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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 assists societal safety by combating economic crime and reducing the threat, trafficking, use, and related violence of illegal drugs. 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 2008 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 and that are mainly comprised of ethnic groups with ties to Asia, Africa, Middle East, and Europe are consolidated into the Organized Criminal Enterprise Program. Organized criminal enterprise investigations, through the use of the Racketeering Influenced Corrupt Organization statute (RICO), target the entire entity responsible for the crime problem. With respect to groups involved in racketeering activities, the FBI focuses on: the La Cosa Nostra (LCN), Italian and Balkan organized crime groups, Russian/Eastern European/Eurasian criminal enterprises, Middle Eastern criminal enterprises, and Asian criminal enterprises. Additionally, the FBI investigates Nigerian/West African criminal enterprises that are involved in myriad criminal activities.

Performance Measure: Number of Organized Criminal Enterprises Dismantled

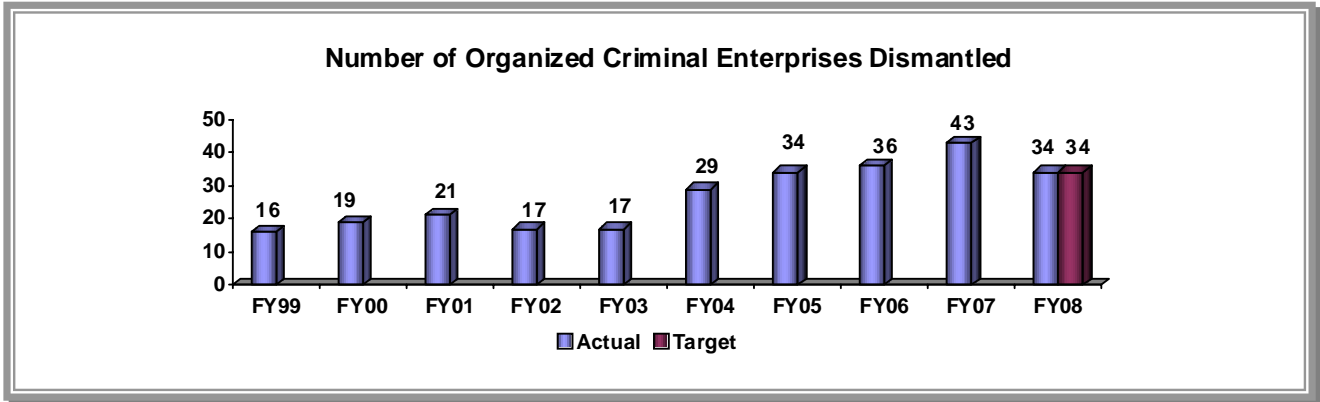
FY 2008 Target: 34

FY 2008 Actual: 34

Discussion of FY 2008 Results: The Organized Crime Program met its performance targets for FY 2008. Notable accomplishments are listed below:

- An FBI investigation targeted a large-scale Polish criminal enterprise involved in the interstate transportation of stolen motor vehicles, international distribution of ecstasy, the trafficking of counterfeit U.S. currency, mortgage fraud, and sale of false driver's licenses and passports. The case was worked jointly with FBI's New York office, a Chicago High-Intensity Drug Trafficking Area (HIDTA)/Drug Enforcement Administration (DEA) Task Force, the Royal Canadian Mounted Police, and investigators from the National Insurance Crime Bureau (NICB). A total of 10 subjects were charged, arrested, and convicted as a result of the investigation. Four vehicles, 10,000 ecstasy pills, \$95,000 in counterfeit bills, and \$826,000 was recovered during the investigation. On June 19, 2008, Piotr Misiolek, who was arrested in Prague, was sentenced to a 45 year prison term for conspiracy to traffic narcotics.
- V.P. Nguyen was a member of a violent Vietnamese gang named the "V" based out of San Jose, CA, who extended his criminal enterprise to Minneapolis, MN. Nguyen began to distribute large amounts of narcotics to Asian Organized Crime members such as the Vietnamese Crazy Boys and the Red Cambodian Blood in

Minneapolis, as well as other associates in Iowa. During a meeting in which underlings of Nguyen attempted to collect the debt of the narcotics, a gun fight ensued and three individuals were shot, including two members of the Red Cambodian Blood. The shooter was ultimately arrested and a search warrant at his residence revealed 2,000 pills of ecstasy sent from Nguyen to distribute in Minneapolis. Subsequent to a controlled purchase of 10,000 ecstasy pills from Nguyen in San Jose, as well as a seizure of an additional 12,000 pills in Minneapolis, Nguyen was arrested. Prior to his arrest, Nguyen also attempted to obtain weapons to conduct a home invasion in the Minneapolis area. This investigation resulted in the conviction of four individuals, including Nguyen, as well as the disruption of the Vietnamese Crazy Boys and the Red Cambodian Blood. These convictions were also the result of coordination with the DEA.



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. The data are subsequently verified through the FBI's inspection process. Inspections of ISRAA data occur at least once a year at each FBI Field Office. Using statistical sampling methods, data are traced back 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: Shut down a cumulative total of 6,000 websites or web hosts (FY 2007-2012)

FY 2008 Progress: The Department is on target 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 facilitated by 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 Child Pornography Websites or Web Hosts Shut Down

FY 2008 Target: 1,000

FY 2008 Actual: 1,525

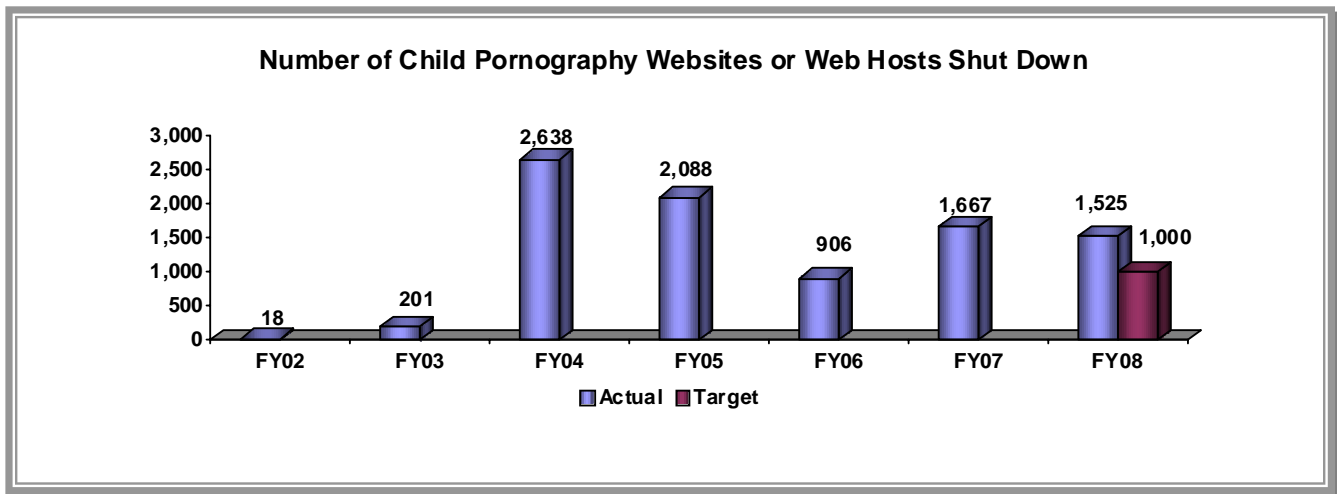
Discussion of FY 2008 Results: The FBI surpassed the FY 2008 target for this measure. The downward trends in the data reported for this measure over the past few years are due to several factors attributable to implementation of the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today (PROTECT) Act of 2003, including:

- Changes in how Internet Service Providers (ISPs) are aggressively and automatically shutting down websites without law enforcement intervention.
- Changes in reporting by the National Center for Missing and Exploited Children (NCMEC), resulting in fewer subpoenas being served but more websites shut down for each subpoena.
- Complaints being referred directly to the NCMEC instead of the FBI. NCMEC will only refer a lead to the FBI if an administrative subpoena is required.

