
MATTERS OF JUSTICE



An Overview of Major Issues and Trends

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The goals, objectives, and strategies of the Department of Justice Strategic Plan reflect the reality of law and justice in these days. The world remains a dangerous place, and the United States is more connected to the world and its dangers than ever before. As reflected in the plan, the Department of Justice (DOJ or the Department) will focus in the next few years on achieving the Attorney General's priority goals:

- (1) To detect and prevent terrorism;
- (2) To combat violent crime;
- (3) To combat computer crime, especially child pornography, obscenity, and intellectual property theft;
- (4) To combat illegal drugs;
- (5) To attack corporate and public corruption; and
- (6) To promote civil rights and civil liberties.

The Department has pursued these objectives with great success, though the threats to liberty can never be finally eradicated. Terrorists will plan attacks on this country for many years to come. Violent crime will always be part of the human condition. Predators will always seek to exploit the vulnerable, while criminal opportunists will ever seek to undermine the law and bilk the Government and the people it represents. In short, the price of liberty is vigilance.

TERRORISM

Since September 11, 2001, there have been no successful terrorist attacks launched within the United States. This success has not been an accident. Terrorist attacks have been launched after 2001 in Indonesia, Kenya, Spain, Great Britain, and other nations, and clearly would have been launched against the United States if they could be successfully undertaken.

Although DOJ is only one institution that has helped prevent terrorist attacks, its contributions to ensuring the safety of Americans from terrorist attack are significant.

The Department has disrupted terrorist threats through aggressive prosecution and by leveraging criminal charges and long prison sentences to gather intelligence. It is strengthening partnerships with state, local, and foreign governments. More than 450 individuals have been criminally charged in terrorism-related investigations, and nearly 300 have been convicted or pled guilty. Terrorist cells have been broken up in Virginia, Buffalo, Seattle, Portland, and Tampa. The Department has disrupted the terrorist financial network by freezing \$200 million in assets around the world.

Terrorism remains the Nation's greatest threat. Unless potential evildoers are monitored and thwarted, large numbers of innocent Americans can be killed in an instant. Antiterrorism efforts must be undertaken vigorously and continuously, since terrorists can succeed if they bypass defensive measures even once. In addition to unimaginable human toll, terrorism also threatens the economy. Some estimates of economic loss caused by the September 11 attacks run as high as \$3 trillion. Terrorists also seek to inflict psychological as well as physical trauma.

Vigilance against this threat requires not just working harder, but smarter. On March 9, 2006, President George W. Bush announced the new position of Assistant Attorney General for National Security in DOJ. The new division combines the Counterterrorism and Counterespionage Sections of the Criminal Division and the Foreign Intelligence Surveillance Act experts from the Office of Intelligence Policy and Review. The synergy gained by combining these resources will enhance the Department's ability to prevent, disrupt, and defeat terrorist operations before they occur, improve the Department's ability to

work with other intelligence agencies, and combat espionage against the United States.

COMBATING VIOLENT CRIME

Fighting violent crime is a key objective of DOJ. The Department's successes in fighting crime are often tangible, through gaining convictions of serious offenders, reducing crime levels, and restoring peacefulness to neighborhoods. But many of the Department's accomplishments in crime fighting, although real, are difficult to observe or quantify. A reduction in the violent crime rate means fewer victims, fewer people who have their lives disrupted, fewer people who have their bodily integrity violated, fewer people who have their property stolen or broken. It also means fewer relatives and friends mourning the loss of a loved one. According to one report, the estimated annual cost of crime to victims is at least \$450 billion. Therefore, significant declines in crime rate have saved Americans from huge losses – financial, physical, and emotional – that would have otherwise occurred at earlier high crime levels.

Although some cities recently reported an increase in the number of violent crimes, violent crime rates remain close to 30-year lows. Additionally, from 2001 - 2004, the violent crime rate was, on average, nearly a third lower than in the preceding 4 years. This is a tremendous accomplishment. Especially notable has been the reduction in violent crimes associated with use of firearms. The rates of murders, robberies and assaults committed with firearms have declined sharply. The rate of nonfatal victimizations involving firearms has fallen by 59% in the last decade, from 4.9 per 1,000 residents 12 and older in 1995, to 2 in 2005. During the same period, the firearm murder rate dropped from 5.6 to 3.8 per 100,000 residents. Despite this progress, gun crime continues to represent a substantial proportion of both fatal and nonfatal violent crime in America. In 2005, guns were used in just over two-thirds of the 16,700 homicides and in an estimated 419,000 nonfatal violent crimes in the United States.

