

Analysis of Performance Information

According to the Government Performance and Results Act (GPRA) of 1993, an agency's Strategic Plan must be updated and revised at least every three years and cover a period of not less than five years forward from the fiscal year in which it is submitted. In April 2007, the FY 2007-2012 Strategic Plan was approved by OMB and sent to Congress for review and approval. The final FY 2007-2012 Strategic Plan was made available to the public in July 2007. The Department expects to issue an updated Strategic Plan in 2010.

Presently, the Department's FY 2007-2012 Strategic Plan contains three goals. Additionally, the Department's Plan includes 25 key performance measures addressing its highest priorities toward achieving these long-term outcome goals. The measures are included in the Department's annual *Budget and Performance Summary* and reported on in this document. The Department's full Performance Report for these measures, including an update on our progress toward meeting the FY 2012 long-term outcome goals, is included in Section II of this document. The Department strives to present the highest-level outcome-oriented measures available and fully report the accomplishments achieved during the reporting period. However, data for the 25 key measures are compiled less than 30 days after the end of the fiscal year and, occasionally, data for an entire year are not available at the time of publication.

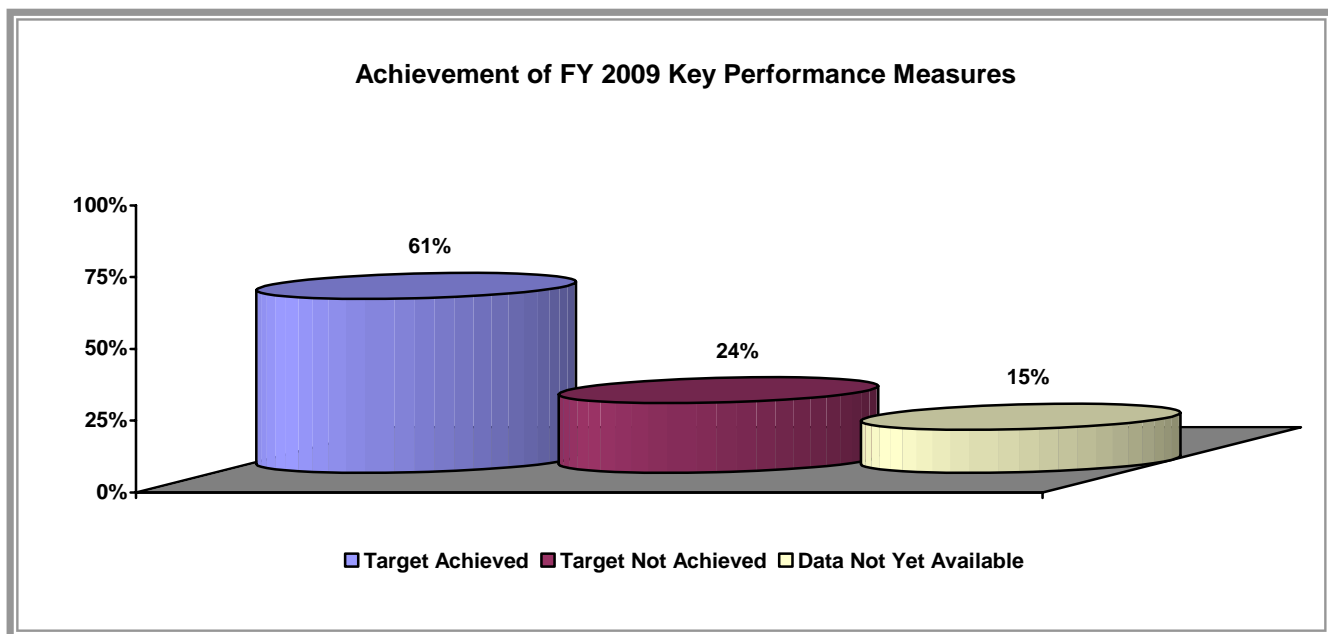
During FY 2009, Departmental leadership continued to display a clear commitment to performance management through the reliance on formal quarterly status reviews. Additionally, Departmental components have worked to improve the quality and timeliness of financial and performance information that inform quarterly status reporting and operating plans.

