

# **FY 2022 Annual Performance Report / FY 2024 Annual Performance Plan**

**U. S. Department of Justice**



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This section includes summary information about the mission and organization of the U.S. Department of Justice (DOJ) and an analysis of performance information for the Department’s key performance measures.

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## **Section II—Performance Information by Goal**

This section reports on 66 key performance measures by detailing program objectives and fiscal year (FY) 2022 target and actual performance and noting whether targeted performance levels were achieved. It also provides FYs 2023 and 2024 performance targets.

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## **Section III—Appendices**

This section details important acronyms and abbreviations related to DOJ components and agencies, as well as the links to each component’s website.

[\*Click here to Appendices\*](#)

A blind-stamped relief of Lady Justice, the personification of the goddess Minerva. She is depicted as a woman with a blindfold, holding a sword in her right hand and a scale of justice in her left. The relief is set against a background of vertical columns. The word "LUCIFER" is faintly visible in the background, and a small cross is to the right. At the bottom right, there is a small signature "G. 1925".

*SECTION I:*  
Overview

# Mission, Values, and Strategic Goals

## Mission

The mission of the Department of Justice is to uphold the rule of law, to keep our country safe, and to protect civil rights.

## Values

- **Independence and Impartiality.** The Justice Department works each day to earn the public’s trust by following the facts and the law wherever they may lead, without prejudice or improper influence.
- **Honesty and Integrity.** The Justice Department’s employees adhere to the highest standards of ethical behavior, mindful that, as public servants, we must work to earn the trust of, and inspire confidence in, the public we serve.
- **Respect.** The Justice Department’s employees value differences in people and in ideas and treat everyone with fairness, dignity, and compassion.
- **Excellence.** The Justice Department works every day to provide the highest levels of service to the American people and to be a responsible steward of the taxpayers’ dollars.

## Strategic Goals and Objectives

The Department’s strategic and annual planning processes stem from its mission and values. The Department embraces the concepts of performance-based management. At the heart of these concepts is the understanding that improved performance is realized through greater focus on the mission, agreement on goals and objectives, and timely reporting of results. In the Department, strategic planning is the first step in an iterative planning and implementation cycle. The Department’s *FYs 2022–2026 Strategic Plan* provides the overarching framework for component-specific plans as well as annual performance plans, budgets, and reports. The Strategic Plan is available electronically on the Department’s website at <https://www.justice.gov/doj/doj-strategic-plan-2022-2026>.

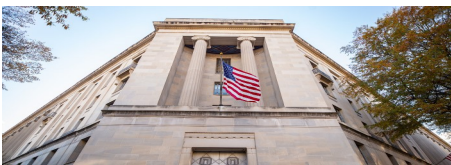
# About DOJ



**Organization:** Under the leadership of the Attorney General of the United States, the Justice Department is composed of approximately 40 separate component organizations and more than 115,000 employees. Headquartered at the Robert F. Kennedy Building in Washington, D.C., the Department maintains field offices in all states and territories across the United States and in more than 50 countries around the world.

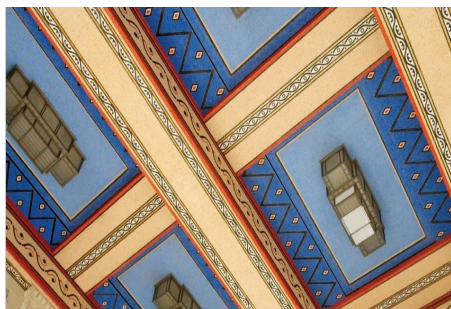
**Statutory Authority:** The Judiciary Act of 1789 created the Office of the Attorney General. In 1870, after the post-Civil War increase in the amount of litigation involving the United States necessitated the very expensive retention of a large number of private attorneys to handle the workload. A concerned Congress passed the Act to Establish the Department of Justice, setting it up as "an executive department of the government of the United States" with the Attorney General as its head. The Act gave DOJ control over all criminal prosecutions and civil suits in which the United States had an interest. In addition, the Act gave the Attorney General and the Department control over federal law enforcement, establishing the Attorney General as the chief law enforcement officer of the federal government. The Act is the foundation upon which DOJ still rests. However, the structure of the Department has changed and expanded over the years, with the addition of the Deputy Attorney General and the Associate Attorney General, as well as the formation of the components. Unchanged is the steadily increasing workload of the Department. It has become the world's largest law office and the central agency for enforcement of federal laws.

# Strategic Goals and Objectives



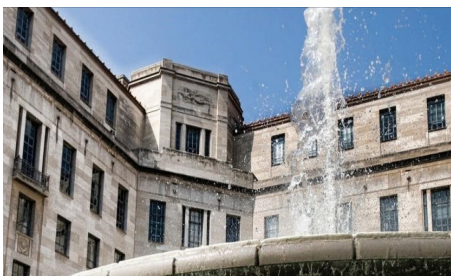
## ***Goal 1: Uphold the Rule of Law***

- 1.1 Protect Our Democratic Institutions
- 1.2 Promote Good Government



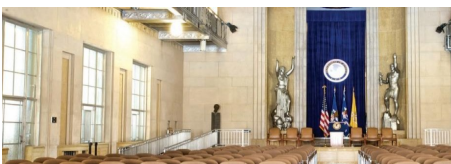
## ***Goal 2: Keep Our Country Safe***

- 2.1 Protect National Security
- 2.2 Counter Foreign and Domestic Terrorism
- 2.3 Combat Violent Crime and Gun Violence
- 2.4 Enhance Cybersecurity and Fight Cybercrime
- 2.5 Combat Drug Trafficking and Prevent Overdose Deaths
- 2.6 Protect Vulnerable Communities



## ***Goal 3: Protect Civil Rights***

- 3.1 Protect the Right to Vote
- 3.2 Combat Discrimination and Hate Crimes
- 3.3 Reform and Strengthen the Criminal and Juvenile Justice Systems
- 3.4 Expand Equal Access to Justice
- 3.5 Advance Environmental Justice and Tackle the Climate Crisis



## ***Goal 4: Ensure Economic Opportunity and Fairness for All***

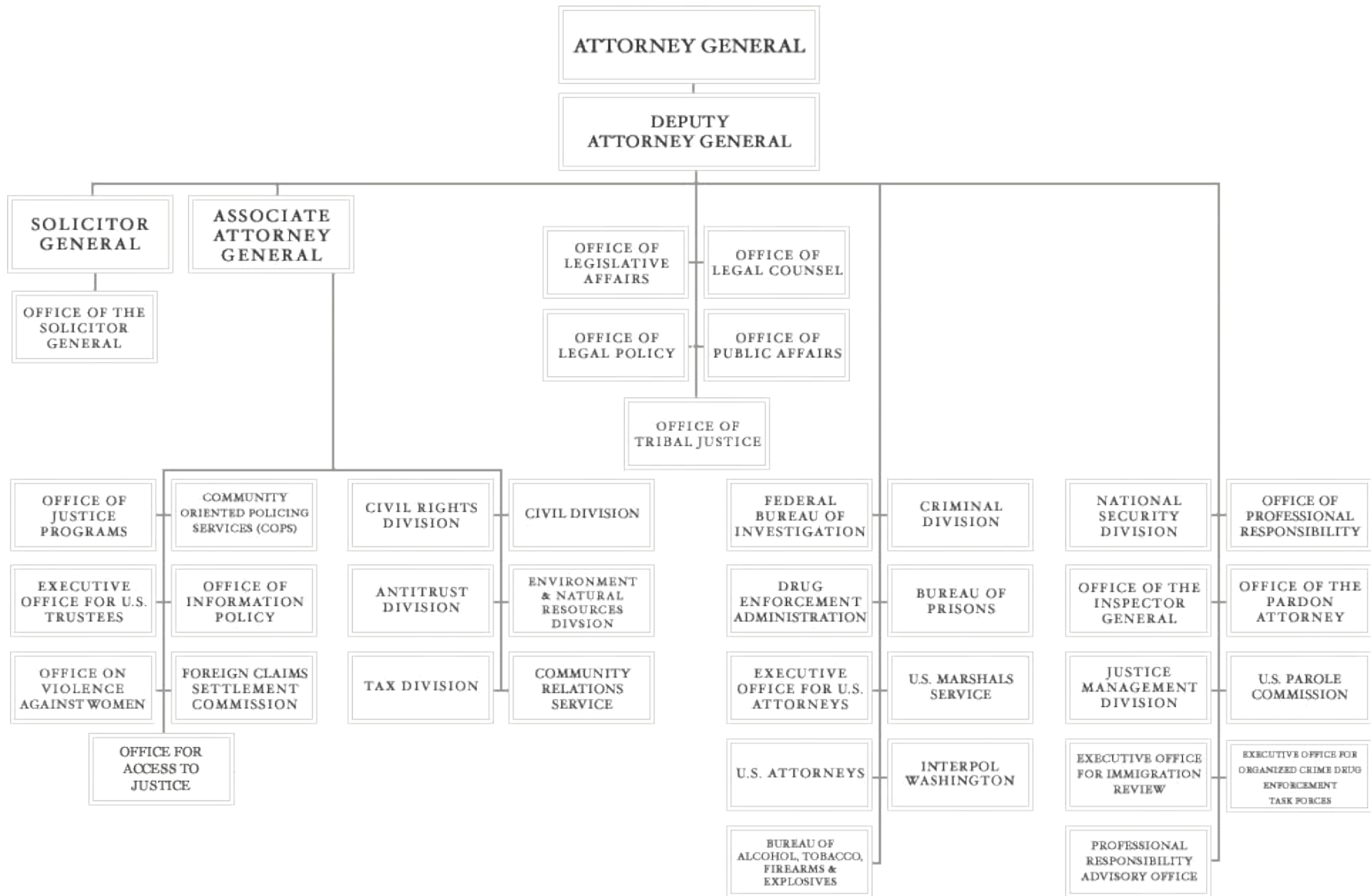
- 4.1 Reinvigorate Antitrust Enforcement and Consumer Protection
- 4.2 Combat Corruption, Financial Crime, and Fraud



## ***Goal 5: Administer Just Court and Correctional Systems***

- 5.1 Administer an Equitable and Efficient Immigration Court System
- 5.2 Maintain a Safe and Humane Prison System

# Organizational Chart



## Data Reliability and Validity

The Department views data reliability and validity as critically important in the planning and assessment of its performance. As such, the Department makes every effort to ensure completeness and improve reliability of its performance information by doing “data scrubs” (routine examination of current and historical data sets, as well as looking toward the future for trends) to ensure the data we rely on to make day-to-day management decisions are as accurate and reliable as possible and targets are ambitious given the resources provided. To communicate our data limitations and commitment to providing accurate data, this document includes a discussion of data validation, verification, and any identified data limitations for each performance measure presented.

The Department ensures each reporting component providing data for this report meets the following criteria: at a minimum, performance data are considered reliable if transactions and other data that support reported performance measures are properly recorded, processed, and summarized to permit the preparation of performance information in accordance with criteria stated by management. Performance data need not be perfect to be reliable, particularly if the cost and effort to secure the best performance data possible will exceed the value of any data so obtained.

## Top Management and Performance Challenges

Each year, as required by law, the Office of the Inspector General (OIG) identifies management and performance challenges facing the Department. In the *FY 2022 Agency Financial Report*, the Office of the Inspector General identified nine key areas that represent the most pressing concerns for the Department of Justice. Those are:

- Enhancing Cybersecurity and Countering Cybercrime
- Enhancing the Department’s Response to the Opioid Crisis
- Improving Management of the Federal Prison System
- Strengthening Public Trust in the U.S. Department of Justice
- Safeguarding and Promoting National Security
- Managing the Post-Pandemic Impact on U.S. Department of Justice Operations
- Strengthening Police-Community Partnership and the Response to Violent Crime
- Effective Management of U.S. Department of Justice Contracts and Grants
- Managing Human Capital

The Justice Department is fully committed to confronting each of these challenges head-on.



# Summary of FY 2022 Performance

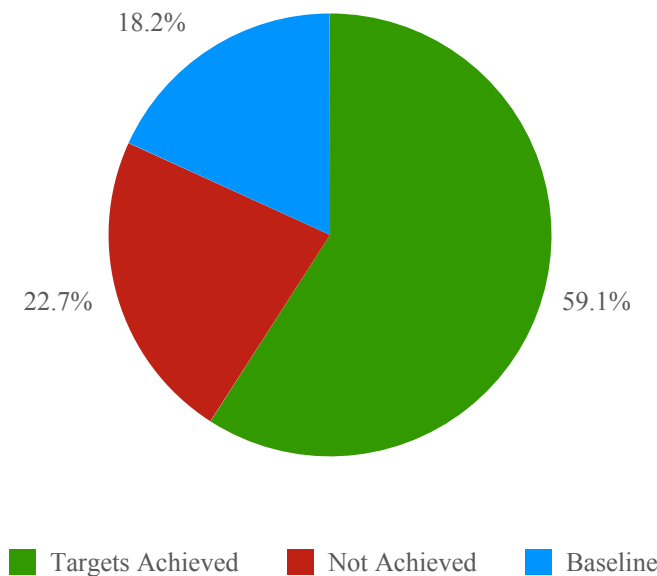
The GPRA Modernization Act requires an agency's strategic plan to be updated every four years and cover a period of no less than four years forward from the fiscal year in which it is submitted.

The Department's *FYs 2022-2026 Strategic Plan* contains five strategic goals. The plan includes 66 key performance indicators (KPIs) addressing DOJ's priorities towards achieving its long-term outcome goals. The performance measures are summarized in this document. The Department strives to present the highest level outcome-oriented measures available.

During FY 2022, Departmental components worked to improve the quality and timeliness of quarterly status reporting and operating plans.

As FY 2022 was the first year of this strategic plan, the Department developed baselines for areas with new measures. The chart below and the table that follows summarize the Department's achievement of its FY 2022 key performance measures.

**Achievements of FY 2022 Key Performance Measures**



# Goal 1: Uphold the Rule of Law

| Strategic Objective | KPI (Reporting Component)  | FY 2022 Target | FY 2022 Actual | Status          |
|---------------------|--|----------------|----------------|-----------------|
| 1.1                 | Percent of OPR inquiries resolved within one year (OPR)  | 75%            | 92%            | Target Achieved |
| 1.1                 | Number of criminal government program fraud cases where the proactive use of data led to the opening of an investigation by the Criminal Division (CRM)              | Baseline       | 50             | Baseline        |
| 1.1                 | Number of U.S. Attorney’s Offices that received proactive data leads in criminal government fraud cases from the Criminal Division (CRM)                             | Baseline       | 45             | Baseline        |
| 1.1                 | Percent of cases concerning COVID-19 related fraud defendants in which the Department seeks restitution (USAO)   | 90%            | 99%            | Target Achieved |
| 1.1                 | Percent of criminal cases concerning COVID-19 related fraud defendants whose cases were  | 90%            | 98%            | Target Achieved |
| 1.1                 | Ratio of backlogged to incoming FOIA requests (OIP)  | 50%            | 68%            | Not Achieved    |
| 1.2                 | Percent increase in the Department’s average score on selected FEVS questions related to how well managers cultivate innovation, creativity, and collaboration (JMD) | 60%            | 54%            | Not Achieved    |
| 1.2                 | Percent of people involved in hiring who have completed implicit bias and interview skills training within the last three years (JMD)                                | Baseline       | 0%             | Baseline        |
| 1.2                 | Disparities in employee attrition rates (JMD)  | Baseline       | 1.36           | Baseline        |
| 1.2                 | Percent of Department websites reflecting U.S. Web Design System requirements and meeting best practices for plain language and user-centered design (JMD)           | Baseline       | 100%           | Baseline        |
| 1.2                 | Percent of common data sets accessible amongst DOJ components (JMD)  | Baseline       | 47%            | Baseline        |

# Goal 2: Keep Our Country Safe

| Strategic Objective | KPI (Reporting Component)   | FY 2022 Target | FY 2022 Actual | Status          |
|---------------------|---|----------------|----------------|-----------------|
| 2.1                 | Number of counterintelligence program disruptions or dismantlements (FBI)   | 400            | 402            | Target Achieved |
| 2.1                 | Percent of prosecutions brought against defendants engaged in a) hostile activities against national assets, b) intelligence gathering, or c) export violations that are favorably resolved (NSD) | 90%            | 98%            | Target Achieved |
| 2.1                 | Percent of Department-led foreign investment cases that were adjudicated favorably (NSD)  | 97%            | 100%           | Target Achieved |
| 2.2                 | Number of terrorism disruptions effected through investigations (FBI)   | 600            | 438            | Not Achieved    |
| 2.2                 | Percent of counterterrorism defendants whose cases were favorably resolved (NSD)  | 90%            | 99%            | Target Achieved |
| 2.2                 | Number of individuals in the Department trained to prosecute domestic terrorism and domestic violent extremism (NSD)  | 1,000          | 1,073          | Target Achieved |
| 2.2                 | Percent of Department-issued Intelligence Information Reports used in the development of United States Intelligence Community Intelligence Products (FBI)   | 15%            | 20%            | Target Achieved |
| 2.3                 | Percent of federal violent crime defendants' cases favorably resolved (CRM, USAO)   | 90%            | 97%            | Target Achieved |
| 2.3                 | Volume of U.S. Attorney's Office records uploaded to the National Instant Criminal Background Check System (USAO)   | 5%             | 4%             | Not Achieved    |
| 2.3                 | Percent of grantees that conduct community engagement activities as part of the program planning for their crime reduction initiative (OJP)   | 58%            | 30%            | Not Achieved    |
| 2.4                 | Percent increase in disruptions of malicious cyber actors' use of online infrastructure through proactive operations and judicial means (FBI)   | 5%             | 26%            | Target Achieved |
| 2.4                 | Percent of reported ransomware incidents from which cases are opened, added to existing cases, or resolved or investigative actions are conducted within 72 hours (FBI)                           | 45%            | 39%            | Not Achieved    |
| 2.4                 | Percent increase in operations conducted jointly with strategic partners (FBI)  | 3%             | -16%           | Not Achieved    |
| 2.4                 | Percent of confirmed cyber incidents to Department systems (JMD)  | 0.0010%        | 0.0004%        | Target Achieved |

# Goal 2: Keep Our Country Safe

| Strategic Objective | KPI (Reporting Component)   | FY 2022 Target | FY 2022 Actual | Status          |
|---------------------|---|----------------|----------------|-----------------|
| 2.4                 | Number of threat advisories disseminated to the private sector (FBI)  | 5%             | 4%             | Not Achieved    |
| 2.5                 | Percent of disruptions or dismantlements of drug trafficking organizations focused on the highest priority targets (OCDETF)   | 31%            | 26%            | Not Achieved    |
| 2.5                 | Amount of diversion, nationally, of opioids and stimulants (DEA)  | 366,908        | 308,376        | Target Achieved |
| 2.5                 | Percent of relevant-funded grantee programs that provide medication-assisted-treatment, which includes medication plus counseling, as part of their substance use disorder services (OJP)*  | Baseline       | TBD            | Baseline        |
| 2.6                 | Percent increase in services to traditionally underserved victim populations through VOCA-funded organizations and anti-human trafficking programs  | Baseline       | 34%            | Baseline        |
| 2.6                 | Percent of USAOs conducting training on trauma-informed and culturally-sensitive approaches for attorneys, victim witness specialists, and support staff (USAO)   | 65%            | 46%            | Not Achieved    |
| 2.6                 | Percent of victims reporting that they entered and maintained permanent housing upon exit from an OVW-funded transitional housing program 6 months after program completion (Transitional Housing Program only) (OVW)*                      | 80%            | 80%            | Target Achieved |
| 2.6                 | Percent of crimes-against-children FBI cases that address abductions, hands-on offenders, sextortion, or enticement (FBI)   | 44%            | 54%            | Target Achieved |
| 2.6                 | Number of formal relationships established with state, county, and local law enforcement, either directly or through state Police Officer Standards and Training councils or commissions, to communicate elder justice best practices (CIV) | 0              | 0              | Target Achieved |
| 2.6                 | Percent of Indian Country homicide cases and sexual abuse cases favorably resolved (USAO)   | 90%            | 97%            | Target Achieved |

\*Calendar Year (CY) reporting cycle. OJP will provide the baseline data in late Spring 2024.