DOJ remains committed to reducing gun crime in the next 5 years through the *Project Safe Neighborhoods (PSN) Initiative*, which targets gun crime by linking local, state, and federal

efforts, and providing those programs with the tools and resources they need to succeed. *PSN* emphasizes prevention, tactical intelligence gathering, aggressive prosecutions, and enhanced accountability. The project is designed and operated locally, and is led by the United States Attorney in each federal judicial district. The program funds new federal and state prosecutors, investigators, training, and community efforts to prevent and combat gun violence.

The *PSN Initiative* has led to an historic number of federal firearm prosecutions. In the last 5 years, federal firearms prosecutions have risen by 73%, and in the last fiscal year (FY 2005) a record 13,062 defendants were charged with a federal firearms crime. That same year, over 93% of offenders originally charged with a federal firearms crime received some term of imprisonment, and over 68% were sentenced to 3 or more years in prison. These prosecutions remove some of the most dangerous criminals from our communities.



Combating violent crime also requires pursuing gangs. Today, many gangs operate regionally, nationally, and even internationally, such that effective anti-gang activity requires federal involvement. Approximately 30,000 gangs, with 800,000 members, affect 2,500 communities in this country. And gangs bring violence and intimidation to those communities, which now include rural and suburban areas in addition to the country's urban centers. To address the prevalence of gangs and gang violence, the

Department has taken several important steps: First, DOJ established an Anti-Gang Coordination Committee to organize the Department's wide-ranging efforts to combat the scourge of gangs. Second, each United States Attorney appointed an Anti-Gang Coordinator to provide leadership and focus to anti-gang efforts at the district level. And third, the Anti-Gang Coordinators, in consultation with their local law enforcement and community partners, developed a comprehensive districtwide strategy to address the gang problem in their districts.

In addition, the Department has expanded the successful *PSN Initiative* to include new and enhanced anti-gang efforts, and launched the *Comprehensive Anti-Gang Initiative*, which focuses anti-gang resources on prevention, enforcement, and offender reentry efforts in six sites throughout the country. The Department has also created a new national Gang Targeting, Enforcement, and Coordination Center (GangTECC), bringing together all of the operational components of DOJ, as well as other agencies within the Federal Government. GangTECC is led by the DOJ's Criminal Division and coordinates overlapping investigations, ensures that tactical and strategic intelligence is shared among law enforcement agencies, and serves as a central coordinating center for multijurisdictional gang investigations. GangTECC works hand-in-hand with the new National Gang Intelligence Center.

DOJ components will also devote attention to gangs. The Bureau of Alcohol, Tobacco, Firearms, and Explosives has established the *Violent Crime Impact Team Initiative* to decrease the number of homicides, firearms-related homicides, violent crimes, and violent firearms crimes in cities where it is employed. It has focused on cities where violent crime rates had not followed the national trend, and sought to reduce rather than displace incidents of gun-related violence by targeting and arresting the "worst of the worst" violent offenders. The Federal Bureau of Investigation's (FBI) *National Gang Strategy* fights the most dangerous gangs with the coordinated resources of federal and local law enforcement, and brings to bear the federal racketeering statutes, intelligence, and investigative techniques used to defeat organized crime. Other DOJ components, such as the Office of Justice Programs (OJP) and the

Office of Community Oriented Policing Services, support the Department's anti-gang prevention and training efforts, and administer grants that focus resources toward local gang and gun crime reduction programs.

COMPUTER CRIME

The widespread ownership of personal computers and growth of the Internet have contributed to education, economic growth, and entertainment. They have also facilitated real-time interpersonal contact. But computers and the Internet are value neutral, and can be employed to cause harm by persons who are so inclined. Addressing increasingly serious and virulent computer crime, much of which is international in scope, and the growing future potential for such crime as Internet usage expands, is an important Department priority.