For this report, 85 percent of the performance measures have actual data for FY 2009. In some cases, indicators are reported on a calendar year basis while others have a one-year lag time and thus are not included in this report. The Department achieved 61 percent of its key indicators in FY 2009, which is slightly lower than last year's overall success. The Department continues to emphasize long-term and annual performance measure development, placement of key performance indicators on cascading employee work plans, and Department-wide quarterly status reporting.

The Department will continue to examine its performance management system overall and implement improvements, where necessary. Additional improvement areas include continuing to improve the quality and utility of performance information, developing the capacity to use performance information through the use of technology and reliable data systems, and continuing to work with OMB and other federal agencies to develop mechanisms to target and measure efficiency of law enforcement and regulatory programs.

In addition to monitoring its annual progress, the Department continues to monitor progress made toward achieving its FY 2012 long-term performance goals for each of the 25 key performance measures. As of the close of FY 2009, 85 percent of the Department's long-term key measures are on-track for full achievement against FY 2012 targets. Three full years of performance remain until the Department reports against planned progress, and a number of mechanisms are in place to ensure that the current progress is maintained, including quarterly status reporting and performance-informed budget submissions that request the resources necessary for the Department to reach its goals.

The chart below and the table that follows summarize the Department's achievement of its FY 2009 key performance measures.



Note: The Department of Justice has 25 key performance measures. Some measures have more than one annual target; therefore, for purposes of illustrating the Department's achievement rate in the chart above, a universe of 33 key performance measures instead of 25 was used.

[] Designates the reporting entity	FY 2009 Target	FY 2009 Actual	Target Achieved/ Not Achieved
Strategic Goal I: Prevent Terrorism and Promote the Nation's Security			
Terrorist acts committed by foreign nationals against U.S. interests within U.S. borders [FBI]	Zero	Zero	Achieved
Catastrophic acts of domestic terrorism [FBI]	Zero	Zero	Achieved
Strategic Goal II: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People			
Number of organized criminal enterprises dismantled [FBI]	36	39	Achieved
NEW MEASURE: Number of children depicted in child pornography rescued by the FBI [FBI] ¹	150	118	Not Achieved ²
¹ This measure replaces the former measure: "Number of child pornography websites or web hosts shut down" due to an OMB-led program review in the Spring of 2008.			
² The FBI has not met its target for this measure. While the FBI always makes every effort to identify/rescue victimized children, the FBI cannot directly control the number of children identified and/or rescued at any given time through investigative techniques, due to the reactive nature of this measure.			
Percentage of firearms investigations resulting in a referral for criminal prosecutions [ATF]	59%	59%	Achieved
DOJ's reduction in the supply of illegal drugs available for consumption in the U.S. [ADAG/Drugs]	Progress toward establishing baseline ³	N/A	TBD
³ Measuring the reduction in the illegal drug supply is a complex process reflective of a number of factors outside the control of drug enforcement. Moreover, the impact of enforcement efforts on the illegal 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 2010. 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 two years.			