# Goal 3: Protect Civil Rights

| Strategic Objective | KPI (Reporting Component)  | FY 2022 Target | FY 2022 Actual | Status          |
|---------------------|--|----------------|----------------|-----------------|
| 3.1                 | Number of new Voting Rights Act matters initiated (CRT)  | 4              | 23             | Target Achieved |
| 3.1                 | Percent of cases prosecuting threats of violence and intimidation against election officials that are favorably resolved (CRM)   | 75%            | 100%           | Target Achieved |
| 3.1                 | Percent of BOP facilities providing structured curriculum on voting rights to releasing individuals (BOP)  | 49%            | 100%           | Target Achieved |
| 3.2                 | Number of Title VII and USERRA investigations (CRT)  | 20             | 22             | Target Achieved |
| 3.2                 | Number of Limited English Proficiency individuals who access department-funded materials in their native language to understand federal hate crimes and anti-discrimination laws (CRT)                       | 30,000         | 35,403         | Target Achieved |
| 3.2                 | Percent of United States Attorney’s Offices that meet at least annually with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents (USAO) | 65%            | 81%            | Target Achieved |
| 3.2                 | Percent of criminal cases addressing civil rights violations, including hate crimes, favorably resolved (CRT)  | 80%            | 100%           | Target Achieved |
| 3.3                 | Percent of federal law enforcement officers who receive Use of Force Sustained Training within a three-year period (ATF, BOP, DEA, FBI, USMS)  | 85%            | 93%            | Target Achieved |
| 3.3                 | Percent of participants in CRS-facilitated police-community relations programs who perceive stronger community capacity to address alleged inequities (CRS)  | 80%            | 75%            | Not Achieved    |
| 3.3                 | Percent of federal law enforcement officers equipped with body-worn cameras and associated training (ATF, DEA, FBI, USMS)  | 20%            | 6%             | Not Achieved    |
| 3.3                 | Percent of Justice Assistance Grant Program law enforcement grantees using innovative and evidence-based practices (OJP)*  | Baseline       | TBD            | Baseline        |

\*CY reporting cycle.

# Goal 3: Protect Civil Rights

| Strategic Objective | KPI (Reporting Component)  | FY 2022 Target | FY 2022 Actual | Status          |
|---------------------|--|----------------|----------------|-----------------|
| 3.4                 | Percent of eligible individuals represented by consistent defense counsel throughout that individual's justice system involvement (OJP)*               | Baseline       | TBD            | Baseline        |
| 3.4                 | Number of Justice Department strategic partnerships established by the Office for Access to Justice to improve equal access to justice (ATJ)           | 6              | 10             | Target Achieved |
| 3.5                 | Number of Environmental Justice Coordinators designated (USAO)   | 94             | 94             | Target Achieved |
| 3.5                 | Percent of participants in CRS-facilitated environmental justice programs who perceive stronger community capacity to address alleged inequities (CRS) | Baseline       | 0%             | Baseline        |
| 3.5                 | Number of matters that address adverse environmental and public health effects brought under civil rights statutes (CRT)                               | 16             | 29             | Target Achieved |
| 3.5                 | Percent of environmental enforcement matters in or substantially affecting overburdened and underserved communities that are favorably resolved (ENRD) | Baseline       | 100%           | Baseline        |
| 3.5                 | Energy intensity used by the Department (JMD)  | -2%            | 1%             | Not Achieved    |

\*CY reporting cycle. OJP will provide baseline data in Spring 2024.

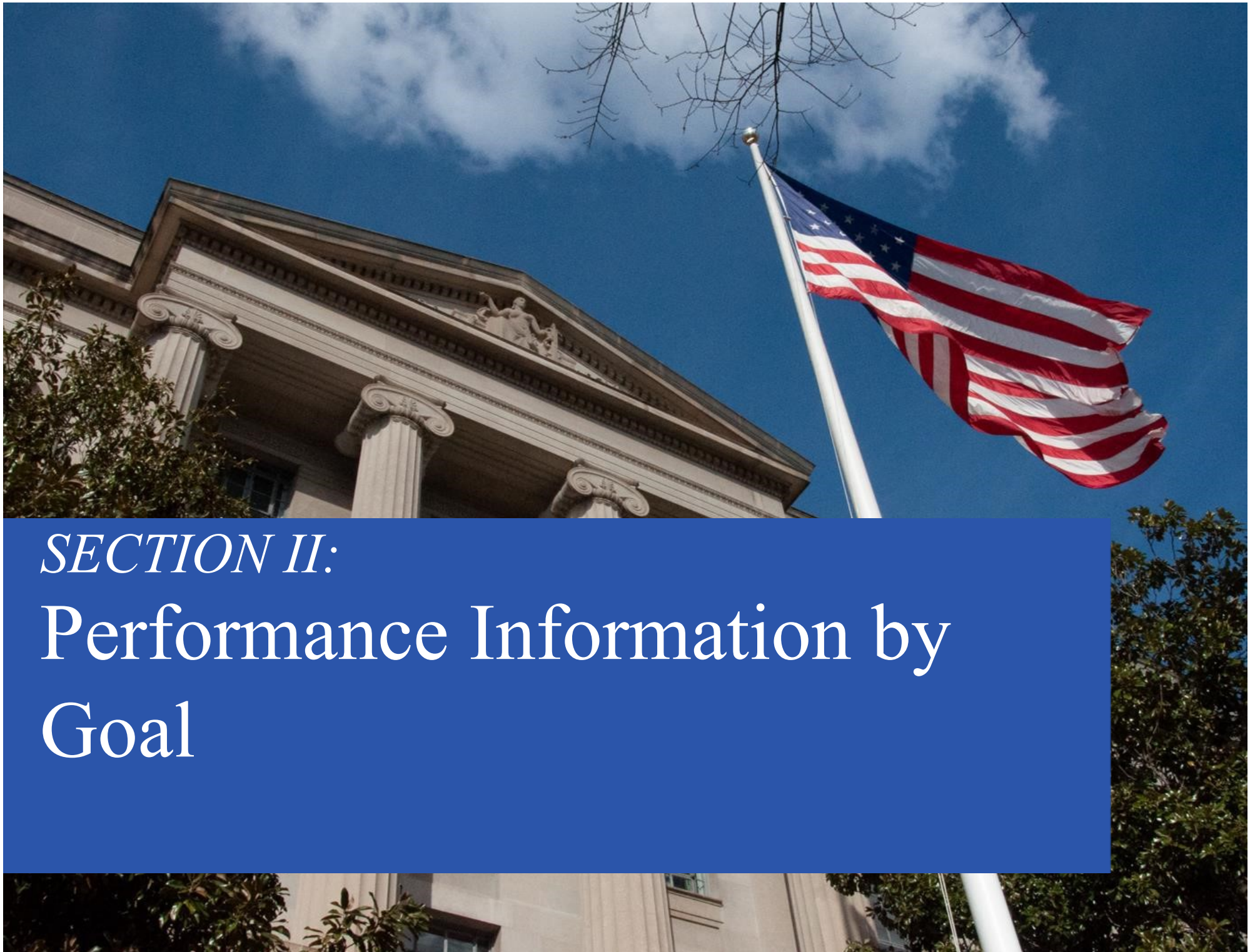
# Goal 4: Ensure Economic Opportunity and Fairness for All

| Strategic Objective | KPI (Reporting Component)  | FY 2022 Target | FY 2022 Actual | Status          |
|---------------------|--|----------------|----------------|-----------------|
| 4.1                 | Number of active civil non-merger investigations (ATR)   | 50             | 51             | Target Achieved |
| 4.1                 | Percentage of Consumer Protection Branch cases favorably resolved (CIV)  | 85%            | 92%            | Target Achieved |
| 4.2                 | Percent of corporate criminal cases in which individual responsibility was evaluated (CRM, USAO)   | 95%            | 100%           | Target Achieved |
| 4.2                 | Percent of corporate criminal resolutions containing compliance reporting obligations that are evaluated by DOJ at least annually (CRM, USAO)  | 95%            | 96%            | Target Achieved |
| 4.2                 | Number of criminal disruptions or dismantlements in public corruption and fraud against the government (FBI)   | 468            | 407            | Not Achieved    |
| 4.2                 | Percent of new contacts by the FBI with foreign anti-corruption agencies that progress to mutual sharing of information or assistance or result in a new international corruption case (FBI) | 60%            | 62%            | Target Achieved |

# Goal 5: Administer Just Court and Correctional Systems

| Strategic Objective | KPI (Reporting Component)   | FY 2022 Target | FY 2022 Actual | Status          |
|---------------------|---|----------------|----------------|-----------------|
| 5.1                 | Median case completion time (EOIR)  | 852            | 1,085          | Not Achieved    |
| 5.1                 | Average number of vacancy-days for immigration adjudicator positions (EOIR)   | 403            | 655            | Not Achieved    |
| 5.1                 | Percent of immigration judges who have received all relevant continuing legal education annually (EOIR)                   | 90%            | 100%           | Target Achieved |
| 5.1                 | Visits to the Immigration Court Online Resource (EOIR)  | 12,000         | 276,913        | Target Achieved |
| 5.2                 | Percent of funded corrections officer positions filled at the end of each fiscal year (BOP)                               | 88%            | 88%            | Target Achieved |
| 5.2                 | Percent of inmates in federal custody who have successfully completed or are enrolled in an FSA program or activity (BOP) | 50%            | 61%            | Target Achieved |
| 5.2                 | Percent of inquiries from external stakeholders that BOP responds to within the target response time (BOP)                | 80%            | 87%            | Target Achieved |





*SECTION II:*

# Performance Information by Goal



## Goal 1: Uphold the Rule of Law

AMERICA

OF  
JUSTICE



## Goal 1: Uphold the Rule of Law

The Justice Department’s success depends upon the trust of the American people. That trust must be earned every day. As the Attorney General has reaffirmed, the Justice Department’s first core priority – upholding the rule of law – is rooted in the recognition that, to succeed and retain the trust of the American people, the Justice Department must adhere to the norms that have been part of its DNA since Edward Levi’s tenure as the first post-Watergate Attorney General. Those norms – of independence from improper influence, of the principled exercise of discretion, and of treating like cases alike – define who we are as public servants. In addition, exceptional public service requires high-quality management, functional support systems, and a diverse and inclusive workforce.

### Enterprise Risk Themes

- Exploitation of democratic institutions and processes
- Threats against public servants
- Building trust
- Impact of technology
- Data collection and analysis limitations
- Coordination challenges
- COVID-19 pandemic-related challenges
- Existing structural impediments
- Talent pipeline for a diverse workforce



# Strategic Objective 1.1: Protect our Democratic Institutions

Our nation depends on the stability of its democratic institutions. The Justice Department is one such democratic institution and has important responsibilities in protecting other such institutions. We will continue our work to ensure that the public views the Department as objective, impartial, and insulated from political influence. More broadly, we will help ensure the safety and proper functioning of democratic institutions across government against a range of threats. In recent years, threats against public servants, ranging from schoolteachers to federal judges, have increased. Moreover, confidence in our system is undermined by public officials who sell their public trust to the highest bidder and by foreign adversaries who attempt to interfere with our elections. The Department is committed to repairing these ruptures both through specific strategies and through the slow and steady demonstration of impartiality and integrity every day.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 6                          | 3                | 2                     |

## Highlights

**Revenue from Civil Enforcement:** The Civil Division (CIV) and U.S. Attorneys’ Offices (USAOs) recover billions of dollars for the U.S. Treasury each year through civil enforcement actions. In FY 2022, CIV secured over \$2.4 billion in settlements and judgments from civil cases involving fraud and false claims against the government. The largest recoveries typically occur under the False Claims Act; the Federal Food, Drug, and Cosmetic Act; the Federal Trade Commission Act; the Children’s Online Privacy Protection Act; or the Financial Institutions Reform, Recovery, and Enforcement Act. Such revenue-generating cases involve health care fraud, financial fraud, procurement fraud, and pandemic relief fraud. Enforcement of these regimes help directly to uphold the rule of law by securing integrity and lawfulness by those private parties who deal with the government.

**Strategic Plan Translations:** The mission and resources of the Department should be understood by all communities we serve, including the approximately 25.6 million individuals with limited English proficiency (LEP). Yet language barriers often prevent many communities from understanding their rights, reporting crimes, or otherwise having full and equal access to the Department’s services and resources. In a step to improve engagement with LEP communities, the Department published its *FYs 2022-2026 Strategic Plan* in Spanish and key excerpts in the other top languages spoken by the LEP general public in the United States: Chinese (simplified and traditional), Vietnamese, Korean, and Tagalog.



# Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Percent of Office of Professional Responsibility (OPR) inquiries resolved within one year [OPR]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 75%     | 75%     | 75%     |
| <b>Actual</b> | 93%     | 92%     | N/A     | N/A     |

### Discussion of FY 2022 Results

OPR exceeded its FY 2022 performance target by continuing to process its inquiries in a timely manner. Through the dedicated performance of its staff and supervisors, OPR resolved 92 percent of its inquiries within one year of being opened.

### FYs 2023/2024 Planned Future Performance

Throughout FYs 2023 and 2024, OPR will routinely monitor the statuses of its open inquiries to ensure that they are processed in a timely manner.

### Definition

**Inquiry:** Upon receipt of an allegation of misconduct regarding a Department attorney, prosecutor or immigration law judge, OPR reviews each allegation to determine whether further inquiry or investigation is warranted. OPR may initiate an inquiry, during which it typically gathers documents and obtains written submissions from subjects and components. In order to track and prepare reports for this metric, OPR will compile data on the number of inquiries that it opens and closes or converts to an investigation within one year of opening, excluding time tolled due to ongoing litigation or other pending actions by outside entities.

**OPR Investigation:** A federal judge forwarded to OPR numerous allegations of professional misconduct raised to the court in a letter from defense counsel in a capital case prosecuted by a U.S. Attorney's Office and Department attorneys. OPR investigated claims that prosecutors knowingly made false material representations to defense counsel; violated their discovery obligations by failing to timely disclose to the defense favorable information relating to the defendant's mental health care while incarcerated; and knowingly provided false or misleading information in the government's court filings. OPR concluded that a senior Department attorney committed intentional professional misconduct in violation of the attorney's obligations under the rules of professional conduct by knowingly making a false statement to defense counsel and that other prosecutors exercised poor judgment. OPR referred the matter to the appropriate state attorney disciplinary authority.

### Data Validation, Verification, and Limitations

Analysts prepare tracking reports that are reviewed for accuracy by OPR counsel and deputy counsel. OPR revised its formula for calculating the data for this metric and then used the new formula to recalculate its historical data.

### Historical Data

|                | Actual |
|----------------|--------|
| <b>FY 2018</b> | 96%    |
| <b>FY 2019</b> | 93%    |
| <b>FY 2020</b> | 89%    |



# Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Number of criminal government program fraud cases where the proactive use of data led to the opening of an investigation by the Criminal Division [CRM]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | 50      | 50      |
| <b>Actual</b> | 50       | N/A     | N/A     |

### Discussion of FY 2022 Results

The Criminal Division's (CRM) Fraud Section continued to refine its use of data analytics to increase effectiveness of prosecution of economic crimes, both within the Fraud Section and through referrals to USAOs. The Health Care Fraud Unit's data analytics team received and fulfilled 2,671 data requests in FY 2022. Fifty of those requests led to cases opening in the Criminal Division. Data analytics teams in the Health Care Fraud Unit and Market Integrity and Major Frauds Unit have generated dozens of government program fraud cases within CRM.

### FYs 2023/2024 Planned Future Performance

The Fraud Section hired a data analytics counsel who is working with its prosecution teams to expand upon and improve the Section's capabilities and use of data analytics in investigations.

**Fraud Section Data Analytics Teams:** Data analytics teams within CRM have used large-scale transaction data to identify likely instances of fraud. This has led to dozens of cases involving fraud against government programs, including Medicare/Medicaid; Coronavirus Aid, Relief, and Economic Security (CARES) Act; and pandemic-related programs.

### Definition

This measure captures cases involving fraud against government programs, such as Medicare and COVID-related programs. Only government program fraud cases where data led to the opening of an investigation will be included.

### Data Validation, Verification, and Limitations

Information will be captured manually by the Fraud Section. This number will be validated by Fraud Section management on an annual basis. This measure only includes criminal government program fraud cases handled by CRM.



# Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Number of U.S. Attorney’s Offices that received proactive data leads in criminal government fraud cases from the Criminal Division [CRM]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | 45      | 45      |
| <b>Actual</b> | 45       | N/A     | N/A     |

**Health Care Fraud Investigations:** In FY 2022, CRM’s Fraud Section referred numerous CARES Act, Paycheck Protection Program (PPP), Provider Relief Fund (PRF), and COVID-19 related health care fraud investigations to USAOs.

## Discussion of FY 2022 Results

The Fraud Section continued to refine its use of data analytics to increase the effectiveness of prosecution of economic crimes both within the Fraud Section and through referrals to USAOs. The Health Care Fraud Unit's data analytics team received and fulfilled 2,671 data requests in FY 2022. Forty-five of those requests led to criminal government fraud cases opening in the Criminal Division. Data analytics teams in the Health Care Fraud Unit and Market Integrity and Major Fraud Unit have referred out to USAOs dozens of government program fraud cases, including Medicare/Medicaid fraud, CARES Act fraud, and pandemic fraud cases.

## FYs 2023/2024 Planned Future Performance

CRM’s Fraud Section hired a data analytics counsel who is working with our prosecution teams to expand upon and improve the Fraud Section’s capabilities and use of data analytics in investigations.

## Definition

This measure captures the number of USAOs that received proactive data leads from CRM in criminal government fraud cases.

## Data Validation, Verification, and Limitations

Information will be captured manually by the Fraud Section. This number will be validated by Fraud Section management on an annual basis.



# Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Percent of criminal cases concerning COVID-19 related fraud defendants in which the Department seeks restitution [USAO]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 90%     | 90%     | 90%     |
| <b>Actual</b> | 99%     | N/A     | N/A     |

## Discussion of FY 2022 Results

DOJ recognizes that, in addition to punishment, deterrence, and rehabilitation, the recovery of fraudulently obtained funds to the U.S. Treasury is a priority and promotes faith in our governmental institutions. While restitution will not be appropriate in all COVID-19 related fraud cases (e.g., when prosecuting defendants whose attempts at fraud were unsuccessful), USAOs pursue CARES Act-related fraud to obtain restitution in legally appropriate cases in coordination with the task forces. USAOs received guidance and training on charging COVID fraud cases to include criminal statutes that facilitate court-ordered restitution. During FY 2022, USAOs sought restitution in 217 of 219 eligible cases.

## FYs 2023/2024 Planned Future Performance

In March 2022, the White House and DOJ announced a Director of COVID-19 Fraud Enforcement and the establishment of task forces to focus on these cases. Together with the existing task forces, USAOs will continue to work with our law enforcement partners to streamline the investigation of matters, charging and cases, and recoup fraudulently obtained benefits.

