workload is also linked to DHS enforcement activities and adjudication policies, affecting the expeditious removal of criminal aliens, the efficient use of limited detention space, and the timely provision of relief in meritorious cases.

STRATEGIC OBJECTIVE 3.6

Promote and strengthen innovative strategies in the administration of state and local justice systems

Our Nation faces many challenges related to juvenile delinquency, including youth gangs, recidivism among youth offenders, and tribal youth crime. In spite of the high cost of out-of-home placement, the recidivism rate among juveniles following release from secure or other residential placement remains alarmingly high. Juveniles are likely to have repeated placements and many of them will have been incarcerated for approximately one-third of their adolescence. Researchers estimate that roughly one-third of the more than 600,000 returning offenders (adult and juvenile) each year is younger than 24 years of age. OJP is working to prevent and reduce youth involvement in gangs by addressing specific risk and protective factors associated with the likelihood of delinquent behavior and the needs and desires that underlie the decision to join a gang.

Repeat offenders who cycle in and out of the justice system commit a significant portion of all crime and drive up the cost of operating justice agencies. These offenders often have risk factors, such as mental health problems and substance abuse, limited education and literacy, inadequate job skills, and lack of positive

support systems that, if addressed, will reduce the likelihood of re-offending.

Strategies to Achieve the Objective

Improve the effectiveness of juvenile justice systems

Juvenile justice methods and practices differ from state-to-state, jurisdictions have limited resources, and there is a general state of flux and volatility within the juvenile field. All these factors make it difficult to administer juvenile justice consistently. Juvenile justice systems have a substantial opportunity to improve their effectiveness by reaching youth at earlier ages and rehabilitating them, thereby controlling and preventing crime.

OJP will use its “voice,” resources, and programs to identify, develop, and prioritize innovative strategies for improving juvenile justice effectiveness and to promote the use of evidence-based practices. It will focus on use of collaborative strategies among federal, state, local, and tribal governments, placing special emphasis on common challenges in intervening with delinquent youth, serving youth victims, and applying accountability-based sanctions. OJP will continue to help combat Internet-based child pornography; provide training and technical assistance to improve the courts' handling of child abuse and neglect cases; and ensure timely decision-making in permanency planning. OJP programs will focus on the best approaches to ensure that states and communities implement programs that are responsive and effective in addressing delinquency and child victimization.

Improve the adjudication of state, local, and tribal laws

OJP strategies include supporting a full range of innovative, new problem-solving courts—family drug treatment courts, domestic violence courts, mental health courts, and reentry courts. Problem-solving courts are designed to treat offenders while, at the same time, considering the harm to victims and the community. These courts work with other justice institutions across disciplines, such as health and social services,

to address underlying issues that contribute to criminal behavior and to design appropriate interventions. In addition, OJP is researching a variety of best practices to improve court and adjudication effectiveness, including issues involving witnesses and juveniles.

Improve corrections, reduce recidivism, and break the cycle of drugs and violence

OJP will support effective jail and prison reentry programs that target offenders who are substance abusers; technical violators of supervision conditions; violent and high risk offenders; individuals who are non-violent but have multiple needs; and those who would otherwise face major obstacles in their reentry back into the community. These programs, which are funded through grants, technical assistance, and training emphasize collaborative efforts among community-based services and resources; the use of nonprofit, faith- and community-based organizations and mentors; and information-sharing among law enforcement and other agencies. Initiatives may include gang reentry programs; methamphetamine and other substance abuse reentry programs; sex offender supervision programs; risk/need assessment of offenders; community investment in offender supervision; family system work; housing issues for offenders; sentencing options for offenders; community-based supervision options; terrorism and corrections programming; and partnerships with corrections agencies and organizations to identify, develop, enhance, or replicate promising practices related to these topics and others.