In conjunction with the Program Assessment Rating Tool (PART) review conducted by the Office of Management and Budget (OMB) during Spring 2008, the FBI will replace this measure next year with a performance measure that records the number of children depicted in child pornography rescued as a result of FBI investigations. Notable Internet child pornography investigations during FY 2008 included:

- On June 16, 2008, James Bartholomew Huskey, 38 years old, was arrested by FBI Atlanta and assisted State/local authorities in Lafayette, Georgia, on federal child pornography charges. Huskey is alleged to have been the perpetrator who manufactured a horrific series of child sex abuse images and videos known to law enforcement as the "Tara" series. In these images/videos, "Tara," who ranged from five to nine years in age, was systematically raped on video by the subject. The images/videos of "Tara's" abuse became increasingly violent over time, leading law enforcement to fear for her life.
- The Innocent Images Unit, Cyber Division, is investigating a sophisticated and extremely well organized enterprise of Internet newsgroup users involved in the prolific trade/distribution of child pornographic material. The enterprise consisted of approximately 45 active members worldwide and utilizes sophisticated encryption technology in furtherance of its criminal activities. This is a joint investigation by the FBI, Queensland Police Service (Australia), Child Exploitation and Online Protection Centre (United Kingdom), and the BKA (Germany) Child Pornography Unit. Since August 2006, more than 400,000 files have been downloaded and shared between the group members. On February 22, 2008, a federal grand jury in the Northern District of Florida returned a True Bill on a 35-count sealed indictment, including one count of Child Exploitation Enterprise and one count of Conspiracy on all 12 subjects to the Grand Jury. Substantive

charges included transportation, advertisement, receipt, and obstruction for each subject as applicable. This is the first time the Child Exploitation Enterprise charge, passed with the enactment of the Adam Walsh Act in 2006, has been utilized in the United States. The statute was enacted to collectively prosecute those individuals that unite to exploit children everywhere. A total of 24 subjects were arrested during a coordinated global take down executed on February 29, 2008 in the United States, Australia, Germany, and the United Kingdom. As a result of this operation, another ongoing FBI Major Case, "Operation Koala" was initiated which has resulted in nearly 100 arrests.



Data Definition: A website/web host gets shut down at the request of the FBI once an administrative subpoena is served to obtain information on who is responsible for the illicit content. Often the subpoena would be the factor that alerted the ISP of the illegal content. The reported websites/web hosts shut down by the FBI's staff assigned to the NCMEC account for approximately half of the FBI's reported totals.

Data Collection and Storage: The data source is a database maintained by FBI personnel detailed to the NCMEC, as well as statistics derived by the FBI's Cyber Division's program personnel.

Data Validation and Verification: Data are reviewed and approved by FBI Headquarters program personnel.

Data Limitations: 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. Information based upon reporting of locates and convictions is necessary for compilation of some of these statistics.

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

FY 2008 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 strategy 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. This integrated strategy is ATF's contribution to the Administration's Project Safe Neighborhoods (PSN) initiative. ATF's efforts to reduce violent firearms crime include:

- 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 crime guns, 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 machineguns 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 reduce firearms violence; and
- 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 diverse 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 2008 Target: 58%

FY 2008 Actual: 60%

Discussion of FY 2008 Results: ATF met its target goal of the percentage of investigations within the firearms programs area that resulted in a defendant being referred for criminal prosecution. Meeting this measure reflects the impact ATF has towards reducing firearms violence in targeted violent cities across

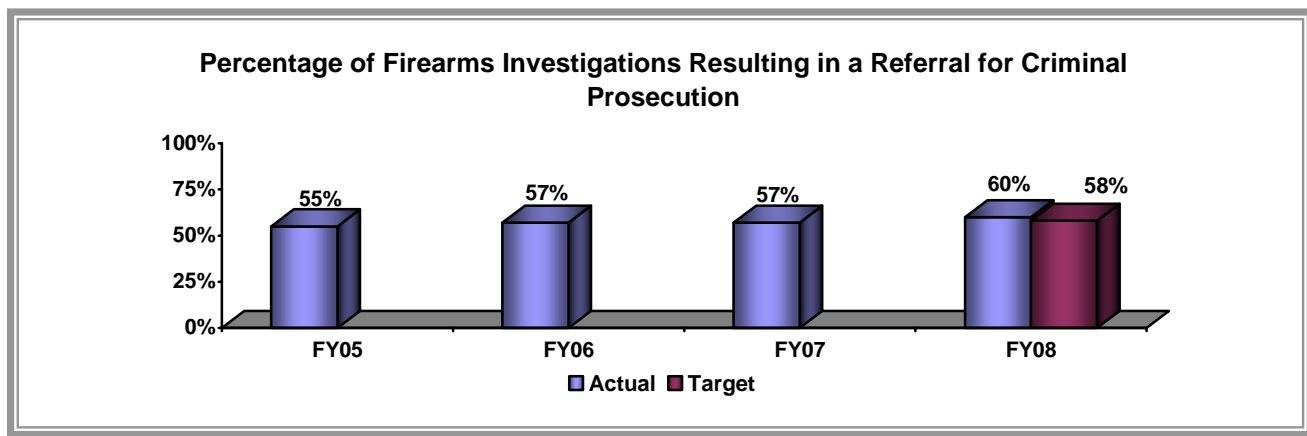
America. ATF is the federal law enforcement agency with unique expertise and statutory authority to enforce federal firearms laws and meeting this goal shows that ATF reduces firearms violence through investigations and their resulting law enforcement consequences (specifically the referral of criminals 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 2008 efforts:

Baltimore, Maryland: In February 2008, ATF conducted a round-up of violent gang members operating in Baltimore, Hagerstown and the Eastern Shore of Maryland. On the morning of February 25, ATF's Baltimore Violent Crime Impact Team (VCIT) led a contingent of more than 100 ATF, State and local law enforcement officers to execute 7 search warrants and 22 arrest warrants on members of the Tree Top Piru Bloods (TTP Bloods) gang. The operation was the culmination of a long-term joint investigation by ATF, the U.S. Attorney, the Baltimore City State's Attorney, the Baltimore city and county police departments, and numerous other local law enforcement agencies throughout Maryland. In total, 28 individuals were indicted as a result of this investigation for charges that include racketeering, drug trafficking and gun crimes. Moreover, the indictments include allegations of five murders in Maryland and conspiracy to obstruct a State murder trial. The defendants charged with drug trafficking face a maximum penalty of life in jail, while the defendants charged with racketeering face a maximum penalty of 20-years in prison. This investigation and prosecution is ongoing.