## Definition

**COVID-19 related fraud:** A criminally charged case with one or more fraud counts in which the fraud was related to the COVID-19 pandemic. This includes cases in which the defendant is alleged to have defrauded a governmental pandemic relief program, as well as cases in which the defendant is alleged to have defrauded third parties in connection with the COVID-19 pandemic such as vaccine and testing scams.

**Physician Partners of America LLC**, its founder, its former Chief Medical Officer, and several related entities agreed to pay \$24.5 million to resolve allegations that it billed federal programs for unnecessary testing and services, paid unlawful remuneration to physician employees, and made a false statement in connection with a \$5.9 million PPP loan. The settlement returned funds to numerous federal programs, including Medicare, the Department of Labor’s Employees’ Compensation Fund, the Federal Employees Health Benefits Program, the Department of Veterans Affairs, the Defense Health Agency, and the Small Business Administration.

## Definition (Cont.)

**Seeks restitution:** Where legally applicable, the United States has obtained a restitution order upon obtaining a judgment of conviction in pandemic fraud cases.

## Data Validation, Verification, and Limitations

CaseView is the Executive Office for United States Attorneys’ (EOUSA) well-established case management system. Data entry for individual defendants and cases is initiated in the originating USAO, and EOUSA’s Data Integrity and Analysis Staff aggregates the data by district and nationally. The Consolidated Debt Collection System is a debt collection system providing all DOJ components with debt collection responsibilities a single, standard system to view and track debts owed to the U.S. government and victims of crime.





# Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Percent of criminal cases concerning COVID-19 related fraud defendants whose cases were favorably resolved [USAO]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 90%     | 90%     | 90%     |
| <b>Actual</b> | 98%     | 98%     | N/A     | N/A     |

## Discussion of FY 2022 Results

DOJ favorably resolved 98 percent of its 335 Coronavirus Fraud National Initiative cases in FY 2022. DOJ created strike force teams, operating out of three USAOs, to deter, detect, and disrupt pandemic fraud. USAOs criminally charged over 825 defendants in 551 cases relating to pandemic fraud. Most of these criminal cases relate to Unemployment Insurance, PPP loans, and Economic Injury Disaster Loan (EIDL) programs as well as health care fraud. Most of these cases are still in progress and many more matters are in the investigative stage. As of September 2022, criminally charged defendants have been associated with losses totaling approximately \$1.3 billion, although this number continues to change as cases progress.

In addition to criminal charges, in FY 2022 Civil Assistant U.S. Attorneys opened approximately 237 pandemic-fraud matters involving 312 individuals and entities, besides receiving approximately 40 qui tam matters. Since the beginning of the pandemic through September 30, 2022, USAOs, in conjunction with the Civil Division, have obtained approximately 49 civil settlements, consent judgments, and default judgments totaling more than \$15 million and resulting in an additional \$3.7 million in avoided loan guarantees. Civil matters include PPP; EIDL and other Small Business Administration program fraud; health care fraud; and injunctions against hawkers of fraudulent COVID cures, treatments, personal protective equipment, and other goods.

## FYs 2023/2024 Planned Future Performance

In March 2022, the White House and DOJ announced a Director of COVID-19 Fraud Enforcement and the establishment of task forces to focus

**Feeding Our Future Indictment:** DOJ charged 47 defendants for their alleged roles in a \$250 million fraud scheme that exploited a federally-funded child nutrition program during the COVID-19 pandemic. As part of the charged scheme, Feeding Our Future employees recruited individuals and entities to open Federal Child Nutrition Program sites throughout Minnesota, which fraudulently claimed to be serving meals to thousands of children a day. The defendants created dozens of shell companies to enroll in the program as Federal Child Nutrition Program sites.

## FYs 2023/2024 Planned Future Performance (Cont.)

on these cases. Together with the existing task forces, USAOs will continue to work with our law enforcement partners to streamline the identification of leads, investigation of matters, charging cases, and recoupment of fraudulently obtained benefits.

## Definition

**COVID-19 related fraud:** A criminally charged case with one or more fraud counts in which the fraud was related to the COVID-19 pandemic. This includes cases in which the defendant is alleged to have defrauded a governmental pandemic relief program, as well as cases in which the defendant is alleged to have defrauded third parties in connection with the COVID-19 pandemic such as vaccine and testing scams.

**Favorably resolved:** Disposition of a defendant’s case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files.

## Data Validation, Verification, and Limitations

CaseView is EOUSA’s well-established case management system. Data entry for individual defendants and cases is initiated in the originating USAO, and EOUSA’s Data Integrity and Analysis Staff aggregates the data by district and nationally.



# Strategic Objective 1.1: Protect our Democratic Institutions

## Performance Measure: Ratio of backlogged to incoming FOIA requests [OIP]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 50%     | 45%     | 40%     |
| <b>Actual</b> | 51%     | 68%     | N/A     | N/A     |

### Discussion of FY 2022 Results

The Department of Justice's Freedom of Information Act (FOIA) backlog continued to be significantly impacted by the immigration court and Federal Records Center closures, including the after-effects of closures that encompassed the entirety of the prior fiscal year. These challenges primarily affected a single component, whose backlog constituted the largest share of the Department's FOIA backlog in FY 2022. The previously announced policy change to allow alternate means of access to certain immigration records was implemented midway through FY 2022, but the Department has not yet seen what the impact of that change will be on the number of incoming FOIA requests. This component is also proactively taking steps to handle this significant challenge. During the year, the Department's Office of Information Policy (OIP) introduced a new suite of e-learning modules for use by all Department components as well as other agencies. OIP also led various initiatives and continued to update and develop new resources to help all agencies including DOJ administer the FOIA efficiently and effectively. A description of these efforts are detailed in the Department's annual Litigation and Compliance Report.

### FYs 2023/2024 Planned Future Performance

OIP will work directly with components in FYs 2023 and 2024 to discuss individualized plans and goals to improve the Department's overall FOIA administration. OIP has already met with the component whose backlog constitutes the majority of the Department's backlog, and ongoing efforts are being made by that component to improve its alternative means of access to certain immigration records, to hire significant numbers of additional personnel, and to consider other possible solutions such as information technology improvements. OIP will also develop new resources and

**New FOIA Guidelines:** In March 2022, for the first time since the issuance of Attorney General Holder's FOIA Guidelines in early 2009, Attorney General Garland issued new FOIA Guidelines. These guidelines directed agencies to apply a strong presumption in favor of openness in processing agency records under the FOIA, reemphasized the importance of proactive disclosures of information to the public, directed agencies to remove barriers to access to government records, and highlighted the key role that Chief FOIA Officers should play in FOIA administration.

**New FOIA e-Learning Courses:** This year, OIP released new e-learning training modules that provide comprehensive, on-demand training in the provisions of the FOIA. These three modules are targeted to three distinct groups of people: 1) for agency executives, a very brief overview of the FOIA and its impact on agency leaders, 2) for FOIA professionals, an in-depth six-module course that provides comprehensive coverage of all aspects of the FOIA, and 3) for all federal employees, a basic one-hour course that provides a FOIA overview for a general agency audience. To date, the modules have received very high marks from users across DOJ.

### FYs 2023/2024 Planned Future Performance (Cont.)

investigate groundbreaking new technological solutions that can aid components in faithfully and appropriately implementing the FOIA.

### Definition

Ratio: The ratio of the Department's FOIA backlog and the number of requests received in the fiscal year.

Backlogged request: Request that has been pending beyond FOIA's statutory time period to respond.

### Data Validation, Verification, and Limitations

The Department goes through a very thorough and reliable validation process for Annual FOIA Report data. However, quarterly report data are



## Strategic Objective 1.1: Protect our Democratic Institutions

**Performance Measure:** Ratio of backlogged to incoming FOIA requests [OIP] (Cont.)

### **Data Validation, Verification, and Limitations (Cont.)**

The Department goes through a very thorough and reliable validation process for Annual FOIA Report data. However, quarterly report data are not validated in the same way and can be somewhat unreliable. OIP will track this quarterly, but there are some limitations. Both the annual and quarterly data are publicly reported.



## Strategic Objective 1.2: Promote Good Government

The Justice Department employs more than 115,000 people and has a budget of more than \$30 billion. Operating an organization this large requires the management resources and infrastructure of a Fortune 100 company. Over the past twenty years, however, as the Department has grown and its mission has become more complex, the resources allocated toward management and administration have dramatically shrunk. The result is a set of existing management structures that do not fully promote analytic rigor, efficiency, or innovation.

To ensure efficient operations, promote internal controls and oversight, prioritize data-driven decision making, and recruit and retain top-notch talent, the Department will take a strategic and innovative approach to updating its management structure, training, and collaboration; to modernizing its technology; and to promoting diversity and ensuring equal employment opportunity. The Department’s workforce is its key asset for achieving its mission. Ensuring that every employee can use their full talents and focus to solve pressing problems requires an inclusive workplace. The Department can also better serve our diverse country when its workforce includes a variety of backgrounds and perspectives. To these ends, we are working to assess and improve diversity, equity, inclusion, and accessibility (DEIA) at all levels of our human capital operations, from recruitment and retention to training, evaluation, and promotion.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 5                          | 0                | 4                     |

### Highlights

**Advancing Women in Law Enforcement:** The United States Marshals Service (USMS) became the first federal law enforcement agency to sign the “30x30 Pledge,” a nationwide initiative to advance women in policing. The goal is to improve representation of women in police recruit classes to 30 percent by 2030; review and revise agency policies, strategies, and assessments to ensure they are free of bias and address specific needs of women officers; and transform the culture so under-represented officers do not just survive but thrive.

**Learning Agenda:** The DOJ Strategic Plan included the Department’s first-ever Learning Agenda and first-ever Capacity Assessment as called for under the Evidence Act. The Justice Management Division (JMD) coordinated the process of developing and refining these questions through a combination of bottom-up input from stakeholders across the Department and top-down contributions and approval from leadership.

**Improved Budgeting Tool:** During FY 2022, JMD Budget Staff rolled out the new Working Capital Fund Budget Formulation and Execution tool, PHOENIX. The new tool reduced time-consuming data validation and cross-referencing, enabling JMD service providers to respond to customer inquiries quicker with more accurate results, with overwhelmingly positive feedback.



## Strategic Objective 1.2: Promote Good Government

**Performance Measure:** Percent increase in the Department’s average score on selected Federal Employee Viewpoint Survey (FEVS) questions related to how well managers cultivate innovation, creativity, and collaboration [JMD]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 60%     | 61%     | 62%     |
| <b>Actual</b> | 59%     | 54%     | N/A     | N/A     |

### Discussion of FY 2022 Results

The Department regularly participates in the Office of Personnel Management (OPM) Federal Employee Viewpoint Survey (FEVS). In FY 2022, the DOJ’s average composite score for the four FEVS questions related to innovation cultivation, creativity and collaboration was 54 percent - short of the 60 percent target. This can be attributed to a general decline in scores among some of the larger DOJ components. JMD will conduct a data deep dive to identify root causes for the overall decline in scores.

### FYs 2023/2024 Planned Future Performance

The FY 2023 goal is to increase the average positive composite score of the questions by two percentage points above the FY 2021 results. JMD Human Resources (HR) will assess the current work practices, policies, and future processes of the Department to identify any barriers that may impact its ability to build and maintain an effective workforce and foster an environment that encourages creativity, collaboration, and innovation. For FY 2024, the goal is to increase the average positive composite score of the questions by three percentage points relative to the FY 2021 baseline score.

**Analysis of FEVS Response Rates:** Using a pre-described form, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) directorates and divisions created a plan of action to address challenges unique to their area of responsibility. The action plan process has been successful. Directorates/divisions have made improvements in areas such as communications and employee recognition. The 2022 FEVS (June 1-July15) results will help evaluate if those plans have made a positive impact.

### Definition

The 2022 OPM FEVS is administered to employees across the federal government. This valuable survey tool collects feedback on employee experiences with their jobs, supervisors, leadership, workplaces and more. This measure is a composite of positive responses for select survey questions, which are:

- I feel encouraged to come up with new and better ways of doing things.
- The people I work with cooperate to get the job done,
- Managers promote communication among different work units,
- How satisfied are you with your involvement in decisions that affect your work?

### Data Validation, Verification, and Limitations

OPM validates and verifies the data each year. JMD HR will compile the data from the selected survey questions.



## Strategic Objective 1.2: Promote Good Government

**Performance Measure:** Percent of people involved in hiring who have completed implicit bias and interview skills training within the last three years [JMD]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | 25%     | 50%     |
| <b>Actual</b> | 0%       | N/A     | N/A     |

**Interviewing Skills Best Practices:** The Community Oriented Policing Services (COPS) Office conducted two separate mandatory and office-wide implicit bias trainings in FY 2022 to promote good government through fostering a strong work force that values diversity, equity, inclusion, and accessibility.

### Discussion of FY 2022 Results

In FY 2022, JMD surveyed DOJ components to determine what percent of employees had taken implicit bias training and interviewing skills training within the last three years. The FY 2022 baseline is zero. JMD HR believes that the primary reason for the baseline being zero is that components are not placing as much emphasis on interview skills training as they are on implicit bias training. While we have found that a number of components require employees to take implicit bias training, we did not find many that require interview skills training.

### FYs 2023/2024 Planned Future Performance

JMD HR is discussing the set curriculum for the training. Once JMD HR determines the appropriate courses to mandate, it will issue an official memo to all DOJ components. The memo will serve as the directive to components to ensure that all individuals involved in the hiring process comply with the training requirements. In addition, the Department will assess whether the current curriculum can be leveraged, whether new content is needed, and identify resources needed to implement enterprise-wide. In FY 2023, The Department will adapt, develop, or acquire additional content for implementation by the fourth quarter. The Department’s FY 2023 target is to have at least 25 percent of individuals involved in the hiring process to have taken implicit bias training and interviewing skills training within the last three years, while the FY 2024 target is 50 percent.

### Definition

The Department is in the process of identifying specific mandatory courses for people involved in the hiring process. Once the mandatory courses have been identified, the Department will update the definition for this metric.

### Data Validation, Verification, and Limitations

JMD HR will use its learning management system, Learn DOJ, and rely on reports from the Federal Bureau of Investigation (FBI) and the Federal Bureau of Prisons (BOP), to track the training data. Learn DOJ provides a list of individuals that have completed training. FBI and BOP track training in their own respective systems. Currently, there is no way to determine who on the list is involved in hiring.



## Strategic Objective 1.2: Promote Good Government

### Performance Measure: Disparities in employee attrition rates [JMD]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | 1.34    | 1.32    |
| <b>Actual</b> | 1.36     | N/A     | N/A     |

**Diversity Survey:** In 2021, OIP instituted a diversity/workplace survey that provides valuable information about the state of OIP’s workforce. OIP conducted this survey in both 2021 and 2022 and anticipates it will conduct the survey again in 2023.

#### Discussion of FY 2022 Results

The FY 2022 baseline number was calculated using attrition data by gender as well as average monthly onboard data by gender as reflected in the National Finance Center database. The FY 2022 baseline number indicates that females are 1.36 times as likely as men to resign from their positions.

#### FYs 2023/2024 Planned Future Performance

One of the Department's key strategies to address this metric is the deployment of an exit survey to assess its current attrition rate. Currently, the Department is developing the exit survey pilot program which, once deployed, will assist in better understanding the reasons and underlying causes for employee departures. DOJ will use the data to compare attrition rates in the relevant civilian workforce and to identify possible barriers to reducing the disparity gap in the Department’s attrition rates.

The FY 2023 target is a 5 percent reduction in the gap over the baseline. The target for FY 2024 will be a 10 percent reduction in the gap over the baseline.

#### Definition

**Disparities:** For this measure, the Department is only comparing the disparities in the gender aggregate attrition rates. The Department seeks to compare other areas such as protected classification, age, or parental status in the near future.

**Attrition:** Voluntary departure of employees, excluding retirements.

#### Data Validation, Verification, and Limitations

JMD’s HR Information Technology Office will extract the attrition data from the National Finance Center database on a quarterly basis.



## Strategic Objective 1.2: Promote Good Government

**Performance Measure:** Percent of Department websites reflecting U.S. Web Design requirements and meeting best practices for plain language and user-centered design [JMD]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | 100%    | 100%    |
| <b>Actual</b> | 100%     | N/A     | N/A     |

**Web Content Managers' Meeting:** Every quarter, JMD’s Collaboration Web Services hosts fellow web content managers from across DOJ to discuss topics relevant to the federal web space.

### Discussion of FY 2022 Results

The U.S. Web Design System is the cornerstone of the 21st Century Integrated Digital Experience Act (IDEA). In FY 2022, JMD Office of the Chief Information Officer (OCIO) worked with components to establish the baseline through quarterly web certification. OCIO targeted content managers with the websites reported on GSA’s Digital Dashboard and those that were publicly available (65 out of 74 websites). Of the 65 websites, 25 websites were new or redesigned within the scope of the Act. The content managers certified that all 25 websites met the requirements.

### FYs 2023/2024 Planned Future Performance

In July 2023, JMD Collaboration and Web Services will conduct another data call to ascertain the actual number of websites that meet all three requirements. During 2023, it is anticipated that a total of 42 websites will meet these requirements because the following seventeen additional websites will have been created or modernized:

- ada.gov
- crimevictims.gov
- cybercrime.gov
- elderjustice.gov
- fara.gov
- firstfreedom.gov
- interpol.gov
- justice.gov
- learndoj.gov
- projectsafechildhood.gov
- projectsafeneighborhoods.gov
- scra.gov
- servicemembers.gov
- tribaljusticeandsafety.gov
- usdoj.gov
- userra.gov
- usmarshals.gov

### Definition

**Modernizing websites:** The agency must use the U.S. Web Design System for all websites created or redesigned 180 days after the date of enactment of the IDEA Act, July 18, 2019. The Act requires an executive agency to ensure that any new or redesigned website, web-based form, web-based application, or digital service comply with the Act. For the purpose of this measure, DOJ will measure the number of public-facing websites that meet the federally required mandates for all new or redesigned websites.

### Data Validation, Verification, and Limitations

DOJ components will attest that they meet the federally-mandated requirements during the Department’s quarterly certification process. Currently, there is no available tool to ascertain a website’s compliance with the U.S. Web Design System. Digitaldashboard.gov only measures whether a website is leveraging a U.S. Web Design System code. Although IDEA applies to all websites, the Department’s JMD Collaboration and Web Services does not have purview into all DOJ non-public websites.





## Strategic Objective 1.2: Promote Good Government

### Performance Measure: Percent of common data sets accessible amongst DOJ components [JMD]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | 49%     | 51%     |
| <b>Actual</b> | 47%      | N/A     | N/A     |

#### Discussion of FY 2022 Results

The baseline established for FY 2022 was 47 percent. Each DOJ component reported its data sets to JMD OCIO in the Justice Data Catalog via its integrated quarterly data calls. JMD OCIO provided guidance to the components regarding required reporting of data sets in the Justice Data Catalog.

#### FYs 2023/2024 Planned Future Performance

The Department will use the FY 2022 common data sets baseline to measure incremental progress from FY 2023 through FY 2026. By the end of FY 2023, the goal is to have 49 percent of data sets as common data sets. JMD OCIO expects to continue incrementally increasing the percentage of common data sets for use across the Department by two percent each year until FY 2026. As described in the DOJ Data Strategy, the Justice Data Catalog will be enhanced to include an inventory of data exchanges, which will provide additional capacity for identifying common data sets across the Department. This enhancement is currently targeted for implementation by FY 2024.

#### Data Validation, Verification, and Limitations

DOJ components will validate the data via the Data Management Plan Template and Justice Data Catalog.