Child Pornography

Child pornography is a visual record of sexual abuse. Many of its victims suffer the consequences their entire lives: at the time it is created, when the images are distributed and viewed, and later into adulthood. The exchange of child pornography on the Internet validates and encourages those who collect this material. In this context, computers facilitate victimization. Not so long ago, a possessor of child pornography needed to obtain a hard copy, or, if he produced it himself, could not rapidly distribute large numbers of copies. Now pornographic material can be quickly and easily downloaded and distributed over the Internet. An estimated 20,000 images of child pornography are posted on the Internet each week. Those images increasingly represent severe sexual abuse and rape of younger and younger children, even infants.

Similarly, in the past, a child molester met his victims in person one at a time, at considerable risk of detection. These factors have changed. A child molester can enter chat rooms and adopt a false identity to gain personal information from potential victims. Various studies demonstrate that one child in five receives an unwanted sexual solicitation online each year. Three percent of children receive an aggressive sexual

solicitation in which someone asks to meet them somewhere, calls them, or sends mail, money, or a gift. One in four children receives an unwanted exposure to sexually explicit material.

Combating child pornography and cyber enticement, therefore, will continue to be an important priority of the Department. Investigations, arrests, and convictions for child pornography have greatly increased in the past decade. The effort focuses on online organizations, individuals who travel to have sex with children, and producers, distributors, and possessors of child pornography. The Criminal Division's Child Exploitation and Obscenity Section has recently created a High Tech Investigative Unit to tackle the most complex and advanced offenses committed against children online. DOJ has also created the Internet Crimes Against Children task force program, a network of coordinated regional task forces that help state and local law enforcement agencies to develop an effective response to cyber-enticement and child pornography cases.

In an effort to marshal all of our collective resources - federal, state and local - the Attorney General commenced an initiative called *Project Safe Childhood* in May 2006. *Project Safe Childhood* is modeled on the successful effort to combat gun crime, *PSN*. Every United States Attorney will work with partners at every level of government to more effectively investigate and prosecute child predators and to rescue victims. Given the ever expanding territory represented by the Internet, only through a coordination of effort can DOJ and its partners make the Internet safe.

Intellectual Property Theft

Today piracy is a worldwide, multibillion dollar illicit economy that threatens our national economic security as well as the health and safety of our citizens. Online piracy is particularly challenging to law enforcement because it is harder to detect than traditional piracy, and costs the pirates almost nothing to operate, while rapidly generating countless perfect digital copies. Even when law enforcement successfully shuts down digital piracy, any copies previously distributed remain

on the Internet and can quickly and easily spawn a new generation of pirated products.

In 2004, the Department created a Task Force on Intellectual Property. In October of that year, the Task Force issued a comprehensive report listing 31 recommendations for improving the Department's efforts. In June 2006, Attorney General Gonzales issued a Progress Report announcing that all 31 recommendations had been implemented and, in some cases, exceeded.

The Department has established the Computer Hacking and Intellectual Property (CHIP) program, in which prosecutors work closely with the FBI and other agencies to encourage high tech entities to refer cases to law enforcement. DOJ will continue to focus on these crimes in coming years, and is expanding CHIP entities in United States Attorneys' offices; increasing the number of complex, multidistrict and international intellectual property enforcement actions; and strengthening the Department's ability to bring intellectual property charges in organized crime, illegal importation, and fraud cases. The Criminal Division's Computer Crime and Intellectual Property Section (CCIPS) investigates and prosecutes intellectual property theft.

Identity Theft

Computers can also facilitate identity theft. There are multiple ways in which this can occur. Phishing techniques by perpetrators deceive victims into providing personal information. Also, computer files that contain personal data can be compromised, such as by hacking or theft of laptops. Identity theft permits the commission of crime to be attributed to someone else, and can be a way for terrorists to hide their identities and more covertly plan attacks. It can also cause difficulties to individuals whose credit ratings are jeopardized and who suffer various other harms which are costly to rectify in time and money.

President Bush has established an Identity Theft Task Force that is chaired by the Attorney General and co-chaired by the Chairman of the Federal Trade Commission. This Task Force

will report to the President by the fall of 2006 on the scope of the problem, and actions to better protect personal privacy information, improve prosecution and enforcement, increase cooperation with private entities that hold personal data, strengthen outreach, and recommend enactment of new legislation.