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Consolidated Priority Organizations Target (CPOT)-linked drug trafficking organizations [DEA, FBI (Consolidated data - ADAG/Drugs)]			
Dismantled	137	143	Achieved
Disrupted	263	274	Achieved
Number of high-impact Internet fraud targets neutralized [FBI]	12	13	Achieved
Number of criminal enterprises engaging in white-collar crimes dismantled [FBI]	160	234	Achieved
Percent of cases favorably resolved: [ENRD, ATR, CRM, USA, TAX, CIV, CRT (Consolidated data - JMD/Budget Staff)]			
Criminal Cases	90%	92%	Achieved
Civil Cases	80%	83%	Achieved
Percent of assets/funds returned to creditors: [USTP]			
Chapter 7	58%	TBD ⁴	TBD
Chapter 13	86%	TBD ⁴	TBD
⁴ Data lags one year due to the requirement to audit data submitted by U.S. Trustees prior to reporting. (FY 2008 target -- Chapter 7: 58%; FY 2008 actual -- Chapter 7: 60%) (FY 2008 target -- Chapter 13: 86%; FY 2008 actual -- Chapter 13: 84%) – Beginning in FY 2008, the percentage of assets returned to creditors for Chapter 13 bankruptcy filings was increased to 86% to reflect a more aggressive target. Detailed analysis revealed that the lower percentage of assets returned is primarily due to a decrease in total disbursements while administrative costs and debtor attorney fees increased as a percentage of total disbursements.			
Homicides per site (funded under the Weed and Seed program) [OJP]	3.7	TBD ⁵	TBD
⁵ Data are collected on a calendar year basis and reported with a one year lag. (CY 2008 target – 3.9 homicides per site; CY 2008 actual – 3.5 homicides per site)			
Percent reduction in DNA backlog (casework only) [OJP]	26%	32.5%	Achieved
Percent of children recovered within 72 hours of an issuance of an AMBER alert [OJP]	75.0%	81.7%	Achieved
Strategic Goal III: Ensure the Fair and Efficient Administration of Justice			
Number of participants in the Residential Substance Abuse Treatment (RSAT) Program [OJP]	20,000	TBD ⁶	TBD
⁶ Data are collected on a calendar year basis and reported with a one year lag. (CY 2008 target -- 20,000; CY 2008 actual – 28,308)			
Graduation rate of program participants in the Drug Courts Program (adult drug court participants only) [OJP]	69%	57.3%	Not Achieved ⁷
⁷ In FY 2009, only 79 percent of Drug Court grantees reported performance measure data. OJP is collecting the outstanding data from grantees that have not reported data, including graduation data. This process has been slowed due to efforts associated with the awarding of Recovery Act grants. OJP anticipates collecting all outstanding performance measure data from grantees by the end of first quarter FY 2010 and that those data will increase the percent of drug court graduates.			
Ensure judicial proceedings are not interrupted due to inadequate security [USMS]	Zero	1	Not Achieved ⁸
⁸ The USMS did not meet its FY 2009 target of zero interrupted judicial proceedings due to inadequate security. During the first quarter, one incident occurred causing the judge to suspend proceedings while the USMS personnel secured the courtroom. At no time during the incident was the judge or the public in danger.			
Total primary fugitives apprehended or cleared [USMS]			
Number	33,000	31,119	Not Achieved ⁹
Percent	55%	49%	Not Achieved ⁹
⁹ USMS was unable to meet its FY 2009 target for total fugitives apprehended due to a shift of investigative full-time equivalents to violent fugitive apprehension, a reduction in misdemeanor cases received, and increased state and local fugitive apprehension efforts.			
Per day jail costs [OFDT]	\$68.73	\$69.01	Not Achieved ¹⁰
¹⁰ Target was not met due to slightly higher per diem rates than originally projected.			
Percent of system-wide crowding in federal prisons [BOP]	37%	37%	Achieved

	FY 2009 Target	FY 2009 Actual	Target Achieved/ Not Achieved
[] Designates the reporting entity			
Ensure zero escapes from secure BOP facilities [BOP]	Zero	Zero	Achieved
Comparative recidivism for Federal Prison Industries (FPI) inmates versus non-FPI inmates [FPI / BOP provides data]			
Percentage less likely to recidivate:			
3 years after release	15%	22%	Achieved
6 years after release	10%	12%	Achieved
Rate of serious assaults In federal prisons (per 5,000 Inmates) [BOP]	15/5,000 Assaults/Inmates	14/5,000 Assaults/Inmates	Achieved
Inspection results—Percent of federal facilities with American Correctional Association (ACA) accreditations [BOP]	99%	99%	Achieved
Percent of Executive Office for Immigration Review (EOIR) priority cases completed within established timeframes [EOIR]			
Asylum	90%	82%	Not Achieved ¹¹
Institutional Hearing Program	90%	90%	Achieved
Detained Cases	90%	88%	Not Achieved ¹¹
Detained Appeals	90%	96%	Achieved
¹¹ The dramatic increase in the detained caseload during FY 2009 was the primary reason for the immigration courts missing these two goals. The detained caseload has increased by 70 percent in the last five years and now comprises approximately half of the immigration court caseload. EOIR shifted immigration judge resources away from the non-detained dockets to meet this increasing demand. EOIR intends to closely examine all its priorities to ensure that the agency continues to complete its priority caseload in a timely manner.			

Note: TBD – Data were not yet available as of the date of this document; however, the discussion below the measure indicates when data will be available.