**Data Assets:** In 2022, the Department collected information on the use of data assets through the General Services Administration Digital Analytics Program, published the information in December 2022, and plans to collect and publish information on the use of data assets by nongovernmental entities at least once a year.

**Data Transparency:** The Office of Justice Programs (OJP) is committed to open, transparent data and publicizes data on OJP's Open Data page at <https://data.ojp.usdoj.gov/>, which currently houses various public-facing data sets produced by the program offices as well as a searchable data set of OJP's awards from 2015 forward. All awards by fiscal year are announced on OJP's website by program office and solicitation and they are also searchable on USASpending.gov, which allows interested stakeholders to search using various filters and see any sub-awards associated with OJP awards.

#### Definition

Each DOJ component will report its data sets to JMD OCIO in the Justice Data Catalog. The Justice Data Catalog is a comprehensive inventory of the Department data sets required by the Foundations of Evidence-based Policymaking Act of 2018. Data sets that are marked as “public” are considered common data sets that are accessible amongst DOJ components, as well as to the general public. Internal data sets may be shared across the Department.



**Goal 2: Keep Our Country Safe**



## Strategic Goal 2: Keep Our Country Safe

The Justice Department has no higher priority than keeping the American people safe. Our nation continues to face a multitude of serious and evolving threats, ranging from foreign terrorism to domestic terrorism and from cybercrime to violent crime. These threats are as complex as at any time in our history, and the consequences of not responding to them have never been greater. Every person living in the United States deserves to feel safe in their communities. The Justice Department will support law enforcement at all levels as we work to protect our country from these threats, while also zealously guarding civil liberties and ensuring our own accountability to the American people.

### Enterprise Risk Themes

- Impact of technology
- Fragmentation and globalization of threats
- Emergence of new security vulnerabilities
- Data collection and analysis limitations
- Coordination challenges
- Market competition for specialized expertise
- Building trust
- Changes in the legal landscape
- Changing demographics (including aging populations)
- External drivers of crime



## Strategic Objective 2.1: Protect National Security

The Justice Department investigates, disrupts, and prosecutes threats to America’s national and economic security, both from hostile foreign nations and from insider threats. These threats include not just traditional espionage efforts, but also foreign influence operations, economic espionage, and critical infrastructure attacks. In response to these wide-ranging threats, the Department, together with counterintelligence partners and other federal law enforcement, seeks to identify the potential assets targeted, engage the entities who possess those assets, and protect them.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 3                          | 3                | 0                     |

### Highlights

**Wang Shujun:** Over the past fiscal year, FBI counterintelligence investigations have led to open indictments in six plots originating from four different countries, including the arrest of prominent democracy activist Wang Shujun for acting as an agent of the Chinese government, collecting information about other activists, dissidents, and human rights leaders to report to his handlers in the Ministry of State Security.

**United States v. Xu:** In November 2021, a federal jury found Yanjun Xu guilty on four counts including conspiring to and attempting to commit economic espionage on behalf of the People’s Republic China. Xu is a Chinese national and Ministry of State Security officer. Xu is the first Chinese government intelligence officer to be extradited to the United States. According to evidence presented at trial, Xu attempted to steal technology related to GE Aviation’s exclusive composite aircraft engine fan – which no other company in the world has been able to duplicate – to benefit the Chinese state.

**Task Force Kleptocapture:** In response to the Russian invasion of Ukraine, the Asset Forfeiture Fund (AFF) provided resources in support of Task Force KleptoCapture investigations into Russian sanctions violations. This support will continue as necessary in FYs 2023 and 2024. Pursuant to section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023, AFF may transfer to the Secretary of State the proceeds of certain forfeited property for use by the Secretary of State to remediate the harms of Russian aggression towards Ukraine. These transfers will bolster Ukrainian reconstruction and support the Department’s and Administration’s goals to assist the people of Ukraine and hold Russia accountable for its aggressive actions in the country.



## Strategic Objective 2.1: Protect National Security

### Performance Measure: Number of counterintelligence program disruptions or dismantlements [FBI]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 400     | 400     | 400     |
| <b>Actual</b> | 447     | 402     | N/A     | N/A     |

**Jonathan and Diana Toebe:** The arrest and guilty plea by Jonathan and Diana Toebe for conspiracy to communicate restricted data demonstrates the ongoing risk of insider threat. Jonathan Toebe was a nuclear engineer for the Department of the Navy who, with his wife Diana, conspired to sell information about submarine nuclear propulsion systems to a foreign country in violation of the Atomic Energy Act and was brought to justice through the cooperation of that foreign country.

#### Discussion of FY 2022 Results

The FBI continues to investigate and disrupt threats to America’s national and economic security, both from hostile foreign nations and insider threats, increasing its focus on transnational repression. In FY 2022, FBI counterintelligence investigations led to open indictments in six plots originating from four different countries, including the arrest of prominent democracy activist Wang Shujun for acting as an agent of the Chinese government. The arrest and guilty plea by Jonathan and Diana Toebe for conspiracy to communicate restricted data demonstrates the ongoing risk of insider threat. In addition, the FBI supports Task Force KleptoCapture, an interagency law enforcement task force dedicated to enforcing the sweeping sanctions, export restrictions, and economic countermeasures that the United States has imposed, along with allies and partners, in response to Russia’s unprovoked military invasion of Ukraine.

#### FYs 2023/2024 Planned Future Performance

The expanded scope of sensitive American assets of interest to strategic competitor states coupled with a continually evolving technological environment opens new security vulnerabilities. The FBI will continue to develop new strategies to engage entities possessing the most critical assets, employ novel legal tools and authorities, and collaborate with the widest possible set of allies at all levels of government, in the private sector, and in friendly foreign governments. This emphasis on collaboration allows the U.S. government to exert the full scope of consequences, from asset forfeiture to trial and detention, against America’s highest priority national security threats. The FBI’s Counterintelligence Division expects to sustain disruption and dismantlement numbers at or above 400 long-term.

#### Definition

This measure uses the combined score of two types of statistical accomplishments.

**Disrupt:** The Claiming Guidance Library defines disruption as interrupting or inhibiting a threat actor from engaging in national security-related activity.

**Dismantle:** Occurs when the targeted organization’s leadership, financial base and supply network has been destroyed, such that the organization is incapable of operating and/or reconstituting itself.

#### Data Validation, Verification, and Limitations

The FBI Counterintelligence Division’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lack significant detail. Data are collected routinely, stored on a classified enterprise platform, and validated and verified manually. Disrupt and dismantle accomplishment claims are verified by two supervisors with knowledge of the case by reference to the Claiming Guidance Library definitions. Offices have 30 days to enter accomplishment claims and have them adjudicated.



## Strategic Objective 2.1: Protect National Security

**Performance Measure:** Number of counterintelligence program disruptions or dismantlements [FBI]

### Historical Data

|         | Actual |
|---------|--------|
| FY 2018 | 698    |
| FY 2019 | 529    |
| FY 2020 | 365    |



## Strategic Objective 2.1: Protect National Security

**Performance Measure:** Percent of prosecutions brought against defendants engaged in a) hostile activities against national assets b) intelligence gathering or c) export violations that are favorably resolved [NSD]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 90%     | 90%     | 90%     |
| <b>Actual</b> | 98%     | N/A     | N/A     |

### Discussion of FY 2022 Results

In cases involving national security cyber threats to sensitive American assets, recognizing that law enforcement is only one element of the federal government’s power, the National Security Division (NSD) Counterintelligence and Export Controls Section (CES) has increasingly coupled its investigations and prosecutions with other actions by interagency partners including the Departments of State, Treasury, Commerce, and Defense and the Intelligence Community. In instances CES takes public action, aside from the announcement of an arrest of a defendant, CES prosecutors will pair with federal partners for maximum impact and consequence. These actions include but are not limited to the potential use of economic sanctions, additions to the Department of Commerce’s Entity List, virtual currency regulations, diplomatic pressure, Rewards for Justice campaigns, intelligence operations, and military action. NSD began reporting this measure in FY 2022 and exceeded its target.

### FYs 2023/2024 Planned Future Performance

In FYs 2023 and 2024, NSD will continue supporting the investigation and prosecution of espionage cases through coordinated efforts with DOJ leadership, the FBI, the U.S. Intelligence Community (USIC), and the 94 USAOs. In addition, NSD will oversee investigations and prosecutions for unlawful export of military and strategic commodities and technology and violations of United States economic sanctions and coordinate in cases involving the unauthorized disclosure of classified information. NSD will also provide assistance with application of Classified Information Procedures Act (CIPA).

**United States. v. You:** In May 2022, Dr. Xiaorong You was sentenced to 168 months in prison after committing economic espionage on behalf of the People’s Republic of China. The doctor stole valuable trade secrets related to formulations for BPA-free coatings. Evidence presented at trial showed the doctor’s intent to benefit not only her company, but also the government of China and the Chinese Communist Party.

### Definition

This measure includes cyber, counterintelligence, economic espionage, and export and sanction defendants whose cases resulted in a guilty plea or conviction.

Hostile activities against national assets: Activities conducted by, at the direction of, or otherwise on behalf of nation-states and international terrorist organizations that negatively impact the national or economic security of the United States and its allies.

Intelligence gathering: Defendants who obtained or sought to obtain classified or otherwise sensitive or non-public information at the direction of or on behalf of a foreign government or its agents.

Export and sanctions violations: Criminal violations of the Arms Export Control Act (AECA), the Export Control Reform Act (ECRA), and the International Emergency Economic Powers Act (IEEPA), excluding those violations of the AECA having no relationship to foreign relations.

### Data Validation, Verification, and Limitations

NSD captures all litigation data in its case tracking system. Data are validated quarterly by the section chief in each of the litigating sections. Further data validation and verification is accomplished via quarterly reviews by CES management. Limitations include reporting lags.



## Strategic Objective 2.1: Protect National Security

**Performance Measure:** Percent of Department-led foreign investment cases that were adjudicated favorably [NSD]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 97%     | 97%     | 97%     |
| <b>Actual</b> | 100%    | 100%    | N/A     | N/A     |

**Increasing Volume and Complexity:** NSD CES has seen an increase in cases involving the Foreign Agents Registration Act and FIRS has seen an increase in workload as a result of both the volume and complexity of the transactions it reviews.

### Discussion of FY 2022 Results

NSD, through its Foreign Investment Review Section (FIRS), completed 384 foreign investment cases in FY 2022, a 5 percent increase from FY 2021, and favorably adjudicated 100 percent of these cases. FIRS handled 1,086 total matters (a 25 percent increase from FY 2021), of which 806 were national security reviews (NSRs) and 396 high-priority NSRs.

The Committee on Foreign Investment in the United States (CFIUS) is authorized to review certain transactions involving foreign investment in the U.S. and certain real estate transactions by foreign persons, to determine the effects on national security. In FY 2022, NSD FIRS worked on 134 DOJ co-led cases under review and investigation before CFIUS, a 14 percent increase from FY 2021. DOJ led 25 percent of all CFIUS cases worked on in FY 2022. Of the reviews and investigations of CFIUS joint voluntary notices, at least 68 percent of DOJ co-led cases ended with action compared to only 39 percent resolution rate among non-DOJ led CFIUS cases. Furthermore, DOJ co-led 47 percent of all CFIUS cases resulting in mitigation agreements in FY 2022.

DOJ also led 108 cases that were referred by the Federal Communications Commission (FCC) to Team Telecom. In FY 2022, NSD FIRS Compliance and Enforcement Team monitored 188 mitigation agreements, and handled at least 344 total matters, including new agreements, terminations of existing agreements, site visit, bankruptcy reviews, and provided mitigation negotiation support for CFIUS and Team Telecom.

### Discussion of FY 2022 Results (Cont.)

After overcoming the challenges associated with the COVID-19 pandemic and returning to full office work in 2022, NSD FIRS conducted 38 physical and virtual site visits (a 317 percent increase from FY 2021) for high-priority compliance matters.

In addition, NSD led two civil enforcement matters and eight information and communications technology and services (ICTS) supply chain referrals (an increase of six from FY 2021) to the Department of Commerce under Executive Order 13873.

### FYs 2023/2024 Planned Future Performance

NSD will lead the review, investigation, and mitigation of cybersecurity, data security and privacy, telecommunications, law enforcement, and related national-security risk analyses through coordinated interagency bodies. These interagency bodies include CFIUS, Team Telecom, emerging technology councils, and supply-chain regulatory bodies, such as the process established by Executive Orders 13873 and 14034 as well as the SECURE Technology Act to secure the nation against national security threats. NSD, through partnership with the FBI, will also leverage the FCC's Covered List, established under the Secure and Trusted Communications Network Act, to ensure our telecommunications service providers avoid the use of equipment and services that present unacceptable national security risk to the United States. The cases are introduced via





## Strategic Objective 2.1: Protect National Security

**Performance Measure:** Percent of Department-led foreign investment cases that were adjudicated favorably [NSD] (Cont.)

### FYs 2023/2024 Planned Future Performance (Cont.)

foreign investment, supply-chain compromises and vulnerabilities, and foreign participation in the U.S. telecommunications sector. NSD will continue monitoring entities subject to compliance agreements to ensure adherence to their mitigation obligations and will undertake enforcement actions when necessary and appropriate. NSD will also continue to work closely with interagency partners, including the FBI and USIC, to identify trends, strategies, and priorities for its national security reviews, including continuing to strategically identify and investigate potential ICTS matters for referral to the Department of Commerce. In addition to leading and conducting national-security reviews of specific matters, NSD will continue its significant participation in interagency policy committees addressing issues at the intersection of technology, the law, and national security, and will continue to engage with external stakeholders in this area.

### Definition

Department-led foreign investment cases: Percentage of cases co-led by the DOJ in the Committee on Foreign Investment in the United States, Team Telecom, and Executive Order 13873 supply chain processes that were completed within defined timelines and within established outcomes and mitigation agreements that were favorably maintained or terminated.

### Data Validation, Verification, and Limitations

Data are manually validated and verified by FIRS management. A more centralized and automated data system is required, given the expanding nature of the program area.



## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

Two decades after September 11, 2001, the Justice Department remains committed to combating terrorism, from any place, by any actor, regardless of motivating ideology. Foreign terrorist organizations continue to pose a threat to the United States and U.S. interests abroad. In addition, terrorist threats to the United States come from lone actors — citizens who travel overseas and join forces with extremists; individuals radicalized in the United States; those inspired to violence by harmful foreign ideologies; and domestic violent extremists motivated by racial and ethnic bias, anti-government or anti-authority sentiment, or conspiracy theories. The Department recognizes that the most efficient and effective means of fighting terrorism is to communicate, coordinate, and cooperate with our partners, including foreign partners and multilateral organizations. The Department will also continue to use every appropriate tool at its disposal to deter, disrupt, and prosecute acts of domestic violent extremism and domestic terrorism.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 4                          | 3                | 0                     |

### Highlights

**Arrest by DOJ-trained Law Enforcement in Bangladesh:** In April 2022, Bangladesh Police Anti-Terrorism Unit investigators trained by CRM’s International Criminal Investigative Training and Assistance Program located and apprehended the local leader of the banned terrorist organization Jamaat-ul-Mujahideen Bangladesh. He was convicted in 2019 in absentia and sentenced to death, but remained a fugitive until the arrest.

**Arrest of Japanese Yakuza Leader and Affiliates for International Trafficking of Narcotics and Weapons:** Takeshi Ebisawa of Japan, a leader within the Japanese transnational organized crime syndicate also known as Yakuza, and three Thai affiliates, allegedly intended to distribute hundreds of kilograms of methamphetamine and heroin to the United States, while acquiring deadly weapons including surface-to-air missiles for multiple ethnic armed groups in Burma.

**Complaint Filed Against Shahram Poursafi, Member of Iran’s Islamic Revolutionary Guard Corps (IRGC):** Shahram Poursafi, an Iranian national and member of the IRGC, was charged by complaint with use of interstate commerce facilities in the commission of murder-for-hire and with providing and attempting to provide material support to a transnational murder plot of former National Security Advisor John Bolton.



## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

**Performance Measure:** Number of terrorism disruptions effected through investigations [FBI]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 600     | 600     | 600     |
| <b>Actual</b> | 793     | 438     | N/A     | N/A     |

**Herman Wilson:** On August 26, 2022, Herman Leyvoune Wilson, aka Bilal Mu’Min Abdullah was arrested for allegedly attempting to provide material support to a designated foreign terrorist organization, the Islamic State and attempting to obstruct, influence and impede at least one official proceeding. A federal grand jury indicted Wilson on August 23.

### Discussion of FY 2022 Results

The FBI protects the nation from international and domestic terrorism threats by working closely with law enforcement partners to neutralize terrorist cells and cut off financing and other forms of support to terrorist organizations. In FY 2022, the FBI achieved 73 percent of the 600 targeted disruptions. Noteworthy disruptions include the arrests of hundreds of individuals associated with the January 6, 2021 Capitol Siege, resulting in federal charges ranging from disorderly conduct to assault on federal officers, as well as the arrests of several subjects throughout the year on charges of material support to foreign terrorist organizations such as the Islamic State and al-Qaeda. The FBI uses data to properly align funds to cover known and emerging threats from both foreign and domestic actors.

### FYs 2023/2024 Planned Future Performance

The FBI has a multi-year counterterrorism strategic plan with the following areas of focus:

- Provide rigorous program management to ensure standardization of the FBI’s policies and procedures related to countering terrorism
- Develop technical tools to collect and exploit data to enhance targeting and overcome barriers to intelligence gathering
- Provide training opportunities to ensure the workforce can successfully mitigate national security threats in a dynamic operational environment.
- Evaluate human intelligence to effect disruptions and help anticipate adversaries’ future intentions
- Develop intelligence products to inform both strategic and tactical operational decisions and ensure the FBI remains agile in its mitigation efforts against threats to the homeland and U.S. interests abroad

### FYs 2023/2024 Planned Future Performance (Cont.)

In addition, the FBI’s partnerships with state and local law enforcement are vital to our ability to identify and disrupt threat actors. The FBI continues to welcome collaboration and assistance in this space including representatives of our law enforcement partners and the U.S. military serving on the National Joint Terrorism Task Force. Furthermore, the FBI ensures continuous training of the counterterrorism workforce, effective use of advanced technology, diligent program management, and efficient stewardship of all available resources to successfully disrupt terrorist operations.

### Definition

**Disruption:** The Claiming Guidance Library defines disruption as interrupting or inhibiting a threat actor from engaging in national security-related activity. FBI personnel claim statistical accomplishments for various types of operational activities so that the number of occurrences of these activities can be tracked for oversight purposes. This measure includes only disruptions documented in case files within the FBI counterintelligence program.

### Data Validation, Verification, and Limitations

Some of the FBI Counterterrorism Division’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lack significant detail. Data are collected routinely, stored on a classified enterprise platform, and validated and verified manually. Disruption accomplishment claims are verified by two supervisors with knowledge of



## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism (Continued)

**Performance Measure:** Number of terrorism disruptions effected through investigations [FBI]

### Data Validation, Verification, and Limitations (Cont.)

the case, by reference to the Claiming Guidance Library definitions. Offices have 30 days to enter accomplishment claims and have them adjudicated; the annual target for this measure is set low to account for accomplishments entered too late for inclusion in fiscal year roll up data. (i.e., an accomplishment made on September 30 is not required to be entered and adjudicated until October 30, so it will not necessarily appear in data reported on October 22.)