ILLEGAL DRUGS

Illicit drug production, transportation, and distribution comprise a worldwide criminal enterprise, which annually generates billions of dollars in illegitimate revenue. The Office of National Drug Control Policy estimates that Americans spend \$65 billion annually on illegal drugs. International drug cartels, domestic drug distribution networks, and drug dealers in general use the proceeds from their illegal activity to proliferate global lawlessness. International drug cartels and organizations are responsible for much of the illegal domestic drug supply in the United States. The Administration and the Department are committed to attacking market vulnerabilities in the illegal drug trade and applying pressure to reduce profits and raise the risks of drug trafficking.

Illegal drug use poses serious negative social consequences, especially for young people. Children often suffer physical or psychological harm and neglect resulting from their presence at or near sites of drug production (especially methamphetamine) or from exposure to illegal drugs or persons under the influence of illegal drugs. Drug users can become addicted, jeopardizing their health and reducing their chances of completing their educations or becoming or remaining productive workers. Rampant drug abuse in any neighborhood prevents it from fully prospering. Additionally, drug use is strongly associated with crime. People commit crimes while on drugs, people commit crime to gain money to purchase drugs, and drug trafficking is, of course, a serious crime.

Methamphetamine

Nationally, the concern regarding the illicit use or production of methamphetamine continues, due to the environmental impact, the growing

presence of super labs in Mexico, and among other things, the uniquely destructive nature of meth itself. Some of the chemicals used to produce methamphetamine have independent toxicity; when combined, they can have serious toxic and explosive effects. The process of making methamphetamine – in both large and small laboratories – involves at least one, and sometimes more than one, stage with a significant risk of explosion or fire. Methamphetamine is unique in that making it is easy but dangerous, posing the risk of explosion, exposing families, children, and neighborhoods to toxic chemicals.

The virulence of the meth epidemic is seen in increases in drug treatment admissions, emergency room visits, and criminal justice encounters. In a recent speech in Georgia, the Attorney General related that 1 in 10 persons being sent to prison in that state is going for a meth-related offense. DOJ is working with federal, state, tribal, and local law enforcement and our international partners to combat methamphetamine production and trafficking. For example, the Drug Enforcement Administration (DEA) has refocused its Mobile Enforcement Teams to prioritize the investigation of methamphetamine organizations and directed certain Clandestine Lab Enforcement Teams to refocus investigative efforts towards methamphetamine organizations. In addition, DOJ has increased its cooperation with Mexican law enforcement authorities to disrupt and dismantle methamphetamine trafficking organizations. The Department has also been seeking the cooperation of precursor source countries in order to cut off the international supply of the precursor chemicals to methamphetamine producers.

Drug Diversion

Of all the major drugs of abuse, only marijuana is available as a natural, harvested product. The others, whether they are illicit drugs such as cocaine, heroin, methamphetamine, or legitimately produced pharmaceuticals, must be produced or manufactured. Most of the drugs in the illicit traffic are products of illicit processing or synthesis. However, the fastest rising category of drug abuse is prescription drugs, which are often legitimately manufactured

controlled substances being diverted from their lawful purpose into illicit drug traffic.

Many of the narcotics, depressants, and stimulants manufactured for legitimate medical use are subject to abuse, and have therefore been brought under legal control. The goal of controls is to ensure that these "controlled substances" are readily available for medical use, while preventing their distribution for illicit sale and abuse.

Diversion cases involve, but are not limited to, inappropriate prescribing, illegal sales, employee theft, doctor shopping, fraudulent prescriptions, pharmacy theft, illicit Internet pharmacies, and foreign diversion and smuggling into the United States. As with any other criminal investigation, DEA identifies, targets, disrupts, and dismantles individuals and organizations that traffic in controlled substances. In addition, DEA conducts regular regulatory investigations of manufacturers, wholesalers, and distributors to determine compliance with regulatory and statutory requirements.

Southwest Border Initiative

Mexican drug groups operating along America's 2,000 mile border with Mexico have become the world's preeminent drug traffickers. Organizationally complex with a high propensity for violence, these groups transport multi-ton shipments of heroin, methamphetamine, and marijuana. They are also hired by trafficking groups from Colombia to transport equally large amounts of cocaine into the United States.