Waterbury, Connecticut: In October 2007, ATF's investigation into the illegal activities of the Latin Kings street gang in Waterbury, Connecticut led to the indictment of 18 individuals who are charged with various federal weapons and drug trafficking offenses. ATF conducted this investigation in conjunction with the Waterbury Police Department and the Connecticut State Department of Corrections. During the course of the investigation, law enforcement officers made controlled purchases of firearms and illegal narcotics from more than 50 suspected members of the Latin Kings. In addition to the 18 individuals that were charged federally, approximately 70 additional individuals are the subject of State prosecutions arising from this investigation. This investigation targeted gang members from four different factions of Latin Kings in Waterbury, as well as narcotics traffickers associated with the Latin Kings. This investigation and prosecution are ongoing.

Tampa, Florida: In March 2008, 11 members of a criminal organization were indicted on charges involving the illegal acquisition of firearms in Florida for the purpose of shipping them to drug organizations in Puerto Rico. The indictment resulted from a two-year investigation led by ATF in conjunction with other federal, State and local agencies. Individuals associated with the organization would travel from Puerto Rico to several Florida cities for the purpose of illegally obtaining firearms from more than 15 federal firearms licensees and at gun shows. They would then traffic the firearms back to known drug organizations in Puerto Rico, receiving money and illegal drugs as payment. The co-conspirators used fraudulently obtained Florida identifications and made false statements to federal firearms dealers in relation to the acquisition of the firearms. The group purchased well over 200 firearms in furtherance of the conspiracy, and it is expected as the investigation progresses that many more illegal firearm transactions will be detected. Many of the firearms have been recovered from criminal investigations in Puerto Rico, while other firearms were recovered in Florida prior to their shipment to Puerto Rico. Four additional defendants were indicted in this case in September 2007. This investigation and prosecution are ongoing.



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 (NFOCIS), 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 required regular 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 Directorate. 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. This methodology is specifically used to eliminate the counting of investigations multiple times.

¹ “Although studies that focus exclusively on violent offenders is 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 2009.

FY 2008 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: 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 eliminating the international supply sources. These efforts ultimately have a lasting impact upon the flow of drugs in the United States, although the results are not easily measurable in a single year. Accordingly, the Department recently reexamined its approach related to this goal and set realistic milestones in the Department's FY 2007-2012 Strategic Plan. For FYs 2007-2009, the Department will report progress toward establishing meaningful baselines for the supply of drugs available for consumption in the United States. During FYs 2010-2012, the Department will focus on a targeted reduction in the supply of illegal drugs available for consumption.

Discussion of FY 2008 Results: Measuring reduction in the drug supply is a complex process reflecting of a number of factors outside the control of drug enforcement. Moreover, the impact of enforcement efforts on drug supply and the estimated availability are currently not measurable in a single year. However, the Department is intent on achieving an interim goal of setting a baseline by the close of FY 2009. Once the baseline is set, the Department intends to achieve a 6 percent total reduction in the supply of illegal drugs available for consumption in the United States over the next three years.

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 2008 Progress: The Department is not on target to achieve the long-term goal of disrupting 1,260 CPOT-linked drug trafficking organizations by FY 2012. However, the Department remains committed to target, disrupt and dismantle these priority organizations in the future. The Department is on target for achieving the long-term goal of dismantling 810 CPOT-linked drug organizations (FY 2007-2012).

Background/Program Objectives: The Department focuses its drug law enforcement efforts on reducing the availability of drugs by disrupting and dismantling the largest drug supply 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 semi-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 Organized Crime Drug Enforcement Task Force (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 functions through the efforts of the United States Attorneys; elements of the Department's Criminal and Tax Divisions; the investigative, intelligence, and support staffs of the Drug Enforcement Administration; Federal

Bureau of Investigation; Bureau of Alcohol, Tobacco, Firearms and Explosives; United States Marshals Service; U.S. Immigration and Customs Enforcement; U.S. Coast Guard; and Internal Revenue Service. 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 financial dealings and to dismantle the financial infrastructure that supports these organizations. OCDETF has the greatest impact upon the flow of drugs through this country when it successfully 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 2007 Actual:

Disrupted: 169

Dismantled: 86

FY 2008 Target:

Disrupted: 220

Dismantled: 115

FY 2008 Actual:

Disrupted: 293

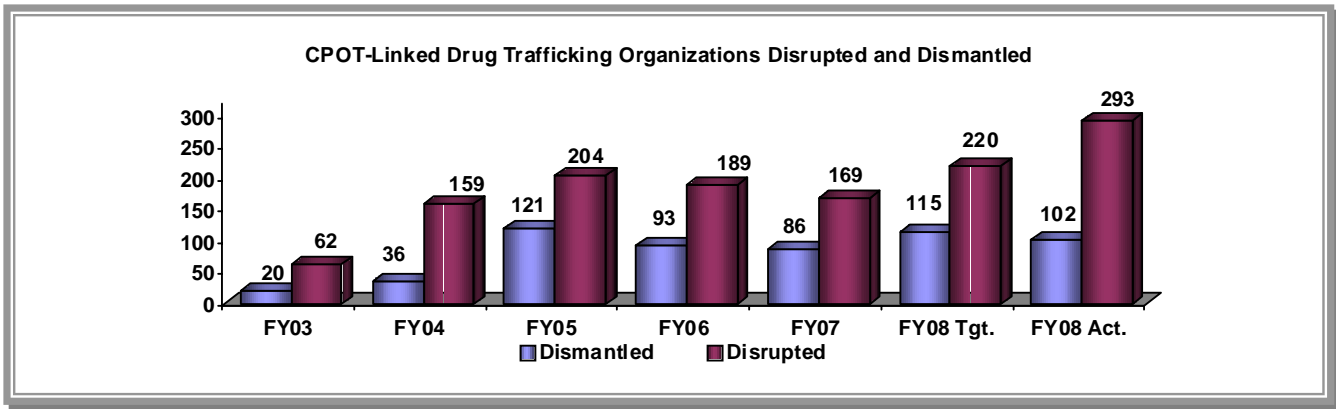
Dismantled: 102

Discussion of FY 2008 Results: The Department dismantled or disrupted 395 CPOT-linked organizations in FY 2008. This is an 18 percent increase over the 335 that were targeted to be dismantled or disrupted in FY 2008, a 55 percent increase over the 255 that were dismantled or disrupted in FY 2007, and a 22 percent increase over the 325 dismantled or disrupted in FY 2005, the highest number reported in the past prior to FY 2008.

The FY 2008 targets were very ambitious. Even though the Department experienced resource reductions for the OCDETF Program in FY 2008, it was still able to achieve 102 dismantlements, a 19 percent increase over the 86 dismantlements in FY 2007. This achievement fell only 13 dismantlements (or 11 percent) short of the Department's ambitious goals.

In addition to the reduction in OCDETF resources, DEA was, during this fiscal year, also recovering from a hiring freeze lasting almost a year and half. As DEA's new agents come onboard and gain experience, we expect that they will become increasingly productive.

It should be noted that again in FY 2008, the Department made important gains against these CPOT-linked organizations and the CPOTs themselves including significant successes against the leaders of the Autodefensas Unidas de Colombia/The United Self-Defense Groups of Colombia (AUC), FARC, and the Norte Valle Cartel.