### Historical Data

|                | Actual |
|----------------|--------|
| <b>FY 2018</b> | 540    |
| <b>FY 2019</b> | 518    |
| <b>FY 2020</b> | 561    |



## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

**Performance Measure:** Percent of counterterrorism defendants whose cases were favorably resolved [NSD]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 90%     | 90%     | 90%     |
| <b>Actual</b> | 99%     | 99%     | N/A     | N/A     |

### Discussion of FY 2022 Results

The U.S. faces increased threats of domestic terrorism. In light of this threat and to promote coordination and consistency in domestic terrorism cases, in November 2022, DOJ codified the 2021 domestic terrorism notification and coordination requirements and made additional changes to promote consistency and appropriate oversight of domestic violent extremism-related matters in an update to the Justice Manual. The National Security Division also formed a new Domestic Terrorism Unit within the Counterterrorism Section (CTS) to focus solely on domestic terrorism and domestic violent extremism investigations and prosecutions.

With respect to international terrorism, despite the loss of territory in Syria and Iraq, Islamic State supporters and propaganda continue to assist in the radicalization of others in the U.S. and abroad. In recent months, Islamic State fighters, taking advantage of unstable conditions in the region, particularly in refugee camps, have made some advances and shown signs of resurgence.

### FYs 2023/2024 Planned Future Performance

The 2022 creation of a new Domestic Terrorism Unit within CTS has given the section additional responsibilities, which come with increased administrative burdens to effectively track, analyze, and report on data regarding the growing domestic terrorism threat. NSD is currently developing a new case management system to assist with the additional tracking and reporting requirements. Roll out of the new system is planned for 2023.

**United States v. Elshafee Elsheikh:** Elsheikh was convicted on all counts by a jury in the Eastern District of Virginia (EDVA) and was sentenced on August 19, 2022, to life in prison. Elsheikh’s codefendant, Alexandra Kotey, pleaded guilty to all counts on September 2, 2021, and was also sentenced to life in prison. Elsheikh and Kotey participated in a wide-ranging conspiracy involving the captivity of 26 hostages in Syria, including American hostages James Wright Foley, Kayla Jean Mueller, Steven Joel Sotloff, and Peter Edward Kassig. All four American hostages died while in Islamic State custody. The prosecution of the case required significant coordination with members of the Intelligence Community and with foreign partners.

### Definition

Favorable resolution: Disposition of a defendant’s case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files. Defendants whose cases were favorably resolved include those defendants whose cases were closed during the fiscal year that resulted in court judgments favorable to the government.

### Data Validation, Verification, and Limitations

CTS management validates and verifies data via quarterly review. No limitations have been identified at this time.

### Historical Data

|                | Actual |
|----------------|--------|
| <b>FY 2018</b> | 91%    |
| <b>FY 2019</b> | 95%    |
| <b>FY 2020</b> | 89%    |



## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

**Performance Measure:** Number of individuals in the Department trained to prosecute domestic terrorism and domestic violent extremism [NSD]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 1,000   | 400     | 400     |
| <b>Actual</b> | 1,674   | 1,073   | N/A     | N/A     |

### Discussion of FY 2022 Results

The number of individuals trained in FY 2022 was based on total attendees at webinars and in-person trainings. In-person training started in June 2022; however, social distancing limitations imposed by the training facility limited the number of individuals trained.

### FYs 2023/2024 Planned Future Performance

The number of individuals trained in FYs 2023 and 2024 will again depend on the ability to conduct in-person trainings or whether only webinars will be conducted due to the pandemic. Currently, three FY 2023 courses which include sessions on Domestic Terrorism/Domestic Violent Extremism (DT/DVE) are scheduled to be conducted in-person. NSD anticipates training for about 400 people in person based on current facility limitations.

### Definition

This measure includes virtual or in-person courses and webinar trainings on prosecuting DT/DVE. Only content allowed in an unclassified environment may be conducted via webinar.

**Domestic Terrorism Unit:** The National Security Division's Counterterrorism Section (CTS) formally stood up a Domestic Terrorism Unit in May 2022. The DT Unit prosecutes and coordinates domestic terrorism cases, develops training and policies on domestic terrorism matters, and supports the work of the Department in implementing a whole-of-government strategy on countering domestic terrorism. The unit responds to the recent increase in domestic terrorism and hate crime incidents. CTS's domestic terrorism portfolio also includes all matters arising from the breach of the U.S. Capitol on January 6, 2021. Nearly 900 individuals have been arrested and charged in connection with the events of January 6.

### Data Validation, Verification, and Limitations

The data will be validated by EOUSA's Office of Legal Education. NSD will track the number of individuals who register for webinars, but not who actually attended the virtual meetings. EOUSA's Office of Legal Education will track the number of individuals who attend in-person trainings. Due to the pandemic, social distancing limitations imposed by the facility may restrict the number of individuals trained.



## Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

**Performance Measure:** Percent of Department-issued Intelligence Information Reports used in the development of United States Intelligence Community Intelligence Products [FBI]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 15%     | 15%     | 15%     |
| <b>Actual</b> | 7%      | 20%     | N/A     | N/A     |

### Discussion of FY 2022 Results

During FY 2022, the FBI's Intelligence Branch exceeded its annual target for this measure due to an integrated, agile and innovative intelligence program that bolsters the FBI's ability to address current and emerging threats.

### FYs 2023/2024 Planned Future Performance

The FBI intelligence program's five-year strategy outlines the direction for moving forward in an ever-changing threat environment. The program's primary mission, as a part of this strategy, is to provide insightful, timely and actionable intelligence in direct support of the FBI's mission to protect the American people and uphold the Constitution. By prioritizing the incorporation of intelligence in all FBI undertakings and strengthening of partnerships with law enforcement and USIC partners, the intelligence program will further enhance its successful operating posture.

### Definition

IIR: The metric reflects FBI intelligence information reports (IIR) cited in the USIC, as this measure is designed to reflect how FBI analysis and collection is used to support other intelligence functions across the U.S. government. Information sharing is essential to comprehensive analysis on the threats the U.S. faces.

**Intelligence Information Reports:** Through a formalized review and dissemination process, the Office of National Security Intelligence (ONSI) continues to provide the USIC with national security threat and terrorism-related information developed during the course of Drug Enforcement Agency (DEA) investigations. In FY 2022, ONSI disseminated 10,414 Intelligence Information Reports to the USIC, of which 577 were related to international terrorism.

**Project VENNLIG II and Project HAMAH II:** These U.S. National Central Bureau (USNCB) counterterrorism initiatives support the dissemination of actionable criminal investigative intelligence and information developed through the exploitation of material collected in the conflict zones in Iraq and Afghanistan, respectively. Available to law enforcement and border security authorities in source, transit, and destination countries, this information assists in the identification and detection of foreign terrorist fighters, their associates, and facilitators to disrupt their activities and screening against their international travel.

### Data Validation, Verification, and Limitations

The Intelligence Branch maintains visibility of all development and usage of FBI intelligence and records inclusion of its reporting in greater USIC products on a recurring basis with no limitations to data accuracy or efficiency.

### Historical Data

|                | Actual |
|----------------|--------|
| <b>FY 2020</b> | 16%    |



## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

The Justice Department is committed to addressing the epidemic of gun violence and other violent crime. We will study criminal gun trafficking to account for and address the emergence of “ghost guns.” In addition, we will continue to work in partnership with state, local, tribal, and territorial law enforcement agencies, as well as the communities they serve, to develop locally-based violent crime reduction solutions that target the most significant drivers of violent crime – including gun violence, domestic violence, sexual violence, criminal organizations, narcotics trafficking, firearms trafficking, human trafficking, and other forces.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 3                          | 1                | 0                     |

### Highlights

**PSN:** In FY 2022, under the Attorney General’s Comprehensive Violent Crime Strategy, all U.S. Attorneys Offices' developed and began implementing their Project Safe Neighborhoods (PSN) strategic plans that are tailored to PSN’s four pillars: community engagement; prevention and intervention; focused and strategic enforcement; and accountability. USAOs submit progress reports on implementing their PSN strategic plans. They will submit an additional semiannual progress report in early FY 2023.

**MMIP Steering Committee.** In November 2021, the Deputy Attorney General launched the Missing or Murdered Indigenous People (MMIP) Steering Committee. The committee developed DOJ’s response to President Biden’s Executive Order on Improving Public Safety and Criminal Justice for Native Americans and Addressing the Crisis of Missing or Murdered Indigenous People. The committee coordinates the Department’s ongoing work to address violent crime and missing persons cases. To improve transparency regarding implementation efforts and to provide access to resources and information sharing, DOJ rolled out dedicated MMIP webpages on the Tribal Justice and Safety website.

**Release of NIJ’s National Best Practices for Improving DNA Laboratory Efficiency.** The National Institute for Justice (NIJ) commissioned a group of experts in forensic DNA analysis to research and write *National Best Practices for Improving DNA Laboratory Process Efficiency*. This guide brings together a combination of innovative and practical concepts, recommendations, and promising practices to assist DNA laboratories in increasing their productivity and capacity. The guide provides forensic DNA laboratories with a roadmap for managing expected increases in case submissions due to stakeholder demand as well as less predictable impacts on caseload due to technological advances and legislative changes.





## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

**Performance Measure:** Percent of federal violent crime defendants’ cases favorably resolved [CRM, USAO]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 90%     | 90%     | 90%     |
| <b>Actual</b> | 92%     | 97%     | N/A     | N/A     |

### Discussion of FY 2022 Results

The Department of Justice successfully resolved 97 percent of its prosecutions of 15,825 federal violent crime defendants' cases in FY 2022. The Criminal Division, in partnership with prosecutors from the U.S. Attorney’s Office for the Southern District of Texas, along with other members from FBI, ATF, USMS, the Houston Police Department, and the Harris County Sheriff’s Office worked together to implement the Violent Crime Initiative in Houston, Texas. The combined agencies, directed by the Criminal Division, employed a data-driven approach to identify and prosecute the “worst of the worst” gangs who are disproportionately responsible for violent crime in underserved communities in Houston. These efforts include not just enforcement but prevention, intervention, and reentry. These efforts will be done in partnership with OJP. The \$100 million DOJ grant will help communities across the U. S. to reduce gun crime and other serious violence, including \$2 million awarded to Harris County, Texas. As proven in other cities with crime initiatives implemented, Houston will greatly benefit from DOJ's efforts.

Pursuant to the Department’s violent crime reduction strategy announced in May 2021, each USAO crafted a district-specific violent crime strategy under Project Safe Neighborhoods in consultation with federal law enforcement agencies and state, local, tribal, and territorial partners. In February 2022, the Attorney General announced a Violent Crime Strategy Update, which focused on building on existing anti-violence efforts, combating the use of privately made firearms in violent crimes, cracking down on illegally trafficked firearms by enhancing gun trafficking strike forces, and pursuing unlawful gun dealing.

**United States v. Franklin Trejo-Chavarria, et al. (SDTX):** In August 2022, the Criminal Division’s Organized Crime and Gang Section and the USAO in the Southern District of Texas (SDTX) secured an indictment charging 10 defendants, all members and associates of La Mara Salvatrucha, or MS-13, with Racketeer Influenced and Corrupt Organization Act (RICO) conspiracy, Violent Crime in Aid of Racketeering Act (VICAR) murder, VICAR conspiracy to commit murder, use of a firearm resulting in death, and related crimes. Among other things, the indictment alleges the defendants murdered seven people, including a fourteen-year-old girl, a seventeen-year-old boy, and an active Homeland Security Investigations informant, all on behalf of the transnational criminal organization MS-13. Defendants include two leaders of the gang currently incarcerated in El Salvador.

### FYs 2023/2024 Planned Future Performance

The Department of Justice places a high priority on the vigorous prosecution of violent gangs and criminal enterprises, focusing on the most serious violent offenders as targets for federal prosecution. The Department will continue to evaluate each case on its individual merits, consistent with the prosecution guidelines. As the Department implements national and district-specific violent crime reduction strategies, it evaluates approaches and builds on what works in collaboration with law enforcement and community partners. The Attorney General is updating the Department’s violent crime strategy and tasking USAOs with enhancing their efforts to reduce violent crime, including taking actions to stem the trend of untraceable ghost guns being used in crimes.

### Definition

Favorably resolved: Disposition of a defendant’s case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files.



## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

**Performance Measure:** Percent of federal violent crime defendants’ cases favorably resolved [CRM, USAO]

### Definition (Cont.)

Violent Crime: Those cases classified under the following program category codes: Firearms (053), Project Safe Childhood (080), Bank Robbery (083), Domestic Violence (091), Violent Crime in Indian Country (092), and All Other Violent Crime (093).

### Data Validation, Verification, and Limitations

The Department’s Criminal Division captures all litigation data in its case tracking system, Docket. Data in that system are validated quarterly by the section chief in each of the litigating sections. EOUSA uses a well-established case management system known as CaseView. Data entry for individual defendants and cases is initiated in the originating USAO, and EOUSA’s Data Integrity and Analysis Staff aggregates the data by district and nationally.

### Historical Data

|                | Actual |
|----------------|--------|
| <b>FY 2018</b> | 93%    |
| <b>FY 2019</b> | 92%    |
| <b>FY 2020</b> | 92%    |



## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

**Performance Measure:** Volume of U.S. Attorney office records uploaded to the National Instant Criminal Background Check System [USAO]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 5%      | 6%      | 8%      |
| <b>Actual</b> | 5%      | 4%      | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, USAOs increased National Instant Criminal Background Check System (NICS) uploads, yet remained below the longstanding annual five percent target. EOUSA attributes this primarily to a decrease in reportable activity as a result of the national pandemic and the associated reduction in courtroom activity. USAOs’ overall criminal case filings dropped 9.1 percent from FY 2021 to FY 2022 due to continuing post-COVID impacts. The resulting backlogs of trials that could not proceed while courts were shutdown have caused some offices to adjust resources to meet trial litigation demands, which impacts investigation and charging resources. Because felony indictments and informations are the second largest category of USAO prohibitor data, a decrease in those filings likely accounts for a lower volume of records uploaded to NICS than anticipated.

### FYs 2023/2024 Planned Future Performance

EOUSA will continue to work with the USAOs to provide guidance to facilitate accurate and comprehensive inclusion of records in CaseView as appropriate and will take steps to ensure data from CaseView is uploaded to NICS.

### Definition

USAO prohibitor data: U. S. Attorneys Office records pertaining to felony convictions, misdemeanor narcotics charges, mental health adjudications, alien information, indictment information, and misdemeanor domestic violence convictions.

### Data Validation, Verification, and Limitations

CaseView is EOUSA’s well-established case management system. Data entry for individual defendants and cases is initiated in the originating USAO, and EOUSA’s Data Integrity and Analysis Staff aggregates the data by district and nationally.



## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

**Performance Measure:** Percent of grantees that conduct community engagement activities as part of the program planning for their crime reduction initiative [OJP]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 58%     | 25%     | 10%     |
| <b>Actual</b> | 45%     | 30%     | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, as part of their crime reduction initiative, 42 percent of the Office of Justice Program’s Byrne Criminal Justice Innovation (BCJI) grantees indicated that they conducted community engagement activities as part of their program planning. The annual result was lower than the Department’s FY 2022 target of 58 percent due to the impacts of funding levels as this program has not received funding for the past two appropriation cycles. This performance measure focuses on community engagement during the planning stages, and without new grantees, most BCJI grantees have now moved into the implementation stage. They are no longer reporting on the program planning-related performance data; hence actual percentages are lower than projected. OJP is working with JMD to replace this KPI.

### FYs 2023/2024 Planned Future Performance

This program has not received new appropriations since FY 2021, but existing grantees will continue to engage the community, youth, and young adults through FY 2024. Since this measure tracks those who outline community engagement activities in their program planning, and since most grantees have moved into the implementation phase, this measure will not be readily increasing. The Bureau of Justice Assistance's (BJA) training and technical assistance provider will continue to share its community engagement strategy resources with BCJI grantees and the field. Community collaboration will remain an important component of the BCJI program and a focus of OJP’s training and technical assistance activities in this area.

**VALOR National Campaign to Reduce Violent Crime:** Under the VALOR Officer Safety and Wellness Initiative, the Violent Crime Reduction Program created the “My Voice. Our Community” campaign. The national campaign provides community leaders, community members, safety professionals, and business owners with a downloadable toolkit of resources and information they can use to build partnerships, support existing violence reduction efforts, start conversations, and generate long-term violence reduction progress in their communities.

### Definition

Community engagement activities: Seeking residents’ views on neighborhood change; involvement of, and leadership by neighborhood residents; engaging in community-oriented strategies; using local data and needs to drive strategies; and using strategies that comprehensively address critical local issues.

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts’ review, electronic controls in the reporting systems, and grant managers’ programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric.



## Strategic Objective 2.3: Combat Violent Crime and Gun Violence

**Performance Measure:** Percent of grantees that conduct community engagement activities as part of the program planning for their crime reduction initiative [OJP]

### Historical Data

|         | Actual |
|---------|--------|
| FY 2018 | 46%    |
| FY 2019 | 59%    |
| FY 2020 | 58%    |



## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

Protecting our national security also requires countering cyber threats from foreign and domestic actors – whether nation states, terrorists, or criminals – who seek to conduct espionage, invade our privacy, attack our elections, steal our intellectual property, damage our financial and physical infrastructure, or extort ransom payments. In 2021, cyberattacks caused significant financial damage and extensive harm to governments, critical infrastructure, and industries worldwide. The effects of cyberattacks are also felt by individuals, in the form of identity theft, account hacking, email compromise schemes, and cyberstalking. The rise of cryptocurrencies also enables cybercriminals, terrorists, and nation states to acquire tools and collaborate and launder their criminal proceeds in new and challenging ways. Cybersecurity is a shared responsibility among those who use our digital infrastructure, those who build it, and those who are entrusted with governing it.

The Department serves as the lead federal agency for cyber threat response and maintains primary domestic responsibility for identifying, disrupting, prosecuting, and otherwise deterring malicious cyber actors. The Department works with our partners here and abroad to defend networks, attribute malicious activity, sanction bad behavior, and take the fight to adversaries overseas. The Department relies in part upon private sector reports to help detect and understand ongoing activities by adversaries, and shares knowledge gained from investigations with the private sector to help defend their networks and customers. In doing this work, the Department maintains the public’s trust by ensuring compliance with all privacy and security requirements.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 5                          | 2                | 1                     |

### Highlights

**CEO of Titanium Blockchain Pleads Guilty in \$21 Million Cryptocurrency Fraud Scheme:** On July 22, 2022, Michael Alan Stollery, the CEO of Titanium Blockchain Infrastructure Services Inc., pleaded guilty for his role in a cryptocurrency fraud scheme. The scheme enticed investors with falsified information which raised approximately \$21 million from investors in the United States and overseas.

**Cyberstalking Conviction:** On September 15, 2022, Johao Miguel Chavarri, aka Michael Frito, 26, of Torrance, California, was sentenced to five years in prison for cyberstalking multiple young women in California in a sextortion campaign he waged while he was an active-duty member of the U.S. Marine Corps. When victims refused Chavarri’s initial request for photos, refused to send him additional photos or videos, or otherwise refused to continue to communicate with him online, Chavarri began to harass, threaten, and extort the victims using numerous online accounts.



## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent increase in disruptions of malicious cyber actors' use of online infrastructure through proactive operations and judicial means [FBI]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 5%      | 5%      | 5%      |
| <b>Actual</b> | 26%     | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, the FBI began implementing a strategy to impose risk and consequences on cyber adversaries. This is implemented through unique authorities, world-class capabilities, and enduring partnerships; which consist of new private sector engagement strategy across our field and headquarter programs. The strategy enables FBI partners to defend networks, attribute malicious activity, sanction bad behavior, and disrupt adversaries overseas. In FY 2022, the FBI's Cyber Division (CyD) accomplished a 26 percent increase of disruptions of malicious cyber actors' use of online infrastructure through proactive operations and judicial means over FY 2021 numbers.