To counter this threat, the *Southwest Border Initiative* (SWBI) was created in 1994. Today, the SWBI is a cooperative effort that involves thousands of law enforcement officers from the DEA; FBI; Department of Homeland Security's Bureau of Customs and Border Protection, which includes the United States Border Patrol; United States Attorneys; and state and local law enforcement agencies. This coalition works together to execute a strategy of attacking major Mexican-based trafficking organizations on both sides of the border simultaneously, by employing enhanced intelligence and

enforcement initiatives and cooperative efforts with the Government of Mexico.

The strategy that resulted is a consensus document that establishes United States policy and implementation actions to enhance national security to protect the American people from the corrosive effects of illegal drug smuggling across the Southwest Border. The strategy directs the coordination of United States Government counterdrug and border security initiatives to achieve a comprehensive national effort involving federal, state, local, tribal, and private sector entities.

The strategy seeks to attack the illicit drug industry as close to the source as possible and to ensure that operations in and around the Southwest Border are enhanced through the implementation of the strategy.

ATTACK CORPORATE AND PUBLIC CORRUPTION

Two forms of corruption, corporate fraud and government corruption, are DOJ priorities because of the extent and seriousness of their existence to a free democratic society. Free markets are vital to supporting the capital flow upon which a vibrant economy depends. People are more willing to invest where they believe that their capital will fund remunerative economic activity rather than fraudulently overstated profits or personal gain by corporate executives. Honesty and transparency in corporate reporting attracts capital from all over the world. In their absence, the Nation's financial markets lose an important competitive advantage, investors are reluctant to purchase shares, and individuals who own stock directly or through pension funds face potential losses, possibly catastrophic in the case of company pension plans. Economic prosperity is threatened. Executives of major companies may be tempted to take large short term financial rewards if they view as insubstantial the risk of apprehension far down the road. More than in most criminal law areas, prosecution of corporate criminals has a significant element of general deterrence. The Department's aggressive pursuit of corporate misfeasance signals to executives who might

yield to temptation that a long jail sentence is not worth a short term ill-gotten financial gain.

Criminal conduct by government officials is also worthy of DOJ's priority attention. Respect for the rule of law declines when public officials set a poor example of conforming to law. In addition, federal tax collections support all levels of government to some degree. Public officials are to be stewards of federal tax money. When they fail to do so, whether or not they are federal officials, the Federal Government has a strong interest in holding them accountable. Moreover, the nature of state and local governments may in some instances make difficult the prosecution of corrupt officials at the state or local level. In those instances in which American citizens are being deprived of their right to honest government, federal prosecutorial action may be warranted. Finally, the electoral process must be fair if the transfer of governmental power is to be legitimate and for peaceful political change to occur.

Corporate Fraud

The 1990's bull market created a climate that was ripe for corporate corruption. Corporate executives failed to comply with accounting rules so as to overstate earnings, which often directly enhanced their compensation. Outside professionals, such as accounting firms and investment banks, were sometimes complicit in the fraud. Some corporate executives violated their legal obligations to the corporation and its shareholders and gained personally. To deal with the numerous acts of corporate deception, President Bush created the Corporate Fraud Task Force, on which DOJ has played an important role. It has obtained 1,063 corporate fraud convictions, including 167 corporate chief executive officers and 36 chief financial officers. Its high profile criminal cases include Adelphia, Martha Stewart, Bernard Ebbers, Frank Quattrone, Kenneth Lay, and Jeffrey Skilling. Prosecuting corporate fraud will remain an important objective in the coming years. This type of crime requires new strategies to keep pace with criminal innovation.

Public Corruption

The Department has also been active in prosecuting public corruption. The Public Integrity Section of the Criminal Division takes the lead in these investigations. If, for instance, the national security interests of the United States would lead an objective official to choose one corporation's product to achieve a defense purpose, but instead an official allows her ties to another corporation to affect the procurement decision, not only is the public deprived of honest government, but the security of the country may be negatively affected.

In the last 2 years, FBI investigations have led to corruption convictions for more than 1,000 government employees, including military personnel. Corruption indictments are up more than 40%. In the last 18 months, some 200 agents have been added to the 400 already working on public corruption cases. These additional resources will continue to support DOJ's anti-corruption activities.