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 semi-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 2008 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: Internet fraud is 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 and Internet auction fraud are problems that plague millions of U.S. victims, and the threat of illegitimate online pharmacies exposes the American public to unregulated and often dangerous drugs.

The FBI and National White Collar Crime Center partnered in May 2000 to support the Internet Crime Complaint Center (IC3). For victims of Internet crime, IC3 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, nation-wide 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 2008 Target: 11

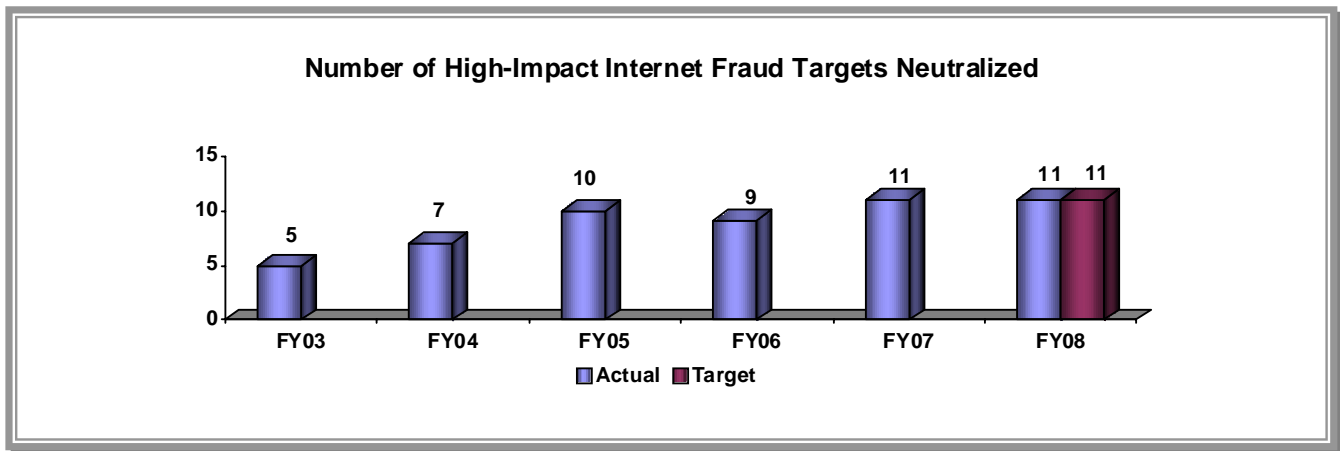
FY 2008 Actual: 11

Discussion of FY 2008 Results: The FBI met its FY 2008 target for this measure. Notable cases in FY 2008 included the following:

- The “Luca Brazzi” case is an ongoing, multi-year investigation of a multi-million dollar Internet auction fraud ring that operates out of Chicago and has origins in Romania. There have been several indictments and guilty pleas and verdicts obtained in this case, with several of the subjects having been sentenced in federal court. Throughout the course of the investigation, the IC3 has provided nearly 1,500 victim complaints to Chicago, and the overall loss amount exceeds \$5 million. On March 19, 2008, the FBI and ICE received information a subject of interest in this investigation was en route to New York on an Amtrak train from Canada; however, no warrant was on hand for the subject. The Assistant U.S. Attorney (AUSA) indicated his support for quickly obtaining a criminal complaint and arrest warrant for the subject. As such, the AUSA requested information regarding possible fraud transactions by the subject. The FBI provided the IC3 with several known aliases of the subject, which resulted in the IC3 immediately identifying and providing the AUSA with 56 IC3 complaints representing \$164,000 in losses to the victims. A criminal complaint and arrest warrant were obtained, and the AUSA authorized the arrest of the subject as he entered the U.S. He is currently in custody in New York pending a preliminary hearing and bond hearing.
- Operation Cyber Jive is an investigation into Jive Network, Inc. (JIVE), an Internet company based in Daytona Beach, FL, which was run by Jude Lacour. JIVE was involved in the illegal sale of both controlled and non-controlled prescription drugs over the Internet. From February 25, 2002 through April 19, 2005, JIVE coordinated the distribution of approximately 1,000,000 on-line prescriptions, almost 70 percent of which were for controlled substances. Thirty-six pharmacies from throughout the U.S., one from the Bahamas, and one from Ireland filled prescriptions for JIVE. Twenty-one doctors were involved in the criminal enterprise by approving prescriptions for JIVE’s customers. In each case prescriptions were issued based solely on an on-line questionnaire, and no doctor-patient relationship was ever established.

By January 12, 2007, almost \$14 million had been seized in Operation Cyber Jive, and an additional \$1.5 million in a Bermudian bank account belonging to JIVE had been restrained. On May 7, 2008, a 73-count sealed federal indictment was returned against 11 defendants. On the same day, defendant Jude Lacour was arrested in Portland, OR; defendants Jeff Lacour and Hudson Smith were arrested in FL; medical

doctor/defendant Alexis Roman-Torres was arrested in San Juan, PR; and medical doctor/defendant Akhil Baranwal was arrested in Boston, MA. On May 12, 2008, pharmacist Guennet Chebssi was arrested in Baltimore, MD. Additional arrests in this case are pending.



Data Definition: Case data are reviewed by IC3 staff to determine if investigative targets meet certain criteria for being counted as “high impact: “Total loss amount greater than \$100,000; Internal nexus; White Collar Crime-related fraud; Money Laundering Scheme, and Pharmaceutical Fraud; “Phishing” Attack/Identity Theft; 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 a take-down.

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 underreport 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 2008 Progress: The Department is on target to achieve 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. Among the illegal activities investigated are: 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.

U.S. citizens and businesses lose billions of dollars each year to criminals engaged in non-violent fraudulent enterprises. The globalization of economic and financial systems, technological advances, declining corporate and individual ethics, and the sophistication of criminal organizations has resulted in annual increases in the number of illegal acts characterized by deceit, concealment, or violations of trust. The loss incurred as a result of these crimes is 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

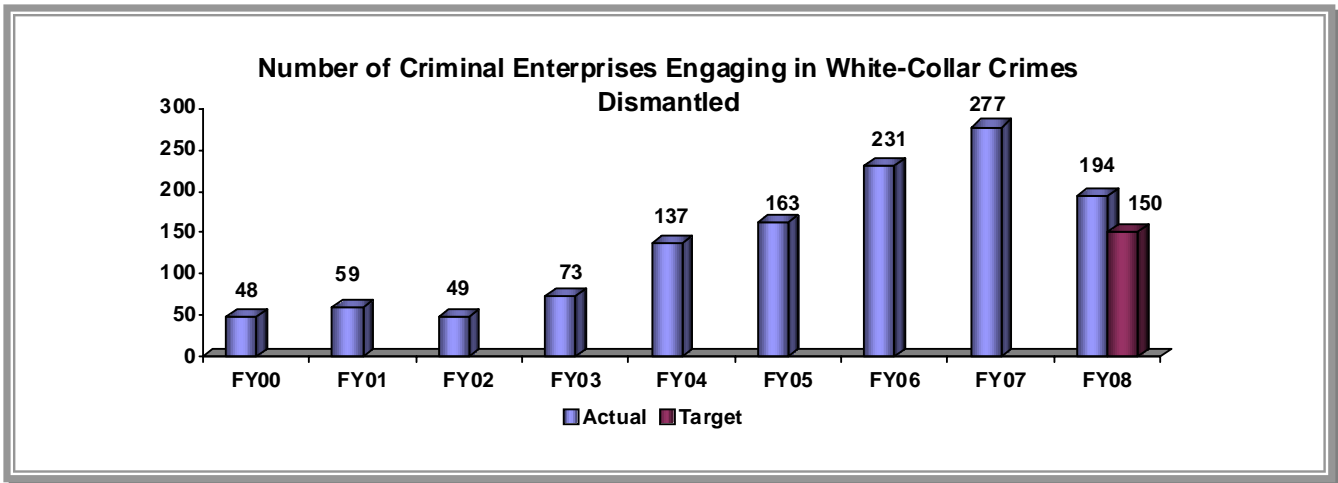
FY 2008 Target: 150

FY 2008 Actual: 194

Discussion of FY 2008 Results: The Department surpassed the target for this measure. Notable accomplishments for FY 2008 include the following:

National Century Financial Enterprises (NCFE): NCFE was one of the largest healthcare financing companies in the United States until they filed for bankruptcy in November 2002. Seven former executives of NCFE were charged with conspiring to defraud investors by lying about how the investors' funds would be used, diverting the funds, and then hiding the shortfall by moving money back and forth between subsidiaries' bank accounts. The NCFE executives were also accused of creating phony reports and records to cover up the scheme. On August 6, 2008, Donald H. Ayers (Ayers), former Vice Chairman and Chief Operating Officer, and four of his co-conspirators were ordered to jointly pay approximately \$2.4 billion in restitution. The judge ordered a forfeiture money judgment of approximately \$1.7 billion. To date, four of the five former executives who have pled guilty have been sentenced, including a sentence of 15 years incarceration for Ayers. Lance Poulsen, former NCFE President, Chairman and Director, is scheduled to begin trial in October 2008. In a related witness tampering case, Poulsen and his co-conspirator, Karl Dommler, were convicted on charges of conspiracy and witness tampering. Poulsen was sentenced to 10 years incarceration and Dommler is awaiting sentencing. The seventh NCFE executive is scheduled to begin trial December 1, 2008.

Peregrine Systems, Inc. (Peregrine): Peregrine is a computer software company that, in May 2002, announced a restatement of earnings for fiscal years 2000 and 2001 in the amount of approximately \$250 million. Peregrine officers and employees conspired to develop schemes to fraudulently manipulate the sales and earnings of the company by recording income from fraudulent sales, back-dating transactions, and providing side letters and contingencies to buyers of Peregrine products. A total of nine former Peregrine executives and two associates have pled guilty and are cooperating in the investigation. The executives who pled guilty include the President and Chief Operating Officer, Chief Executive Officer, Chief Financial Officer, Controller, and Treasurer. Sentencing for the executives and associates are expected in November and December of 2008. The investigation also resulted in a forfeiture count of \$53 million.



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 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. The data are subsequently verified through the FBI's inspection process. Inspections of ISRAA data occur at least once a year at each FBI Field Office. Using statistical sampling methods, data are traced back 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 2008 Progress: Although the Department missed its FY 2008 target for civil cases favorably resolved, the Department is on target for the achievement of 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 (EOUSA), as well as 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 US 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 certain 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 programs; benefit programs; energy policies; commercial issues such as contract disputes, banking, insurance, patents, fraud, and debt collection; all manner of accident and liability claims; and 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.

The Criminal Division (CRM) develops, enforces, and supervises the application of all federal criminal laws except those specifically assigned to other divisions. The Division and the 93 U.S. Attorneys (the U.S. Attorneys Offices in Guam and Northern Mariana Islands share one U.S. Attorney) have the responsibility for overseeing criminal matters under the more than 900 statutes as well as certain civil litigation. Criminal Division attorneys prosecute many nationally significant cases.

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.

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 compliance with the tax laws and maintain confidence in the integrity of the tax system.

Performance Measure: Percent of Cases Favorably Resolved

FY 2008 Target:

Criminal Cases: 90%

Civil Cases: 80%

FY 2008 Actual:

Criminal Cases: 92%

Civil Cases: 79%

Discussion of FY 2008 Results: The USAs target for civil cases favorably resolved was missed slightly, which affected the overall consolidated total of the General Legal Activities (GLA). In March 2008, after it was announced that defendants who were convicted of Title 21 violations involving cocaine base or crack could be resentenced, the USAOs received a deluge of motions requesting that a resentencing hearing be held. The Department tracks these resentencing hearings through Legal Information Online Network Systems (LIONS). Based on the limited disposition choices available in LIONS, if a defendant's motion for resentencing was denied, or if at a defendant's resentencing hearing the defendant was given the same sentence that was previously imposed, that case was placed in a Judgment for the United States category. However, if a defendant's motion for resentencing was granted and the defendant's sentence was decreased in any way, the case was tracked as a Judgment against the United States. Departmental records indicate that civil case terminations are up approximately 30.5 percent and that this number is largely due to crack resentencings. In conclusion, the crack resentencings have significantly skewed the numbers, making it numerically appear that there is a drop off in "favorably resolved" cases, when in fact, the change in numbers actually reflects decreases in crack sentences and not changes in judgments for or against the United States.

In FY 2008, investigations conducted by ATR led to \$700.9 million criminal fines against antitrust violators. Of that amount, \$675 million were assessed against some of the world's largest airlines in the air transportation industry, marking the highest total amount of fines ever imposed in an ATR investigation. This is important because international air transportation costs for both passengers and cargo affect many Americans either through the purchase of airline tickets or consumer goods. Far-reaching and ongoing investigations covering three continents and involving many governmental entities uncovered price fixing conspiracies to include setting prices for international air cargo rates and long-haul international passenger fares.

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 over a billion dollars to the Treasury, Medicare, and other entitlement programs.