### FYs 2023/2024 Planned Future Performance

In FY 2023, the FBI will seek to increase its disruptions of malicious cyber actors by 5 percent over the previous year's numbers. Also, the FBI has expanded cyber threat and program measures to incentivize the field to increase reporting, production, and information-sharing specific to external outreach. These lines of effort should result in more effective information sharing with our private sector partners and strengthen public-private partnerships. CyD will ensure continuous workforce training through messaging and diligent program management.

### Definition

Operations and judicial means: Proactive cyber operations or judicial outcomes involving use of seizures, forfeitures, and use of criminal, civil,

**Indictment Unsealed:** Three Iranian nationals were charged with allegedly orchestrating a scheme to hack into the computer networks of multiple U.S. victims. The defendants conducted encryption attacks against victims' computer systems, denying victims access to their systems and data unless a ransom payment was made. The defendants victimized a broad range of organizations, including small businesses, government agencies, nonprofit programs, and educational and religious institutions. Their victims also included multiple critical infrastructure sectors, including health care centers, transportation services, and utility providers.

### Definition (Cont.)

administrative authorities designed to disrupt online infrastructure used by malicious cyber actors including outcomes resulting from collaboration with interagency and international partners.

Disruption: Interrupting or inhibiting a threat actor from engaging in criminal or national security-related activity. A disruption is the result of direct actions that may include, but are not limited to, the arrest, seizure of assets, or impairment of the operational capabilities of threat actors.

### Data Validation, Verification, and Limitations

CyD's operational priorities are classified. Therefore, it is only possible to report aggregate data that lack significant detail. Data are collected routinely, stored on a classified enterprise platform, and validated and verified manually. Disruption accomplishment claims are verified by two supervisors with knowledge of the case by reference to the Claiming Guidance Library definitions.



## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent of reported ransomware incidents from which cases are opened, added to existing cases, or resolved or investigative actions are conducted within 72 hours [FBI]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 45%     | 65%     | 65%     |
| <b>Actual</b> | 43%     | 39%     | N/A     | N/A     |

**Netwalker Ransomware Attacks:** In July 2022, Canadian national Sebastian Vachon-Desjardins pled guilty to his participation in a sophisticated form of ransomware known as NetWalker. NetWalker ransomware has targeted dozens of victims all over the world, including companies, municipalities, hospitals, law enforcement, emergency services, school districts, colleges, and universities.

### Discussion of FY 2022 Results

Ransomware attacks cause financial losses and other harms to targeted governments, critical infrastructure, and industry. The FBI supports victims of ransomware incidents through prompted engagement, response and action. The Department of Justice sought to enhance its efforts to combat ransomware attacks by increasing the percentage of reported ransomware incidents from which cases are opened, added to existing cases, or resolved or investigative actions are conducted within 72 hours to 45 percent in FY 2022. Throughout the year, FBI Headquarters continued to emphasize the importance of increased velocity in response to its staff. By the end of FY 2022, the average percent of reported ransomware incidents either opened, added to existing cases, or resolved within 72 hours by the FBI was 39 percent - slightly lower than the annual target.

### FYs 2023/2024 Planned Future Performance

FBI Headquarters will provide guidance to field offices to increase the responsiveness of victim engagement in ransomware matters, enact changes with the Guardian system to track and report on progress. The increased velocity is intended to enable greater investigative opportunities by early action and encourage early reporting by victims through demonstrated value. In FYs 2023 and 2024, the FBI will work to increase the percentage of reported ransomware incidents from which cases are opened, added to existing cases or resolved or investigative actions are conducted within 72 hours to 65 percent.

### Definition

Opened or added to an existing case: All incidents where either a case was created or that the incident relates to or enhances an existing preliminary or full investigation.

Number of incidents resolved within 72 hours: Resolved means closed and includes any incident where date and time created versus date and time closed was 72 hours or less.

### Data Validation, Verification, and Limitations

The data for this metric is tracked in an internal FBI system. Due to system limitations, data quality for this metric may impact quarterly reporting. FBI will work to improve its logic for querying this percentage over time.





## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent increase in operations conducted jointly with strategic partners [FBI]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 3%      | 3%      | 3%      |
| <b>Actual</b> | -16%    | N/A     | N/A     |

### Discussion of FY 2022 Results

Disrupting, dismantling, and targeting cybercriminal organizations and nation-state actors requires collaboration across the USIC and private industry, specializing in network defense, intelligence, investigation, and offensive action to combat these threats. Consistent with the U.S. Cyberspace Solarium Commission's recommendations, the FBI elevated the leadership, engagement, and coordination assets of the FBI-led multiagency National Cyber Investigative Joint Task Force, creating new mission centers based on key cyber threat areas. These mission centers are led by senior executives from partner agencies, integrating operations and intelligence across agency lines to sequence actions for maximum impact against cyber adversaries. In addition, Cyber Division continues to focus on advancing strategic partnerships and technical innovation to maximize the FBI's impact and ability to dismantle cybercriminal organizations and nation-state actors alike. As such, CyD submitted a personnel request for a standardized team of technically trained personnel in each field office to adequately address the significant cyber threats and enable interagency operations to combat cyber-based threats. In addition, CyD implemented a new engagement strategy across field and headquarters programs to engage with private sector partners effectively. Furthermore, FBI has expanded cyber threat and program measures to incentivize the field in increasing reporting, production, and information-sharing specific to external outreach.

### FYs 2023/2024 Planned Future Performance

The goal is to increase the FBI's operations with strategic partners by three percentage points in FY 2023. Cyber Division will ensure continuous

**Cyclops Blink:** In late-2021, the FBI diligently worked alongside foreign partners to dismantle a GRU botnet. In February 2022, the FBI released a Cybersecurity Advisory in collaboration with foreign and domestic agencies and through a corporate partner provided mitigation advice simultaneously. The culmination of the efforts remediated all global and US-based devices and resulted in the largest technical disruption of Russian cyber activity since its invasion of Ukraine.

### FYs 2023/2024 Planned Future Performance (Cont.)

training of the cyber-criminal workforce on this metric through messaging and diligent program management. These lines of effort should result in more targeted and effective information sharing with private sector partners, strengthen public-private partnerships, and help FBI develop new partner relationships to augment FBI's capabilities in disrupting malicious cyber actors.

### Definition

Operations conducted jointly with strategic partners: FBI working cooperatively with other federal, state, local, or tribal government agencies; non-governmental organizations; or foreign governments in cyber operations. This key indicator is based on a threat measure that gauges joint operations with international or Intelligence Community partners. Some of the activities that might be applicable are dangle, false flag, or double agent operations; hybrid search and surveillance; human source penetrated target organization; compromise of a target; or compromise of computer systems.

### Data Validation, Verification, and Limitations

The FBI's Cyber Division is unable to publicly report actual numbers for this metric since the measure aggregates data from FBI classified systems. The FBI will report percent increase.



## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent of confirmed cyber incidents to Department systems [JMD]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 0.001%  | 0.001%  | 0.001%  |
| <b>Actual</b> | 0.0004% | N/A     | N/A     |

### Discussion of FY 2022 Results

Historically, the Justice Security Operations Center (JSOC) has tracked cyber incidents. JSOC is integrating additional logging based on OMB Memorandum M-21-31 and endpoint detection tracking that further enhances capabilities to detect and prevent cyber incidents. In FY 2022, DOJ achieved a ratio of 0.0004%, thereby successfully remaining below the target goal.

### FYs 2023/2024 Planned Future Performance

JSOC will continue to deploy additional endpoint detection agents to provide coverage for the Department, enhancing the ability to detect and respond to potential cyber incidents. Continued development to meet OMB M-21-31 will provide additional logging capabilities and increase the JSOC view of the enterprise.

### Definition

Successful cyber intrusion: Event where a third party (i.e., not an insider threat attack) gained access to law enforcement or otherwise sensitive data on the network. This metric focuses on the Department’s efforts to reduce the number cyber intrusion incidents to Department systems.

**DOJ is Federal Information Security Management Act (FISMA) Effective:** The Office of the Inspector General elevated its assessment of the Department’s overall information security program to “effective,” an improvement over FY 2021 and also identified areas for improvement within the six Department components and fourteen sampled systems audited. OIG assessed DOJ at “optimized” in the respond function, and “managed and measurable” in both identify and protect. To further advance the program, the Department will focus on systematically conducting business impact analyses and contingency planning along with rigorous patch management across all endpoints to elevate recover and detect functions from their current “consistently implemented” rating.

### Data Validation, Verification, and Limitations

JMD OCIO will validate, verify, and certify the data.



## Strategic Objective 2.4: Enhance Cybersecurity and Fight Cybercrime

**Performance Measure:** Percent increase in threat advisories disseminated to the private sector [FBI]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 5%      | 5%      | 5%      |
| <b>Actual</b> | 4%      | N/A     | N/A     |

**Collaboration between the FBI and Department of Homeland Security (DHS) Cybersecurity and Infrastructure Security Agency (CISA) to notify the public of cyber vulnerabilities:** By releasing Joint Cybersecurity Advisories, the FBI and DHS-CISA work jointly to make the public aware of potential vulnerabilities or provide mitigation plans to those who are affected.

### Discussion of FY 2022 Results

Malicious cyber activity threatens U.S. public health and safety, national security, and economic security. Pursuant to the FBI's cyber strategy, the FBI leads the National Defense Cyber Alliance, where experts from the government and cleared defense contractors share threat intelligence in real time, and is co-located with partners in industry, academia, and the financial sector as part of the National Cyber-Forensics and Training Alliance in Pittsburgh and New York City. Cyber implemented a new engagement strategy across FBI field and headquarters programs to assist both operational and intelligence resources in engaging with private sector partners in a way that most effectively impacts investigations. Additionally, FBI has expanded cyber threat and program measures to incentivize the field in increasing reporting, production, and information-sharing specific to external outreach, in partnership with CyD managers.

### FYs 2023/2024 Planned Future Performance

CyD will ensure continuous training of the cyber-criminal workforce on this metric through messaging and diligent program management. The lines of effort of engagement and cyber threat measures should result in more targeted and effective information sharing with our private sector partners, strengthen public-private partnerships, and help FBI develop new partner relationships to augment FBI's capabilities in disrupting malicious cyber actors.

### Definition

**Threat Advisories:** This measure collects joint products including private industry notifications, FBI Liaison Alert System reports, Public Service Announcements, and Joint Cybersecurity Advisories. Through these products, the FBI Cyber Division is able to enhance the private sector's awareness of cyber threats targeting critical infrastructure sectors, share technical information (e.g., indicators of compromise collected by the FBI for use by trusted cyber defense private sector professionals). These products provide recipients with actionable intelligence to aid in threat neutralization. In addition, this measure ensures FBI's compliance with Executive Order 13636, which mandates that the federal government increase the volume, quality, and timeliness of cyber threat information shared with private industry.

### Data Validation, Verification, and Limitations

The FBI Cyber Division routinely tracks dissemination of information, requests for assistance, and private industry notifications and alerts through FBI classified systems. The disseminated information is coordinated with CISA and USIC partners to avoid inundating the private sector. The data are aggregated to measure volume, quality, and timeliness of information sharing. Some of the data sources rely on user entries and consequently, measured progress at the beginning of a year may not fully reflect FBI's efforts to engage with the private sector.



## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

Drug trafficking and substance abuse continue to take a significant toll on the American public. In the twelve months between September 2020 and September 2021, more than 104,000 Americans died due to drug overdose. The overwhelming majority of these deaths involved opioids. The Department will address this harm in several ways. The Department will combat transnational drug trafficking organizations. These organizations are operating a \$500 billion industry that fuels corruption, violence, and terrorism around the globe.

In addition, the Department will address the evolving nature of the illicit drug threat, on both the dark and clear webs. While the dark web remains a threat, social media and e-commerce platforms on the clear web have emerged as new marketplaces to buy and sell counterfeit pills, opioids, and other drugs, as well as dangerous precursor chemicals and the equipment used to manufacture pills. Many of the counterfeit pills sold online, which look exactly like actual pharmaceuticals, are marketed to kids, teens, and young adults, and are often mixed with synthetic fentanyl – the leading driver of the overdose epidemic. Dismantling illicit online drug marketplaces and holding responsible corporations – including responsible executives – who enable these illicit drug marketplaces, are critical to preventing overdoses and stemming the flow of dangerous drugs into our communities.

The Justice Department will also continue to detect, limit, and deter fraud and illegal prescription, distribution, and diversion offenses that result in patient harm. Finally, the Department will address the needs of individuals involved with the justice system who have substance use and mental health disorders to promote long-term recovery.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 3                          | 1                | 1                     |

### Highlights

**Targeting Teams:** In FY 2022, the Drug Enforcement Agency established targeting teams to map criminal organizations and to help build cases that lead to the dismantlement of entire networks. These targeters are key to DEA’s efforts to combat the Sinaloa Cartel, the Jalisco New Generation Cartel, Mexican and Chinese precursor chemical traffickers, Chinese money laundering organizations, emerging threats, and healthcare companies driving diversion.

**Rafael Caro Quintero:** The arrest of Rafael Caro Quintero (RCQ) in 2022 marks a long-time goal for the DEA. In 1985, RCQ and others kidnapped, tortured, and murdered DEA Special Agent Enrique “Kiki” Camarena. Although RCQ was arrested and sentenced to prison in Mexico, he was never extradited to the United States. RCQ became a cofounder of the Sinaloa Cartel in prison and in 2013, Mexican authorities unexpectedly released RCQ.



## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

**Performance Measure:** Percent of disruptions or dismantlements of drug-trafficking organizations focused on the highest priority targets [OCDETF]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 31%     | 31%     | 31%     |
| <b>Actual</b> | 26%     | N/A     | N/A     |

### Discussion of FY 2022 Results

Due to the transition of key positions, the implementation of a new reporting system by a primary submitting agency, travel restrictions, court closures at the beginning of the year, and the backlog of cases that could not be prosecuted, Organized Crime Drug Enforcement Task Forces (OCDETF) achieved 84 percent of its target for FY 2022.

Investigations of consolidated priority organization targets (CPOTs) and the transnational criminal organizations they lead are complex and time-consuming, and the impact of disrupting or dismantling such a network may not be immediately apparent. In fact, data may lag behind enforcement activity. For example, a CPOT-linked organization may be disrupted in one fiscal year and subsequently dismantled in a later year when law enforcement permanently destroys the organization’s ability to operate. Current reporting shows that OCDETF has dismantled 39 CPOT-linked organizations and disrupted another 110 CPOT-linked organizations, which represents 26 percent of the total number of organizations disrupted or dismantled in FY 2022.

In addition to making important gains against the CPOT-linked organizations in FY 2022, OCDETF agencies continued to achieve significant successes against the CPOTs themselves. Over the course of the past year, eleven CPOTs were disrupted and all eleven have been extradited to the United States. Drug trafficking organizations linked to the eleven CPOTs disrupted in FY 2022 have generated 85 OCDETF investigations and 1,464 indictments, which have resulted in more than 4,736 defendants

**Operation Garmint Varmint:** On March 16, 2022, Los Angeles Strike Force agents executed multiple search warrants that resulted in the seizure of over \$1.8 million in cash as a part of a money laundering investigation. On the following day, agents surveilled a target known to comeingle narcotics in loads of scrap metal that led to the arrest of three subjects and the seizure of three fire extinguishers that contained ten pounds of counterfeit M-30 oxycontin (fentanyl) pills (approximately 40,000 pills) and about two kilograms of brown heroin. This investigation is being prosecuted by the U.S. Attorney's Office for the Central District of California.

### Discussion of FY 2022 Results (Cont.)

charged and 3,823 convictions combined over the course of these investigations. Law enforcement activity targeting these CPOTs involved complex and coordinated intelligence driven investigations with cooperation between U.S. law enforcement agencies and international partners due to the global nature of these transnational drug trafficking organizations.

The Department’s FY 2022 successes against dismantling CPOT-linked drug trafficking organizations as well as the significant enforcement actions against CPOTs themselves have resulted in keeping multi-ton quantities of illegal drugs from entering the United States.

### FYs 2023/2024 Planned Future Performance

The target for disrupted and/or dismantled CPOT-linked investigations is 31 percent of all OCDETF disruptions and dismantlements for FY 2023.

OCDETF investigations strive to determine connections among related investigations in order to identify and dismantle the entire structure of the drug trafficking organizations, from international supply and national



## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

**Performance Measure:** Percent of disruptions or dismantlements of drug-trafficking organizations focused on the highest priority targets [OCDETF] (Cont.)

### FYs 2023/2024 Planned Future Performance (Cont.)

transportation cells to regional and local distribution networks.

A major emphasis of the Department’s drug strategy is to coordinate efforts to disrupt the traffickers’ financial dealings and to dismantle the financial infrastructure that supports these organizations. The OCDETF program has the greatest impact upon the flow of drugs through this country when it successfully dismantles an entire drug network by targeting and prosecuting its leadership and seizing the profits that fund continued operations.

### Definition

CPOT: An organization is considered linked to a CPOT if evidence exists of a nexus between the primary investigative target and a CPOT, verified associate, or component of the CPOT organization. A credible link to a CPOT indicates the primary investigative target, if not a CPOT, is no more than six degrees away from the CPOT. This allows investigations to focus on the highest levels of organized crime leadership with the ability to impact and investigate the CPOTs themselves.

Disruption: 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, for example, financing, trafficking patterns, communications, or drug production.

Dismantlement: Destroying the organization’s leadership, financial base, and supply network such that the organization is incapable of reconstituting itself.

CPOT dismantlements and disruptions target: The target is based on the

### Definition (Cont.)

percentage of FY 2022 CPOT dismantlements and disruptions to all OCDETF dismantlements and disruptions. These projections are based on predicted increases in both the overall OCDETF dismantlement and disruption numbers and the CPOT dismantlement and disruption numbers, separately. The projected CPOT dismantlements and disruptions are then divided into the overall OCDETF dismantlement and disruption projections to obtain this percentage.

### Data Validation, Verification, and Limitations

The CPOT list is updated semiannually. Each OCDETF agency has an opportunity to nominate targets for addition to or deletion from the list. Nominations are considered by the CPOT working group. Based upon the working group’s recommendations, the OCDETF operations chiefs decide which targets will be added to or deleted from the CPOT list. Once a CPOT is added to the list, OCDETF investigations can be linked to that CPOT. OCDETF field managers review and confirm the OCDETF links by using the OCDETF fusion center, agency databases, and intelligence information. Field recommendations are reviewed by the OCDETF Executive Office. Ultimately, the OCDETF Executive Office “unlinks” 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 for this measure is obtained through required reporting forms and validations that must be submitted throughout the year.



## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

**Performance Measure:** Amount of diversion, nationally, of opioids and stimulants [DEA]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 366,908 | 308,376 | TBD     |
| <b>Actual</b> | 366,908 | 308,376 | N/A     | N/A     |

### Discussion of FY 2022 Results

Many problems associated with drug abuse are the result of legitimately made controlled substances being diverted from their lawful purpose into illicit drug traffic. Through preventative actions, detections, and investigations, the DEA Division of Diversion Control works to reduce the amount of diverted substances. DEA successfully reduced the amount of drugs diverted in FY 2022. Specifically, DEA reported an estimated 308,376 grams: 290,842 grams of opioids and 17,534 grams of stimulants diverted in FY 2022.