Another important priority in public corruption is ensuring the integrity of voting. In 2002, DOJ established its *Ballot Access and Voting Integrity Initiative*. Since the initiative began, more than 95 persons have been charged with election fraud offenses, and over 55 of these defendants have been convicted of such charges as voter intimidation, voting by ineligible individuals, bribery, destruction of valid ballots or registrations, altering vote tallies, multiple voting, ballot fraud, and ballot box tampering or destruction.

PROMOTE CIVIL RIGHTS AND CIVIL LIBERTIES

The Department's sixth priority goes to the essence of America: protecting civil rights and liberties. America was created to safeguard certain inalienable rights. DOJ's strong efforts in this area are directed to some of the most important rights: freedom, dignity, and participation. No one should be subjected to unfair treatment for demanding these rights.

The Department's *Operation Home Sweet Home* was created to expose and eliminate housing discrimination in this country. This initiative focuses on increased testing and awareness. Testing has been concentrated in areas that have experienced a significant volume of bias-related crimes such as cross burnings or assaults on minorities. *Operation Home Sweet Home* will increase the number of paired test investigations in the future to an all-time high.

Human trafficking is also a priority in this area. Traffickers often prey on individuals who are poor, frequently unemployed, and may lack access to social safety nets. Victims are lured with false promises of good jobs and better lives, and then forced to work under brutal and inhuman conditions. Frequently, human trafficking involves sexual exploitation of women and children, or exploitation of agricultural and sweatshop workers, as well as domestic servants.

DOJ has greatly expanded efforts to combat these horrific conditions. In 2005, FBI began its *Human Trafficking Initiative*, opened 146 investigations, and made 48 arrests. In FY 2005, the Civil Rights Division and United States Attorneys' offices prosecuted 95 defendants, twice that of the prior year. Since 2001, human trafficking prosecutions have increased by 300%.

In addition, the Civil Rights Division has brought together federal, state, and local law enforcement officers to establish antitrafficking task forces. OJP has provided funds to establish 32 anti-trafficking task forces around the country. In the future, DOJ will continue to combat this terrible crime.

In recent years, the Department has filed more cases to enforce the minority language provisions of the Voting Rights Act than in the previous 26 years. DOJ's enforcement and compliance efforts are working, as evidenced by registration among Hispanics and Filipinos rising by more than 20% after it filed suit in San Diego County, California. After DOJ undertook efforts to increase voting rights protections in Harris County, Texas, the turnout among eligible Vietnamese voters doubled.

THE FUTURE

The Department has actively advanced its priorities, as outlined above. But the FY 2007-2012 Strategic Plan is not so much about what DOJ has done, or even plans to continue to do, as to outline what should be done. As successes are achieved, other problems arise. Importantly, with large but not unlimited resources, the Department must regularly evaluate its priorities and how best to achieve them. We will give national security our highest priority, but will also ensure that our other critical mission areas are addressed effectively and efficiently.

Terrorism will continue to be a particular focus. But new technologies will require different responses. Investigation and prosecutions will be paramount, but new initiatives will always be considered. And operations may change as the National Security Division becomes fully functional as a stand-alone entity.

Crime has been reduced dramatically. But in a sense, the lowest-hanging fruit has been picked. Now that low crime rates may be rising, it may be necessary to reevaluate where the best contribution can be made to fighting crime. Some successful operations, such as fighting gangs and guns, may warrant expansion.

Computer crime is a daunting challenge because it grows as quickly as the Internet. DOJ is expanding its resources to prevent child victimization and intellectual property theft that is facilitated by computer technology. Expansion of CHIP units may continue to be warranted as intellectual property theft grows in scope and monetary losses increase.

Drug use is falling, but remains a significant problem. DOJ will constantly consider how best to combat illegal drug use.

Corporate and public corruption always demand action. Although the great majority of corporate officers and public officials are honest and law-abiding, not all of them are; DOJ plays a vital role in apprehending dishonest individuals. It must do so sufficiently frequently as to provide a

credible deterrent to others who would contemplate such unlawful activity.

Protecting civil rights and liberties also requires reemphasis and readjustment. Human trafficking and housing discrimination have been combated at record levels in recent years. Other civil rights violations may occur more frequently and warrant greater attention in the years ahead.

In the pages that follow, DOJ will describe its strategic plan for FYs 2007-2012. This plan outlines the Department's goals in a variety of areas and the plans it has adopted to achieve them. It builds on the good works described above to continue to deliver to the American people the important protections they have a right to demand.