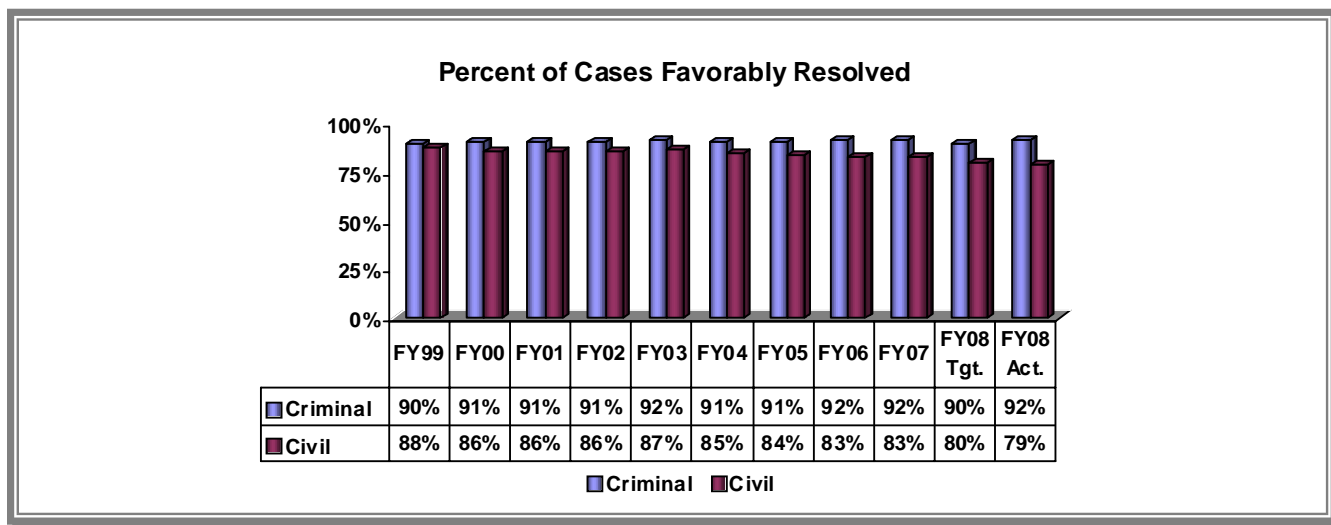
The Environment and Natural Resources Division achieved the single largest environmental enforcement settlement in history in FY 2008 (*United States, et al. v. American Electronic Power (AEP)* [S.D. Ohio]). In October 2007, AEP agreed to cut 813,000 tons of air pollutants (sulfur dioxide and nitrogen oxide) annually at an estimated cost of more than \$4.6 billion, as well as pay a \$15 million civil penalty and spend \$60 million on projects to mitigate the adverse effects of its past excess emissions. Additionally, the settlement is projected to save \$32 billion in health costs per year for Americans. An unprecedented coalition of eight states and 13 citizen groups joined the United States government in the settlement with AEP.

The United States Attorneys' Office (USAO) for the Eastern District of Pennsylvania has entered into a settlement agreement with the pharmaceutical manufacturer, Merck & Co., Inc. Under the agreement, Merck has agreed to pay \$399 million, plus interest, to resolve civil liabilities for the Medicaid rebates the company allegedly underpaid to the federal government, the 49 states, and the District of Columbia for Zocor and Vioxx. This settlement also resolves allegations that Merck paid certain inducements to doctors and other healthcare professionals through 2001 in connection with its various sales programs.

Additionally, one of the many mortgage fraud cases prosecuted by United States Attorney's Offices during the year involved charges against the owners of Parish Marketing and Development, a long-time Minnesota home builder. They were convicted and sentenced in the District of Minnesota for conspiring to commit mortgage fraud and money laundering in connection with a scheme involving approximately 200 residences and approximately \$100 million in loan proceeds. In July 2008, Michael Alan Parish was sentenced to 156 months in prison; Ardith Ann Parish was sentenced to 60 months; and Christopher David Troup, an agent for Parish Marketing, was sentenced to 120 months. The defendants, which also included the company, utilized "straw buyers" to purchase the properties built by Parish Marketing in several Twin Cities suburbs.

The Tax Division prosecuted the case against movie actor Wesley Snipes who was convicted on three counts of willful failure to file income tax returns and acquitted of two felony charges on February 1, 2008. His co-defendants, Eddie Kahn and Douglas Rosile were each convicted of one count of conspiring to defraud the United States and one count of making false claims against the United States. On April 24, 2008, a federal court in Ocala, Florida sentenced Snipes to 36 months incarceration to be followed by one year supervised release. His co-defendants, Kahn and Rosile, received respectively 120 months incarceration and 54 months incarceration, both to be followed by three years supervised release. At the sentencing hearing, Snipes handed over a \$5 million check to the IRS to pay some of his tax liabilities.

Additionally, the Tax Division successfully obtained court approval for the issuance of a John Doe summons to Swiss banking giant UBS seeking the names of U.S. account holders with undeclared accounts. The approval and issuance of the summons generated worldwide publicity and should lead to greatly increased voluntary compliance by taxpayers.



Data Definition: Cases favorably resolved includes 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 litigation 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. Representatives from each component providing data for this measure were participating in a working group to build a litigation case management system (LCMS) to collect and manage case information, however, this group has been on a temporary hiatus since January 2008. Until LCMS is implemented, the following information about this measure should be noted.

Currently, cases worked on by more than one component are included in the totals from CRM, CRT, ENRD, and EOUSA. Also, a 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 but CRM, ENRD, and EOUSA count cases at the defendant level, which may lead to multiple cases favorably resolved per case; CRT and TAX count Civil and Criminal cases. Lastly, ATR includes Criminal, Civil, Civil Merger, and Civil Non-Merger; ENRD includes affirmative, defensive, criminal, and condemnation cases in their totals. Once LCMS is fully implemented, all components will be using the same procedures for reporting.

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: Data quality suffers from the lack of a single DOJ case management system and a standardized methodology for capturing case related 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. To remedy these issues, the Department is developing a LCMS to standardize methodologies between the components and capture and store data in a single database. Further, Criminal Division data for FYs 1999 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 does 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 2008 Progress: The Department is on target to achieve this long-term goal.

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 acts as the “watchdog” of the bankruptcy system and ensures 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 2007 Target: Chapter 7: 56%
Chapter 13: 84%

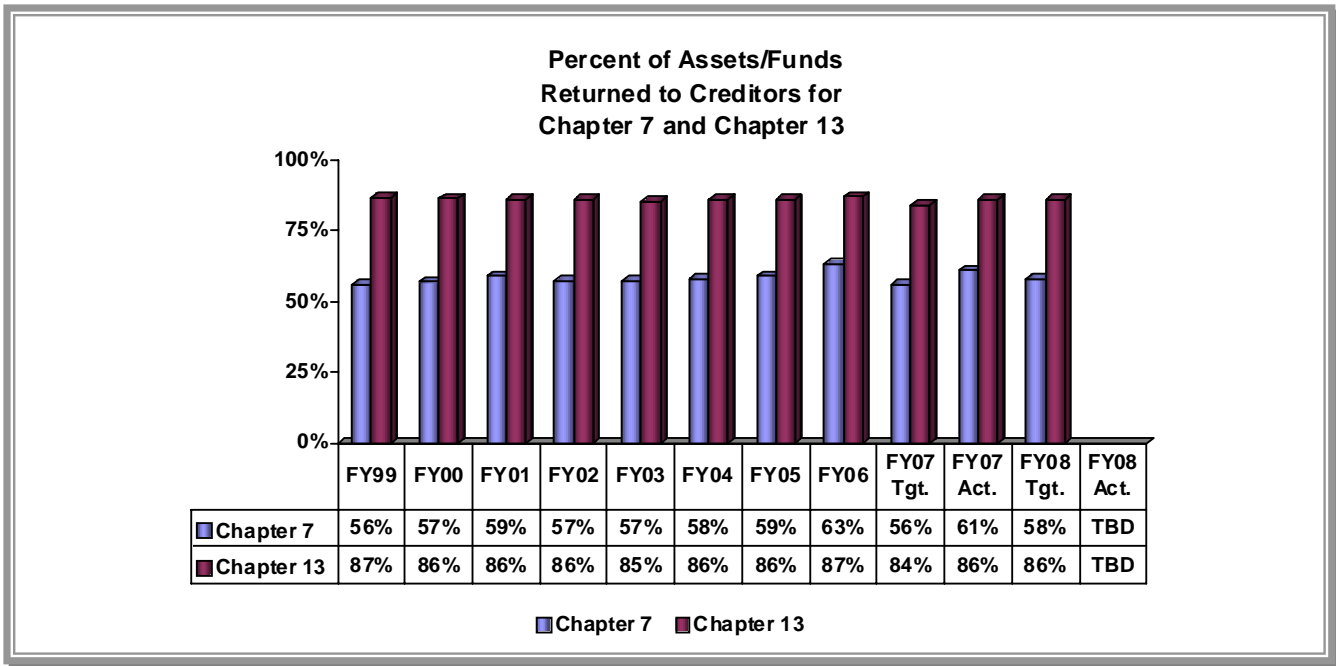
FY 2007 Actual: Chapter 7: 61%
Chapter 13: 86%

FY 2008 Target: Chapter 7: 58%
Chapter 13: 86%

FY 2008 Actual: Data not available until January 2009 for Chapter 7 and April 2009 for Chapter 13 because of the need to audit data submitted by private trustees prior to reporting.