Diversion’s ability to reliably report on stimulants diverted nationally in full compliance of this requirement is still at the developmental stage and given the varied participation by the states to provide anonymized, aggregated state Prescription Drug Monitoring Program (PDMP) data, establishing the baseline for the combined diversion of opioids and stimulants continues to be a work in progress.

### FYs 2023/2024 Planned Future Performance

In FY 2023, DEA will work to reduce the amount of diverted substances to less than the estimated amount in FY 2022. In early FY 2023, DEA Diversion will introduce a national prescription opioid enforcement strategy that encompasses the work of all DEA field divisions tasked with combating the diversion of controlled substances and establish performance metrics to measure the strategy’s progress; elements will be implemented in stages.

The Diversion Control Division will also continue the collection and analysis of anonymized, aggregated state PDMP data, supply chain diversion data extracted from DEA's Drug Theft and Loss database and

**Diversion Trainings:** The Diversion Control Division has hosted trainings to educate practitioners about the diversion and abuse of pharmaceutical controlled substances as well as the DEA regulations pertinent to their practices. During FY 2022, DEA trained 11,524 nurse practitioners, 5,018 dentists and 9,461 pharmacy technicians for a total of 26,003 total registrants. For all sixteen trainings, the Diversion Control Division was able to partner with the respective associations to accredit the trainings to provide continuing education credits for each provider population.

### FYs 2023/2024 Planned Future Performance (Cont.)

future data sets to refine its estimates for stimulant diversion, and thereby establish more reliable national diversion estimates in the future. Moreover, DEA will continue to work within its jurisdictional limitations to solicit and encourage maximum participation by state PDMPs.

### Definition

**Diversion:** All distribution, dispensing, or other use of controlled prescription drugs for other than legitimate medical purposes. The amount of diversion of five critical opioids (fentanyl, hydrocodone, hydromorphone, oxycodone, and oxymorphone) will be calculated in a manner consistent with 21 U.S.C. 826 (i), in which DEA calculates a national diversion estimate for each of the five covered controlled substances as outlined in the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities (SUPPORT) Act when setting the annual aggregate production quota for each of those substances in addition to other factors. The aggregate production quota represents those quantities of schedule I and II controlled substances and the list I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine that may be manufactured in the United States to provide for the estimated medical, scientific, research, and industrial needs of the United States, lawful export requirements, and the establishment and maintenance of reserve stocks.

PDMP data and subsequent reports provided by PDMP Administrators are



## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

**Performance Measure:** Amount of diversion, nationally, of opioids and stimulants [DEA]

### **Data Validation, Verification, and Limitations (Cont.)**

standardized by either the state or the National Association of State Controlled Substances Authorities; however, limitations exist as State PDMP administrators have no statutory requirement to provide this data to DEA for the purposes of estimating diversion. Given the exploratory nature of the Diversion Control Division's effort to quantify and effort on stimulant diversion, the FY 2021 baseline for this measure includes opioids only.





## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

**Performance Measure:** Percent of relevant-funded grantee programs that provide medication assisted treatment, which includes medication plus counseling, as part of their substance use disorder services [OJP]

|               | CY 2022  | CY 2023 | CY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | TBD     | TBD     |
| <b>Actual</b> | TBD      | N/A     | N/A     |

### Discussion of FY 2022 Results

This is a new performance measure for the Department. Actuals and targets for this measure will be ready in late Spring 2023. OJP will use the data from calendar year 2022 to establish a baseline and set targets for the subsequent years.

All applicants to the Adult and Veterans Treatment Court Programs are required to describe plans to provide access to medication assisted treatment (MAT). OJP also encourages or requires grantees, where possible, to make all three forms of U.S. Food and Drug Administration (FDA)-approved medications to treat substance use disorder available to program participants under the care and prescription of a physician. OJP, through the Adult Treatment Court Training and Technical Assistance program, offers technical assistance to grantees to build or expand their capacity to provide access to MAT.

### FYs 2023/2024 Planned Future Performance

Given the continued high rates of polysubstance use, fatal and non-fatal overdose, and high prevalence rates and intersection with the justice system, MAT continues to be a priority. As such, OJP expects that more programs will adopt practices and policies that incorporate MAT as a service where appropriate. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Bureau of Justice Assistance will set future targets after additional data becomes available in Spring 2023.

OJP continues to encourage the implementation and expansion of access to

**Medication Assisted Treatment Peer Site Visits:** As part of OJP’s efforts to prevent overdose death and increase access to life-saving treatments for opioid use disorder, BJA has supported free virtual and on-site peer-to-peer learning opportunities for jurisdictions to observe and learn from programs that have demonstrated success in meeting the treatment and recovery needs of individuals with opioid use disorder in both jail and prison-based settings and upon reentry. For example, in FY 2022, BJA supported five jurisdictions to visit the Hampden County Sheriff’s Department and eleven jurisdictions to visit the Pennsylvania Department of Corrections to learn about successful implementation of MAT programs, share lessons learned, and increase implementation or expansion of MAT programs in their own facilities.

### FYs 2023/2024 Planned Future Performance

MAT across multiple substance use-related programs through the solicitation and award process which will likely impact the number of grantees providing MAT or referring to MAT services and the number of people gaining access to this evidence-based treatment and recovery approach.

### Definition

**Grantee programs:** This is the percentage of select grant programs that provide access to MAT. BJA and OJJDP, offices within OJP, are both contributing grantee data for this measure.

**MAT:** The Department of Health and Human Services’ Substance Abuse and Mental Health Services Administration defines medication assisted treatment (MAT) as the use of medications, in combination with counseling and behavioral therapies, to provide a “whole-patient” approach to the treatment of substance use disorders.



## Strategic Objective 2.5: Combat Drug Trafficking and Prevent Overdose Deaths

**Performance Measure:** Percent of relevant-funded grantee programs that provide medication assisted treatment, which includes medication plus counseling, as part of their substance use disorder services [OJP] (Cont.)

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts' review, electronic controls in the reporting systems, and grant managers' programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric.



## Strategic Objective 2.6: Protect Vulnerable Communities

The Department must be vigilant in protecting and supporting all communities, including the most vulnerable among us. We have a special obligation to protect children, whose victimization ripples through families, communities, and society at large. Likewise, elder abuse, fraud, and neglect remain urgent problems in this country, particularly as the COVID-19 pandemic ushered in a new wave of exploitative practices targeted at seniors. The Department also has a unique legal relationship with, and responsibility to, federally recognized tribes. Gender-based violence, including domestic violence, dating violence, sexual assault, and stalking, cuts across socioeconomic, racial, and geographic lines. In addition, low-income communities, lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) communities, communities of color, people with disabilities, non-citizens, and victims of human trafficking face disproportionately high rates of victimization. The Department is dedicated to rectifying these disparities.

When crimes do occur, the Department is committed to treating crime victims with dignity and respect throughout their involvement in the federal criminal justice system. The Department will provide support and promote services for victims and their families, including through grant-making and collaborations with state, local, and tribal partners.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 6                          | 4                | 1                     |

### Highlights

**Elder Justice Cases:** In the elder justice arena, DOJ prosecutors pursued nearly 300 criminal and civil cases against over 600 defendants between July 1, 2021 and July 30, 2022. For example, on March 2, 2022, a federal judge in the Central District of California sentenced Anuj Mahendradhai Patel to 108 months in federal prison for participating in an elder fraud conspiracy. Patel and others posed as government officials and convinced elderly victims that their identities had been stolen.

**NCVS Dashboard:** BJS published the National Crime Victimization Survey (NCVS) Dashboard, a dynamic analysis tool that allows data users to examine NCVS data on both violent and property victimization by select victim, household, and incident characteristics, as well as the annual bulletin reporting key estimates from the survey. BJS also published several special topic reports using the NCVS data.

**Recovering Missing Children:** In FY 2022, the USMS contributed to the recovery of 424 missing and endangered children. The Marshals also assisted in resolving three missing child investigations in which the child was located outside of the United States.



## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent increase in services to traditionally underserved victim populations through VOCA-funded organizations and anti-human trafficking programs [OJP]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | TBD     | TBD     |
| <b>Actual</b> | 34%      | N/A     | N/A     |

### Discussion of FY 2022 Results

This is a new performance measure for the Department. OJP will use the baseline data from FY 2022 to establish percent increases for the targets.

### FYs 2023/2024 Planned Future Performance

OJP allocates funding to over half of the victim service providers across the country and manages the largest amount of funding across the federal government dedicated to providing services to victims of trafficking. With the far-reaching impact of funding in the field, OJP encourages service providers to ensure equity, rights, and accessibility of services to all victims of crime. Two Victims of Crime Act (VOCA) discretionary programs have been implemented to support building services and training and technical assistance as well as to ensure equity among underserved populations. A new solicitation for FY 2023 applications is forthcoming.

OVC will post the *Field-Generated Solicitation: Increasing Options and Expanding Access for Victims of Crime* in FY 2023. This grant program is anticipated to provide the Office for Victims of Crime (OVC) with the opportunity to solicit field-generated proposals that offer innovative solutions to increase the service options available to crime victims, expand access to underheard and underrepresented communities, and to improve the way information is delivered to crime victims.

**Grant Awards:** OVC awarded \$5 million to an organization in FY 2022 under the *Bridging Inequities – Legal Services and Victims’ Rights Enforcement for Underserved Communities* solicitation for 20 selected legal fellows to be hosted by organizations across the nation and located in underserved communities, particularly Black, Indigenous, and people of color communities. OVC also awarded \$2 million in FY 2022 under the *National Center for Culturally Responsive Victim Services* solicitation to an organization to address the specific needs of victims/survivors from marginalized and underserved communities of color and the organizations that serve them.

### Definition

**Underserved victim populations:** For the purposes of this measure, they are based on demographics of new victims served and will include individuals that have self-reported as Black, Latino, Indigenous and Native American, Asian American, and Pacific Islander. These are victims served through programs funded under VOCA and those programs targeting human trafficking.

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts’ review, electronic controls in the reporting systems, and grant managers’ programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric.



## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent increase in services to traditionally underserved victim populations through VOCA-funded organizations and anti-human trafficking programs [OJP] (Cont.)

### **Data Validation, Verification, and Limitations (Cont.)**

Demographic data are based on new victims served. Therefore, this count underrepresents the total number of individuals served during each reporting period as demographics are only counted the first time an individual receives services, even if they return for services multiple quarters throughout the year. Furthermore, the data rely on individuals self-reporting. This data, collected in one year, will also not capture individuals who are returning clients from previous years.

Fluctuation in funding allocations and unexpected external factors could impact the number of victims served overall, potentially reducing the impact on traditionally underserved victim populations.



## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent of USAOs conducting training on trauma-informed and culturally-sensitive approaches for attorneys, victim witness specialists, and support staff [USAO]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> |         |         |         |
| <b>Actual</b> |         | N/A     | N/A     |

**Training Conference:** In September 2022, the 23rd Annual Southern States Training Conference was hosted by the Eastern, Middle, and Western Districts of North Carolina. The conference curriculum provided for an open exchange of ideas, best practices, and expertise in order to improve the responses of the criminal justice and non-governmental/community-based organizations' systems to the needs of victims. Over 250 attendees from federal, state, and local government and nongovernmental organizations attended.

### Discussion of FY 2022 Results

All U.S. Attorneys Offices were asked whether they had conducted training on trauma-informed and culturally-sensitive approaches for attorneys, victim witness specialists, and support staff; the FY 2022 data reflect the results of that survey. The survey revealed that scheduling burdens, including but not limited to those that resulted from the COVID pandemic, negatively impacted the ability of offices to conduct training in FY 2022.

### FYs 2023/2024 Planned Future Performance

During FYs 2023 and 2024, EOUSA is encouraging USAOs to conduct these specific types of training. EOUSA is sharing training materials and trainers that USAOs have used for this topic as well as points of contact who can assist USAOs in conducting these trainings.

### Definition

The Department seeks to ensure its USAOs are better prepared to address the needs of victims experiencing trauma and to better understand and address the needs of victims with diverse cultural identities. The training may be conducted at the district level through a prerecorded training, a webinar, or an in-person training, subject to USAO resources.

**Trauma-informed:** A trauma-informed approach and response recognizes signs of trauma in victims so USAO staff can respond by integrating knowledge about trauma into policies, procedures, practices, and settings. The approach is outlined on the website for the Department's Office for

### Definition (Cont.)

Victims of Crime Training & Technical Assistance at [ovcttac.gov](http://ovcttac.gov). Trauma-informed training focuses on recognizing that victims experience trauma from a variety of sources.

**Culturally-sensitive:** Being aware that cultural differences and similarities between people exist without assigning them a value.

### Data Validation, Verification, and Limitations

EOUSA's Legal Programs Office issues an annual survey to USAOs seeking verification that USAOs have conducted the training. The Legal Programs' Victim Witness Unit will review and confirm compliance. Validation and verification are not expected to be significant issues. EOUSA will report the data.



## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent of victims reporting that they entered and maintained permanent housing upon exit from an OVW-funded transitional housing program 6 months after program completion [OVW]

|               | CY 2021 | CY 2022 | CY 2023 | CY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 80%     | 80%     | 80%     |
| <b>Actual</b> | 79%     | 80%     | N/A     | N/A     |

### Discussion of FY 2022 Results

The data provided for this performance measure is reported on a calendar year rather than fiscal year. The 2021 actual represents the results from the 2021 calendar year, and the 2022 actual is the data reported to the Office of Violence against Women (OVW) by grantees during calendar year 2022. OVW’s results suggest transitional housing grantees are successfully helping survivors move to safe and stable housing. OVW Transitional Housing Program grantees alone report serving over 6,700 victims, children, and other dependents every six months. In addition to providing about half a million housing bed nights annually, Transitional Housing Program grantees offer survivors and their children an array of services to address their needs holistically. Despite OVW’s record of success in this area, available resources perennially fall short: across programs, grantees report a lack of safe and affordable housing as one of the most significant—if not the most significant—barrier to helping survivors recover. Having a safe place to live is critical for survivors escaping violence and trying to rebuild their lives, but shortages in stable and affordable housing—a longstanding challenge—have grown worse in many communities in recent years.

### FYs 2023/2024 Planned Future Performance

In FYs 2023 and 2024, OVW will continue to administer Violence Against Women Act (VAWA) grant programs that serve victims and hold offenders accountable, including the Transitional Housing Program. A major challenge for grantees is meeting demand for transitional housing as housing

**OVW grants:** Every year, OVW-funded grantees provide more than one million services to victims, investigate and prosecute hundreds of thousands of cases, and train over 600,000 professionals in responding competently and compassionately to violence against women. Filling resource gaps in victim services organizations, law enforcement agencies, prosecutors’ offices, and other entities, OVW grant dollars support administering justice and helping victims as well as innovative approaches that offer communities new tools for helping victims rebuild their lives and holding wrongdoers accountable.

### FYs 2023/2024 Planned Future Performance (Cont.)

availability is limited in many communities and housing costs are high.

### Definition

OVW is measuring the percent of victims leaving transitional housing and moving to permanent housing of their choice.

Transitional housing destination upon exit categories: These are emergency shelter, health care/ substance abuse facility, homeless shelter, hotel/motel, incarceration/jail, temporary housing with family or friends, other transitional housing, other, and permanent housing of choice.

### Data Validation, Verification, and Limitations

The data are self-reported by grantees in the Department’s new Justice Grants system. They are subject to validation scripts and a data cleaning process that aim to ensure the data’s relative accuracy. At this time, the Just Grants system does not provide a grantee performance reporting solution. Until there is a performance reporting solution in place, OVW will dedicate contractor support to manually extract the data. Due to this process, there is a significant data lag for this metric.



## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent of crimes-against-children FBI cases which address abductions, hands-on offenders, sextortion, or enticement [FBI]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 44%     | 46%     | 46%     |
| <b>Actual</b> | 42%     | 54%     | N/A     | N/A     |

**Operation Cross Country XII:** During the first two weeks of August 2022, the FBI partnered with the National Center for Missing and Exploited Children and various federal, state, and local partners conducted Operation Cross Country XII. CEHTTFs from across the country conducted 391 operations which resulted in locating 84 minor victims and 37 missing children. Additionally, 141 adult victims were located, 85 subjects were arrested, and 21 liaison/tripwire relationships were established.

### Discussion of FY 2022 Results

The FBI's crimes-against-children (CAC) program strives to initiate investigations into the most egregious offenders, including abduction, hands-on, sextortion and enticement cases as technological developments and encrypted communications have made CAC investigations more difficult and complex. In FY 2022, the FBI's CAC program exceeded its annual target of initiating 2,496 investigations targeting these priority subjects. The FBI's Child Exploitation and Human Trafficking Task Forces (CEHTTF) have been a vital asset in the ongoing fight against the sexual exploitation of children and human trafficking, expanding to current levels of 87 CEHTTFs nationwide. Continued collaboration with our task force partners has led to 18,718 arrests related to the exploitation of children.

### FYs 2023/2024 Planned Future Performance

The FBI's Criminal Investigative Division (CID) expects field offices will continue to open a variety of CAC cases in FYs 2023 and 2024 to achieve judicial and preventative outcomes. Leveraging future resources and focusing investigators' efforts will increase the number of cases targeting abductions, hands-on offenders, sextortion, and enticement, creating a direct impact on the CAC threat, as well as informing national understanding of the threat.

As technology continues to advance, a significant increase in technical and personnel resources will be needed to mitigate the child exploitation threat. The FBI will continue to take a targeted, intelligence-driven investigative

### FYs 2023/2024 Planned Future Performance (Cont.)

approach to CAC threats, leading to broadly scoped, multi-jurisdictional cases targeting the most egregious offenders.

### Definition

FBI is measuring the percentage of crimes-against-children cases opened during the year that are classified as addressing abductions, hands-on offenders, sextortion, or enticement. CID oversees all criminal programs identified for this metric.

### Data Validation, Verification, and Limitations

The data for this metric is collected from the FBI's case management system. FBI has a detailed case classification system to categorize cases.





## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Number of formal relationships established with state, county, and local law enforcement, either directly or through state Police Officer Standards and Training (POST) councils or commissions, to communicate elder justice best practices [CIV]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 0       | 10      | TBD     |
| <b>Actual</b> | 0       | N/A     | N/A     |

### Discussion of FY 2022 Results

During FY 2022, the Civil Division spent a significant amount of time engaging in outreach to and communicating with state law enforcement organizations as well as researching how they trained their officers and personnel on elder abuse and fraud matters. CIV also conducted outreach to various national law enforcement organizations to obtain their support, with the goal of developing relationships to facilitate dissemination of elder fraud tools to a wider audience. To that end, also in development are a tracking mechanism and an agreement for state law enforcement agencies to collaborate with the DOJ Elder Justice Initiative (EJI) to disseminate elder justice resources and tools available.

### FYs 2023/2024 Planned Future Performance

Going forward, CIV plans to continue outreach to and to negotiate agreements with state law enforcement organizations to best facilitate dissemination of elder fraud tools and training to a wider audience. Additionally, the Department will highlight the importance of elder fraud tools and training and the available resources at national law enforcement forums including the National Sheriffs Association Conference in 2023. Departmental personnel will be writing an article for the June edition of the International Association of Chiefs of Police’s magazine.

**Elder Abuse Guide:** The Department funded the creation of the Elder Abuse Guide for Law Enforcement and has supported the development of a one-hour training by the National Center on Elder Abuse and the National White Collar Crime Center. The training has been certified by the International Association of Directors of Law Enforcement Standards and Training. Over 2,000 law enforcement officers have taken the online Elder Abuse Guide for Law Enforcement training.

