



Highlights of [GAO-03-266](#), a report to the Honorable Dan Burton, House Committee on Government Reform

Why GAO Did This Study

In accordance with the Government Performance and Results Act of 1993, the Department of Justice (DOJ) provides the Congress and the public with an annual performance report. These reports serve as an important measure of DOJ's progress related to its strategic goals and objectives, including statistics on its efforts to investigate and prosecute terrorist acts. A December 2001 news article alleged that DOJ had inflated terrorism statistics in its *Fiscal Year 2000 Performance Report*. We were asked to review the accuracy of DOJ's terrorism-related conviction statistics. Among other objectives, in this report we (1) identify how DOJ develops its terrorism-related conviction statistics and (2) assess whether DOJ has sufficient management oversight and internal controls in place to ensure the accuracy of terrorism-related statistics included in its annual performance reports.

What GAO Recommends

To improve the accuracy and reliability of terrorism-related conviction statistics in DOJ's annual performance reports, we recommend that the Attorney General, in accordance with federal internal control standards, implement a formal system to oversee and validate the accuracy of case classification and conviction data entered in EOUSA's case tracking system. DOJ agreed to implement this recommendation.

www.gao.gov/cgi-bin/getrpt?GAO-03-266.

To view the full report, including the scope and methodology, click on the link above. For more information, contact Laurie Ekstrand, (202) 512-8777, or ekstrandl@gao.gov.

JUSTICE DEPARTMENT

Better Management Oversight and Internal Controls Needed to Ensure Accuracy of Terrorism-Related Conviction Statistics

What GAO Found

Beginning in fiscal year 2001, DOJ switched from using the FBI's terrorism-related conviction statistics to using those of the Executive Office of U.S. Attorneys (EOUSA) for its annual performance report. This change was in response to concerns raised by a newspaper article's allegation that DOJ had inflated terrorism statistics in its *Fiscal Year 2000 Performance Report*. It was also part of an effort to report conviction statistics that would be less likely to be misinterpreted, according to DOJ officials. The FBI historically classified more convictions than EOUSA as terrorism-related because it used a different classification system and included convictions obtained in international, federal, and state courts. EOUSA only included federal convictions. Our review of a sample of cases investigated and classified by the FBI as terrorism-related, including U.S. Attorney Office (USAO) cases covered by the article, found documentation to support the terrorism-related classifications for these cases.

As for the accuracy and reliability of EOUSA's terrorism-related statistics included in its annual performance reports, we found that DOJ does not have sufficient management oversight and internal controls in place, as required by federal internal control standards, to ensure the accuracy and reliability of its terrorism-related conviction statistics. At least 132 of the 288 USAO cases (about 46 percent) were misclassified as resulting in terrorism-related convictions in fiscal year 2002. Without the implementation of adequate management oversight and internal controls to ensure accurate and reliable terrorism-related conviction data, DOJ's and the Congress's ability to accurately assess terrorism-related performance outcomes of the U.S. criminal justice system will be limited.

A Review of EOUSA Fiscal Year 2002 Terrorism-Related Convictions Revealed That at Least 46 Percent Were Misclassified^a

Type of terrorism-related conviction	Number of USAO convictions prior to EOUSA validation efforts	Number of USAO convictions after EOUSA validation efforts	Percentage change
International terrorism	174	43	-75%
Domestic terrorism	92	85	-8%
Terrorism-related hoaxes	22	28	27%
Terrorist financing	0	0	0%
Total	288	156^b	-46%

Source: GAO generated based on EOUSA data.

^aAt our request, EOUSA followed-up with USAO districts reporting four or more domestic or international terrorism-related convictions to validate and test the accuracy of conviction data reported for fiscal year 2002.

^bThe classification of these remaining cases is questionable because EOUSA's validation efforts were limited to USAO districts reporting four or more international or domestic terrorism convictions.