Discussion of Results: The USTP utilizes a comprehensive process that ensures that cases filed each year are effectively and efficiently moved through the bankruptcy system. This includes following up on deficiencies, ensuring that old cases are closed promptly, ensuring that assets are identified and distributed in a timely manner and that action is initiated quickly when private trustees fail to comply with their obligations. In FY 2008, the USTP’s civil enforcement efforts resulted in over \$905 million in potential additional returns to creditors.

The USTP periodically reviews and reevaluates its performance targets and the Program’s efforts toward reaching them. In FY 2007, the Program revised this performance measure to reflect more aggressive targets. 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.



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 biannual 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 are 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 2008 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: The OJP’s Community Capacity Development Office (CCDO) administers the Weed and Seed program. The Weed and Seed program strategy is to assist communities in establishing strategies that link federal, State, and local law enforcement and criminal justice efforts with private sector and community efforts. It assists communities in “weeding out” violent crime, gang activity, drug use, and drug trafficking in targeted neighborhoods and then “seeding” the targeted areas with programs that lead to social and economic rehabilitation and revitalization. In addition to the weeding and seeding aspects of the strategy, the Weed and Seed sites engage in community policing activities that foster proactive police-community engagement and problem solving.

Performance Measure: Reduction in number of homicides per Site (funded under the Weed and Seed Program)

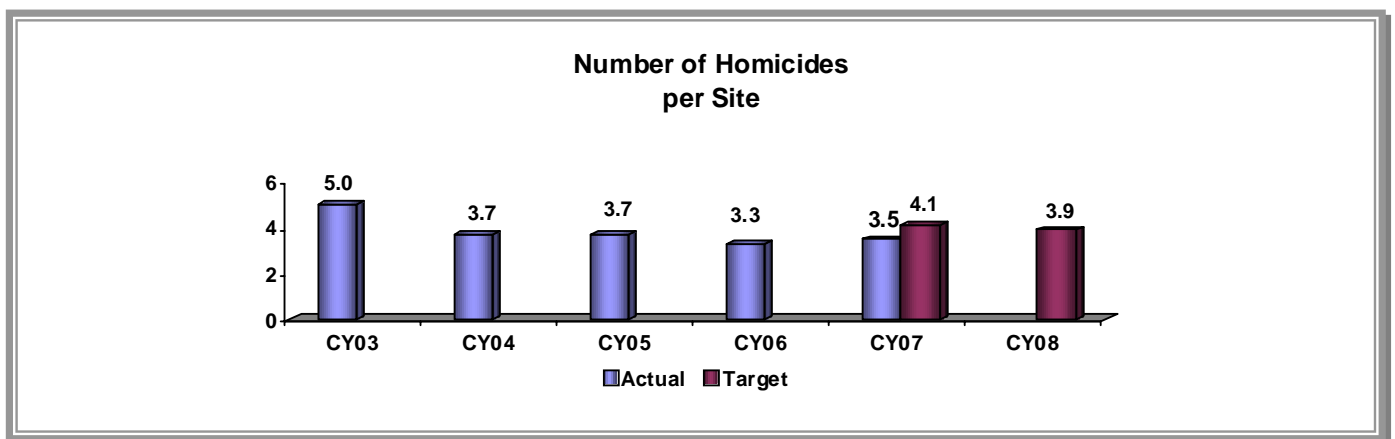
CY 2007 Target: Reduction to 4.1 homicides per site

CY 2007 Actual: Reduction to 3.5 homicides per site

CY 2008 Target: Reduction to 3.9 homicides per site

CY 2008 Actual: Data for this measure are collected on a calendar year basis and will be available in October 2009.

Discussion of Calendar Year (CY) 2007 Results: The target for CY 2007 was to reduce the number of homicides per site to a total of 4.1. In CY 2007, there were on average 3.5 homicides per site, which is better than the target by 14.6 percent. The Weed and Seed program is successful because it develops a strategy tailored individually for each site to target all of the factors that affect a high crime area. The Weed and Seed program works to develop effective community/police cooperation to ensure that the resources and efforts of local police departments and community groups are used more effectively and efficiently. In Homestead, Florida, for example, the Weed and Seed program partnered traditional law enforcement efforts with community enhancement efforts such as providing family counseling and parenting classes. These efforts contributed to a decrease not only in homicides, but also aggravated assaults and forcible rapes, from 2006 to 2007.



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

Data Collection and Storage: Weed and Seed grantees report performance measure data via a standard report required on an annual basis. The report is made available in the OJP's Grants Management System (GMS).

Data Validation and Verification: The CCDO validates and verifies performance measures through site visits and follow-up phone calls conducted by the Justice Research and Statistics Association and by CCDO's Federal Bureau of Investigation (FBI) Fellows. Additionally, homicide statistics obtained by jurisdictions are verified against the Uniform Crime Report published annually by the FBI.

Discrepancies in these reports are followed up for possible explanations, such as reporting system changes or errors. In 2007, the OJP validated previously reported actuals through the use of CCDO source documentation, and determined that the actuals were consistent with performance data reported in the Program Assessment Rating Tool (PART) Web.

Data Limitations: Data actuals are most effectively reported by calendar year given that the FBI Uniform Crime Report is based on calendar year data collection rather than fiscal year. There are slight variances in the group of local sites reporting each year due to some sites' "Official Recognition" status expiring and adding newly funded sites. For this reason, the OJP requests multiple years of crime data in every CCDO required annual GPRA report, so that we can do multi-year analyses for the same group of sites and jurisdictions. This means that the average number of homicides reported for a given calendar year will be different for each year's GPRA dataset.

FY 2012 Outcome Goal: Realize a 31% reduction in the Casework DNA backlog by FY 2012.
FY 2008 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: The OJP’s National Institute of Justice (NIJ) administers the DNA Backlog Reduction Program. The DNA Backlog Reduction Program exists to reduce the convicted offender DNA backlog of samples (i.e., physical evidence taken from a convicted offender, such as blood or saliva samples) awaiting analysis and entry into the Combined DNA Index System (CODIS). Reducing the backlog of DNA samples is crucial in supporting a successful CODIS system, which can solve old crimes and prevent new offenses from occurring through more timely identification of offenders. Funds are targeted toward the forensic analysis of all samples identified as urgent priority samples (e.g., samples for homicide and rape/sexual assault cases) in the current backlog of convicted offender DNA samples. Due to ongoing legislative changes in qualifying offenses enacted at the state level (i.e., the addition of classes of offenses from which samples can be collected), the total population of samples collected is constantly growing.