OJP has a long history of providing drug-related resources to its constituencies in an effort to break the cycle of drugs and violence by supporting their efforts to reduce the demand, use, and trafficking of illegal drugs. The drug court movement began as a community-level response to reduce crime and substance abuse among criminal justice offenders. This approach integrated substance abuse treatment, sanctions, and incentives with case processing to place non-violent drug-involved defendants in judicially supervised rehabilitation programs. OJP's Drug Court Program was established in 1995 and provides financial and technical assistance to state and local courts seeking to establish drug treatment courts.

Provide justice statistics and information to support justice policy and decision-making

OJP plays the preeminent role in collecting, analyzing, publishing, and disseminating information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government. These data are critical to federal, state, local, and tribal policymakers in combating crime and ensuring that justice is both efficient and evenhanded. OJP will continue to produce core statistical series; respond to Administration, DOJ, and Congressional requests and priorities; and support the information needs of other OJP components.

Conduct research that supports and advances justice policy, decision-making, and program evaluation

OJP will continue to provide objective, independent, evidence-based knowledge and tools to meet justice challenges, particularly at the state, local, and tribal levels. OJP will reposition statistical, research, and evaluation activities so that they can be more fully leveraged across a wide range of activities and to ensure that programs are addressing the most critical problems in the most effective manner. Many current programs in various bureaus and offices are implemented based on close working relationships with state, local, and tribal counterparts. Often, the initial step of developing a “research hypothesis” or conducting cost-benefit analysis is informal. As a result, poorly performing programs might continue because insufficient performance information exists or evaluations were not conducted.

Key Crosscutting Programs and Activities

The following is representative of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **The Mentally Ill Program.** This program is a collaboration among the Bureau of Justice

Assistance, the Office of Juvenile Justice and Delinquency Prevention, the National Institute of Corrections, and the Substance Abuse and Mental Health Services Administration (SAMHSA). This partnership will ensure that the investments are consistent with the needs of the field and will be coordinated with other SAMHSA-funded programs. Competitive grants will be awarded to states, units of local government, tribes, and tribal organizations to plan, implement, and/or expand an adult or juvenile collaboration program.

STRATEGIC OBJECTIVE 3.7

Uphold the rights and improve services to America’s crime victims

Recognizing the impact that crime has on its victims, Congress enacted the Victims of Crime Act of 1984 (VOCA) which created the Crime Victims Fund (the Fund). The Fund is comprised of monies collected from criminal fines, forfeited bail bonds, penalties, and special assessments. OJP is responsible for managing the Fund, supporting victims of crime, and ensuring that offenders are held accountable through victim participation in the justice process.

“Victims of crimes and the families and friends of lost or injured loved ones suffer in ways that are unimaginable.”

Attorney General, April 2005

The Justice for All Act of 2004 (H.R. 5107, Public Law 108-405) establishes the rights of crime victims in federal criminal proceedings and provides mechanisms for enforcing these rights. Although the

act extends protections to victims within the federal justice system, it is anticipated that this legislation will serve as a model for states that have not yet enacted legislation establishing crime victims' rights.

Strategies to Achieve the Goal

Provide compensation and services for victims and their survivors

Compensating crime victims and their survivors provides a number of important benefits. Compensation is paid out of Fund monies collected from criminals. Victims and their survivors, when compensated, receive tangible acknowledgement that the justice system cares about them and that offenders are being held accountable. OJP will continue to improve upon the timeliness for disbursing payments.

OJP supports victims in a variety of ways, including working with victims of domestic and international human trafficking, recovering children who have been removed from the United States, supporting female victims of violence against women, and meeting the unique needs of victims in Indian Country. Specific strategies that will be implemented include development of victim outreach tools in languages other than English and training on facilitating support meetings for victims of traumatic loss.

Increase participation of victims in the justice process

Increasing victim participation in the justice system is important to increasing offender accountability. Convictions require reliable witness testimony and victims are often the most important witnesses. Achieving this outcome can be accomplished by ensuring that victims are compensated; that the justice system treats victims responsively and with respect; and that victims are comfortable testifying as witnesses. OJP will develop and implement strategies to increase participation of victims as witnesses, such as support for closed circuit televising of testimony from victims of abuse.