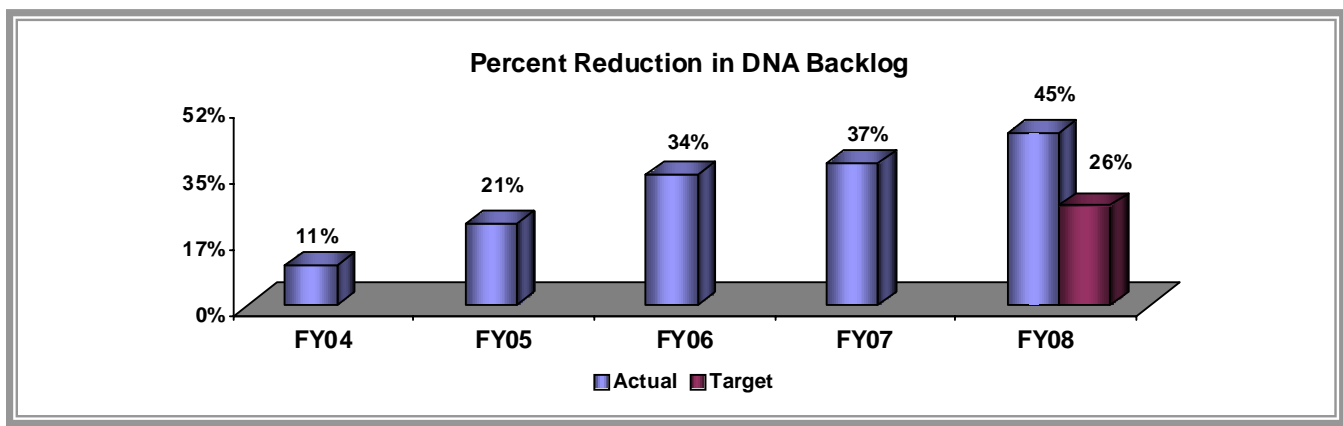
Performance Measure: Percent Reduction in DNA Backlog

FY 2008 Target: Casework: 26%

FY 2008 Actual: Casework: 45%

Discussion of FY 2008 Results: NIJ exceeded its target of 26 percent reduction in DNA backlog for casework in FY 2008 by 19 percentage points, with an actual result of 45 percent. This was due to two main factors: an increased funding of \$10 million for this program and a greater request for casework assistance. Out-year targets are difficult to assess due to the direct relationship of funding to casework sample analysis. Additionally, the level of funding is not known at the time the targets are established.

As a direct result of this funding, local police departments around the country have been able to solve hundreds of cases, even some that were unsolved for decades. For example, in FY 2008, the Buffalo police department was able to solve the 1984 rape and murder of an elderly woman because the DNA sample produced a CODIS hit. The perpetrator was not a suspect at the time of the murder and most likely would not have been apprehended if the sample had not been entered into CODIS.



Data Definition: The objective of this program is to accelerate the analysis of backlogged DNA casework samples in order to provide CODIS-compatible data for all 13 CODIS core Standard Tandem Repeat (STR) loci for State and national DNA databases, so that law enforcement is provided with critical investigative information in a timely manner.

NIJ computes this measure by calculating the cumulative number of backlogged DNA cases federally-funded for analysis (30,350) and dividing it by the total number of backlogged DNA cases (67,470), as reported in the *Census of Publicly Funded Forensic Crime Laboratories, 2005*, Appendix table 1 (page 10), Bureau of Justice Statistics (BJS).

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

Data Validation and Verification: NIJ validates and verifies performance measures through monthly and quarterly progress reports from State and vendor laboratories.

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 2008 Progress: The Department is on target to achieve this long-term goal.

Background/Program Objectives: In October 2002, at the first White House Conference on Missing, Exploited, and Runaway Children, President George W. Bush directed the Attorney General to designate a DOJ official to lead the effort in expanding the AMBER alert system nationwide. Since that time, the Assistant Attorney General (AAG) for the OJP has served as the National AMBER alert Coordinator.

Research shows that an abductor who intends to murder a child victim will likely do so within three to four hours following the abduction; therefore, it is critical to post and resolve AMBER alerts as soon as possible. The AMBER alert program supports training and technical assistance to State and regional AMBER alert teams to encourage them to use the best practices available so that children can be located and reunited with their families as quickly as possible.

The substantial increase in the number of recovered children since the strategy was put in place is evidence that the program is working well. Since AMBER alerts began in 1996, 426 children have been recovered. Over 91.8 percent of successful recoveries have occurred since October 2002, when AMBER alerts became a coordinated national effort.

This progress is attributable to better coordination and training at all levels, increased public awareness, technological advances, and cooperation among law enforcement, transportation officials, and broadcasters. At the end of 2001, there were only four statewide AMBER alert plans, and now all 50 States have plans in place.

In addition to its successful website (www.amberalert.gov), the AMBER alert program's strategy focuses on: (1) strengthening the existing AMBER alert system; (2) expanding the scope of the AMBER alert program; and (3) enhancing communication and coordination.

Performance Measure: Percent of Children Recovered within 72 Hours of an issuance of an AMBER alert

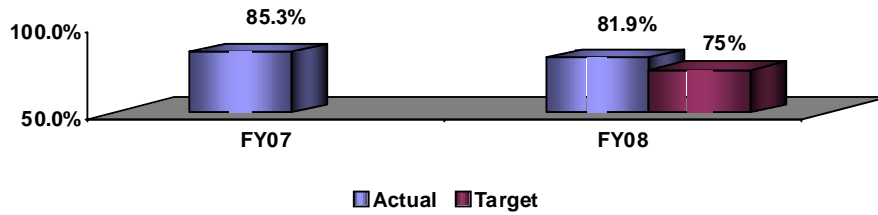
FY 2008 Target: 75%

FY 2008 Actual: 81.9%

Discussion of FY 2008 Results: The total recovery rate within 72 hours of the issuance of an AMBER alert was 81.9 percent for FY 2008, exceeding the target of 75.0 percent by 6.9 percentage points. This is attributable to better coordination and training at all levels, increased public awareness, technological advances, and cooperation among law enforcement, transportation officials, and broadcasters. In one case in Los Angeles, a father, who had abducted his child and shot the child's mother, dropped the child off with relatives upon hearing the AMBER alert. In another case in Colorado, the AMBER alert resulted in a child being located even though the child had disappeared in the middle of the night during the FY 2008 Presidential Candidate Nominating Conventions, when law enforcement and media resources were scarce.

Additionally, in FY 2008, the AMBER alert Program completed a number of activities. Below are actual results for various accomplishments that are tracked, based on the National Center for Missing & Exploited Children (NCMEC) monitored activity.

Percent of Children Recovered within 72 Hours of an Issuance of an AMBER Alert



Data Definition: Recovery rate is determined by comparing 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 children involved in AMBER alerts issued multiplied by 100. The result is expressed as a percentage.

Data Collection and Storage: Data are collected by the National Center for Missing and Exploited Children (NCMEC) from law enforcement and the National Crime Information Center database. This database stores the child's name and other critical data elements, including the Child Abduction flag. The Child Abduction flag serves to automatically notify NCMEC and the FBI that a child abduction has occurred. These data are retrieved to provide information on recoveries.

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.