### Definition

**Formal relationship:** Relevant state, county, or local “hub” making DOJ elder justice materials available to its members on its internal website, or training platform or sharing information directly with its members via email or newsletter.

**POST:** Each state has a POST council or organization in charge of the training of law enforcement in that state. Each state also has an Association of Chiefs of Police.

Elder justice best practices and resources to be shared will include, but not be limited to, investigative best practices, techniques for conducting forensic interviews with older adults, and information on how to assemble financial information to put together a financial exploitation or fraud case.

### Data Validation, Verification, and Limitations

Per the agreement entered between DOJ and the state organization, EJI will verify the completion of at least two data sharing events by whatever hub is identified by the EJI in that state.



## Strategic Objective 2.6: Protect Vulnerable Communities

**Performance Measure:** Percent of Indian Country homicide cases and sexual abuse cases favorably resolved [USAO]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 90%     | 90%     | 90%     |
| <b>Actual</b> | 95%     | 97%     | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, the Department saw a significant increase in Indian country prosecutions due to the Supreme Court’s decision in *McGirt v. Oklahoma*. This increase created a significant challenge across the entire USAO community, not only in the USAOs for the Northern and Eastern Districts of Oklahoma (the geography directly impacted by the *McGirt* ruling) because the Department realigned resources to Oklahoma to address the increased caseload. In June 2022, the Supreme Court announced its decision in *Oklahoma v. Castro-Huerta*, which also impacted Indian country prosecutions, although the decision did not alter the Department’s jurisdiction or responsibilities within Indian country. The USAO community continues to work to ensure that the Department honors treaty and trust responsibilities with tribes while promoting public safety in Indian country.

The Department announced various initiatives to enhance its ability to successfully prosecute crime in Indian country. These initiatives relate to information sharing, updating USAO Indian Country Operational Plans, training law enforcement, and implementing Savanna’s Act and provisions of the Violence Against Women Act focused on Indian country. In FY 2022, the Department successfully resolved 97 percent of the 442 homicide and sexual abuse cases in Indian Country

### FYs 2023/2024 Planned Future Performance

In FYs 2023 and 2024, the Department will continue its efforts to promote public safety in Indian country and aims to favorably resolve at least 90 percent of homicide and sexual abuse cases in Indian Country.

**Savanna’s Act:** In January 2022, consistent with Savanna’s Act, DOJ issued guidance prepared by EOUSA to all USAOs regarding the development and implementation of regionally appropriate guidelines to respond to cases of missing or murdered American Indians or Alaska Natives. Every USAO with Indian country jurisdiction tailored Savanna’s Act guidelines that addressed the specific circumstances of their districts after consultation with tribal governments and federal, state, local, and tribal law enforcement partners. Moving forward, district-specific Savanna’s Act guidelines will be reviewed and updated annually to ensure they meet the evolving needs of tribes.

### Definition

Favorably resolved: For this performance measure, "favorably resolved" means a disposition of a defendant’s case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files.

### Data Validation, Verification, and Limitations

CaseView is EOUSA’s well-established case management system. Data entry for individual defendants and cases is initiated in the originating U.S. Attorneys Office, and EOUSA’s Data Integrity and Analysis Staff aggregates the data by district and nationally.



## Goal 3: Protect Civil Rights



## Goal 3: Protect Civil Rights

The Justice Department was founded during Reconstruction to protect the civil rights promised by the Thirteenth, Fourteenth, and Fifteenth Amendments. This work required confronting the racist conduct of the Ku Klux Klan and others who used terror and violence to keep Black Americans from exercising their rights. Today, more than 150 years after the Department’s founding, far too many Americans still face discrimination. Among other things, discrimination persists in voting, housing, and the criminal justice system, and historically underserved communities have disproportionately borne the brunt of the harm caused by pandemic, pollution, and climate change. We honor the Department’s history by committing to a whole-of-Department approach to protecting civil rights and reducing barriers to equal justice and equal enjoyment of the rights, privileges, and immunities established by the Constitution and laws of the United States.

### Enterprise Risk Themes

- Barriers to civil rights
- Changes in the legal landscape
- Impact of technology
- Data collection and analysis limitations
- Coordination challenges
- Building trust
- Need for community support
- COVID-19 pandemic-related challenges
- Climate change
- Disparate impacts of environmental problems



## Strategic Objective 3.1: Protect the Right to Vote

The right to vote is the cornerstone of our democracy – the right from which all other rights ultimately flow. The Department has a longstanding role in protecting the right of American citizens to participate in fair and free elections. In recent years, state legislatures across the country have introduced laws that restrict eligible voters from accessing the ballot or that otherwise have the intent or effect of discriminating against voters on account of their race, color, or language minority status. Historical barriers limiting ballot access for voters with disabilities or voters with limited English proficiency also persist. There has also been an alarming increase in the number of violent and other unlawful threats against election officials, workers, and volunteers. These threats are an affront to our system of government and undermine public confidence in our election results. The Department will use every tool at its disposal to address these challenges.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 3                          | 3                | 0                     |

### Highlights

**Threat to Election Workers Task Force:** DOJ established the Threats to Election Workers Task Force in response to an increase of threats targeting election workers following the 2020 U.S. General Election. FBI CID's Public Corruption and Civil Rights Section implemented a Bureau-wide effort through its Election Crimes Coordinator program to identify, mitigate, and investigate threats targeting election workers, which resulted in extensive outreach with the election and law enforcement communities, receipt and review of over 1,000 potentially threatening/harassing contacts with election workers, and seven federal judicial outcomes.

**Public Corruption:** On July 20, 2022, Jerry Trabona, the former Chief of Police in Amite City, and Kristian “Kris” Hart, a current Amite City council member, pleaded guilty to conspiring to pay and offering to pay voters residing in Tangipahoa Parish, Louisiana, for voting in the 2016 open primary election and the 2016 open general election. Trabona and Hart admitted that they agreed with each other and others to pay or offer to pay voters during contests in which the defendants were candidates and in which federal candidates appeared on the same ballot.

**Language Access:** In December 2021, the Census Bureau released new determinations of which jurisdictions across the country are covered by the language minority requirements of Section 203 of the Voting Rights Act (VRA). The Civil Rights Division (CRT) undertook extensive outreach to covered jurisdictions after the determinations were made including letters, calls, and election day monitoring where appropriate, with a particular focus on jurisdictions and languages that are more recently covered.



## Strategic Objective 3.1: Protect the Right to Vote

**Performance Measure:** Number of new Voting Rights Act matters initiated [CRT]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 4       | 4       | 4       |
| <b>Actual</b> | 21      | 23      | N/A     | N/A     |

**Agreement with Ohio:** On March 18, 2022, the Department entered into an agreement with the state of Ohio concerning compliance with the Uniformed and Overseas Citizens Absentee Voting Act for the May 3, 2022 primary election.

### Discussion of FY 2022 Results

The Civil Rights Division exceeded its target for FY 2022 - initiating 23 VRA matters in a year. Between 2021 and 2022, the Division experienced a spike in new complaints, new settlement agreements, and new amicus participation filed under all federal civil rights statutes that implicate voting rights and the voting rights work of the Voting , Appellate, and Disability Rights Sections within CRT.

### FYs 2023/2024 Planned Future Performance

CRT seeks to initiate at least four new Voting Rights Act matters in FY 2023 and at least four new voting rights matters by FY 2024.

### Definition

Number of new Voting Rights Act matters initiated by sending notice letters, reaching resolutions, filing complaints, or filing amicus briefs or statements of interest.

### Data Validation, Verification, and Limitations

CRT captures all litigation data in the Interactive Case Management WebTime system. Data in that system is validated periodically by Division staff.



## Strategic Objective 3.1: Protect the Right to Vote

**Performance Measure:** Percent of cases prosecuting threats of violence and intimidation against election officials that are favorably resolved [CRM]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 75%     | 75%     | 75%     |
| <b>Actual</b> | 100%    | N/A     | N/A     |

### Discussion of FY 2022 Results

In June 2022, a Nebraska man, Travis Ford, pleaded guilty to making multiple threatening posts on an Instagram page associated with an election official. In addition to this case, the Criminal Division had five additional cases pending at the end of FY 2022.

### FYs 2023/2024 Planned Future Performance

CRM places a priority on cases involving violence and intimidation against election officials. The Department will continue to evaluate cases on their individual merits consistent with its prosecution guidelines. Cases accepted for federal investigation will be thoroughly reviewed prior to indictment to ensure that there is sufficient evidence to support a criminal conviction. All relevant evidence will be carefully assessed by federal prosecutors. Additional criminal prosecutions support the Department’s efforts to protect the right to vote.

### Definition

Favorably resolved: Disposition of a defendant’s case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files. Cases applicable to this measure are determined by charges filed or program categories captured in the case tracking system.

**Threats against an Election Official:** On June 16, 2022, Travis Ford pleaded guilty to making threats by use of a telecommunications device against the Colorado Secretary of State. According to court documents, Travis Ford, 42, of Lincoln, issued threats to an election official, including: “Do you feel safe? You shouldn’t. Do you think Soros will/can protect you?” and “Your security detail is far too thin and incompetent to protect you. This world is unpredictable these days....anything can happen to anyone.” Ford also posted similar messages on Instagram pages associated with the President of the United States and with another public figure.

### Data Validation, Verification, and Limitations

CRM captures all litigation data in its case tracking system, Docket. Data in that system are validated quarterly by the section chief in each of the litigating sections. Because the vast majority of the criminal referrals of hostile communications sent to the election community have not included a threat of unlawful violence, which is necessary to distinguish potentially criminal speech from protected speech, the Criminal Division expects a low number of dispositions for this key performance indicator each fiscal year.



## Strategic Objective 3.1: Protect the Right to Vote

**Performance Measure:** Percent of BOP facilities providing structured curriculum on voting rights to releasing individuals [BOP]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 49%     | 100%    | 100%    |
| <b>Actual</b> | 99%     | 100%    | N/A     | N/A     |

**Voting Registration:** In 2022, the District of Columbia Board of Elections confirmed 824 currently incarcerated individuals registered to vote. This is an increase of 262 voter registrations since the 2020 General Election.

### Discussion of FY 2022 Results

In FY 2022, the Bureau of Prisons created a “Know Your Voting Rights” curriculum for the Institution Admission and Orientation program. As a result, each BOP facility provided structured voting rights curriculum via the mandatory Admission and Orientation program to BOP offenders. Admission and Orientation is a national program required for all BOP offenders.

### FYs 2023/2024 Planned Future Performance

In FYs 2023 and 2024, BOP will continue to provide training and coaching to Admission and Orientation instructors to ensure fidelity to the required curriculum. A Release Orientation Program (ROP) policy will be negotiated with the national union. Proposed language will routinely provide voting rights information to inmates prior to leaving secure custody.

### Definition

BOP’s Community Reentry Affairs Branch coordinated the development of the standardized program curriculum for the ROP Program Statement. ROP is conducted with all inmates who are seventeen to twenty months prior to release to the Residential Reentry Center, home confinement, direct release, or those on federal location monitoring programs. Specifically, voting rights are discussed during the legal issues lesson plan and BOP provides materials regarding voting.

### Data Validation, Verification, and Limitations

Data validation is provided by the Reentry Affairs Coordinators. Verification is conducted through pre- and post-testing from each institution.

Limitations: The ROP program has not been negotiated with the union. Therefore, implementation must be negotiated locally. The draft policy is ready to be negotiated. At this time, 57 out of 122 institutions voluntarily implement the ROP standardized programming.





## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

Combating discrimination and unlawful acts of hate remain an urgent and pressing mandate for the Justice Department. Historically, more than half of all hate crimes motivated by race and ethnicity have targeted Black Americans. In recent years, Asian American and Pacific Islander communities and businesses have experienced hateful, xenophobic rhetoric and violence. We have also seen sharp increases in hate crimes motivated by the sexual orientation or gender identity of the victim. And we have seen acts of hate that target houses of worship and religious communities. The Justice Department does not investigate or prosecute people because of their ideology or the views they hold, no matter how vile. However, the Department does have the authority, and will not hesitate to act, when individuals commit violent acts that are motivated by bias or hatred. More broadly, the Department will aggressively enforce federal statutes that protect against discrimination and other civil rights violations.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 4                          | 4                | 0                     |

### Highlights

**Title VI Retaliation:** DOJ reached a settlement agreement with the Florida State Courts System to resolve a retaliation investigation and finding under Title VI of the Civil Rights Act of 1964. As part of the settlement, the Florida State Courts will implement anti-retaliation policies and training and pay \$160,000 in damages to a former employee who experienced retaliation. DOJ concluded that Florida State Courts unlawfully terminated the employee for assisting a limited English proficient court user and for assisting an advocate who filed a complaint about language access services.

**United States v. Jose Gomez III:** The defendant pleaded guilty to three counts of committing a hate crime for attacking an Asian family with young children whom he believed them to be responsible for the COVID-19 pandemic because he thought they were Chinese. Gomez followed the Asian family in a store for several minutes because he perceived them to be a “threat” as they were “from the country who started spreading that disease around.” Gomez returned to the Asian family and punched the father, identified by the initials B.C., in the face, cutting him with a knife. Gomez went after B.C.’s two young children – aged 6 and 2 years old – who were seated in the front basket of the shopping cart. Gomez slashed open the face of the then-six-year-old child. The blade entered millimeters from the child’s right eye, split his right ear, and wrapped around to the back of his skull. Gomez also stabbed a white store employee who intervened to stop Gomez from further assaulting the family. While being held down on the ground, Gomez yelled at the family, “Get out of America!” Gomez was sentenced to 25 years in prison.



## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

**Performance Measure:** Number of Title VII and Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) investigations [CRT]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 20      | 20      | 20      |
| <b>Actual</b> | 26      | 22      | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, the Civil Rights Division sought to prohibit discriminatory employment practices by initiating 22 investigations.

### FYs 2023/2024 Planned Future Performance

Based upon review of the prior year data, CRT will aim to conduct at least twenty investigations annually in FYs 2023 and 2024.

### Definition

Title VII: Title VII prohibits employment discrimination based on race, religion, color, religion, sex and national origin.

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA): USERRA protects the employment rights of U.S. service members.

Both Title VII and USERRA authorized investigations and litigation can be brought across the entire United States and the territories. For investigations that lead to litigation, complaints are filed in federal court and the cases are resolved through consent decree, settlement agreement, or favorable judgment to United States.

**USERRA Violations:** CRT settled ground-breaking USERRA litigation against Prince George County, Virginia and the Virginia Retirement System for violating the employment rights of Major Mark Gunn because of his military service obligations. The Department sued the defendants after finding they violated USERRA by failing to properly reemploy Major Gunn as a detective, creating a hostile work environment, and failing to award him employment benefits and pension credits and payments upon his return from active duty. This was this first time the Department had sued a state and local entity at the same time and our first hostile work environment claim under USERRA.

### Data Validation, Verification, and Limitations

CRT captures all litigation data in Interactive Case Management WebTime system. Data in that system are validated periodically by Division staff.



## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

**Performance Measure:** Number of limited English proficiency individuals who access Department-funded materials in their native language to understand federal hate crimes and anti-discrimination laws [CRT]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 30,000  | 35,000  | 35,000  |
| <b>Actual</b> | 35,403  | N/A     | N/A     |

### Discussion of FY 2022 Results

CRT began reporting on this measure in FY 2022 and exceeded its target by 18 percent.

### FYs 2023/2024 Planned Future Performance

As part of the Department’s overall effort to combat hate crimes and discrimination, making materials available in an individual’s native language will improve accessibility and awareness of the laws that are designed to protect all individuals, including those with limited English proficiency. CRT will continue to make improvements to our in-language content and resources to ensure that they are more accessible to LEP individuals in FYs 2023 and 2024. CRT will also focus on strengthening its data collection process for this measure.

### Definition

This measure focuses on LEP individuals who access DOJ materials. Per Google, “A pageview (or pageview hit, page tracking hit) is an instance of a page being loaded or reloaded in a browser. Pageviews is a metric defined as the total number of pages viewed.”

**Restarting Quarterly Outreach Meetings:** CRT leadership reinstated a quarterly engagement between federal agencies and organizations representing Arab, Hindu, Muslim, Sikh, and South Asian communities. These meetings provide community groups the chance to talk directly with federal agencies on a range of issues such as the religious discrimination facing their communities. CRT collaborates with a wide range of federal partners, more than fifteen agencies, to address hate crimes, religious discrimination, and related issues impacting Arab, Hindu, Muslim, Sikh, and South Asian communities.

### Data Validation, Verification, and Limitations

Pageviews are not limited to LEP individuals, and though they aren’t the exclusive users, we assume that most people using non-English content are speakers of those languages. Pageviews of translated content are being used as a proxy for access of and awareness for LEP individuals.



## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

**Performance Measure:** Percent of United States Attorney’s Offices that meet at least annually with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents [USAO]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 65%     | 100%    | 100%    |
| <b>Actual</b> | 27%     | 81%     | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, 76 out of 94 USAOs met with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents. Three USAOs piloted the United Against Hate (UAH) Community Outreach Program. Following the success of the pilot, EOUSA selected an additional sixteen USAOs to serve in the first cohort of the Department’s national UAH implementation. EOUSA, CRT, and other stakeholders within the Department continued to provide training and resources to the USAO community to facilitate their work with local law enforcement partners and community stakeholders.

### FYs 2023/2024 Planned Future Performance

To achieve the targets for FYs 2023 and 2024, EOUSA will encourage USAOs to join and take on leadership roles in hate crime alliances, including forming such alliances in districts where they are not currently present. EOUSA will provide guidance to USAOs on effective ways to work with community representatives and local civil rights leaders on hate crimes and incidents. Based on the successes of the first cohort, EOUSA and CRT will announce the remaining districts that will participate in cohorts 2, 3, and 4 of the UAH Program. USAOs participating in UAH cohorts 2, 3, and 4 are scheduled to hold UAH events by the end of FY 2023. Further, lessons learned from successful USAOs will be disseminated to the USAO community so that they can be applied nationwide as appropriate, subject to the individualized needs of each district.

**United Against Hate:** The Attorney General announced on September 15, 2022 that over the next year, all 94 U.S. Attorneys’ Offices will host a new nationwide initiative to combat unlawful acts of hate. The United Against Hate program is convening local forums that connect community groups to federal, state, and local law enforcement to increase community understanding and reporting of hate crimes, build trust between law enforcement and communities, and create and strengthen alliances between law enforcement and other government partners and community groups to combat unlawful acts of hate. The initiative expands the United Against Hate community outreach program piloted in three USAOs in early 2022.

### Definition

Percentage of USAOs that engage in outreach events or other mechanisms to build trust, raise awareness, and educate the community in their districts regarding identification and reporting of hate crimes or incidents.

### Data Validation, Verification, and Limitations

The data for this metric will be gathered annually by surveying the USAOs. EOUSA will provide substantive guidance to USAOs on the data collection process for this metric.



## Strategic Objective 3.2: Combat Discrimination and Hate Crimes

**Performance Measure:** Percent of criminal cases addressing civil rights violations, including hate crimes, favorably resolved [CRT]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 80%     | 85%     | 85%     |
| <b>Actual</b> | 96%     | 100%    | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, the Civil Rights Division favorably resolved 97 percent of the Department’s criminal cases addressing civil rights violations, including hate crimes.

### FYs 2023/2024 Planned Future Performance

The passage of the Violence Against Women Reauthorization Act in March 2022 included expanded jurisdiction for CRT over crimes involving sexual violence and enhanced tools available to the Division to combat it. As a result of this increased authority, CRT will handle more sexual assault investigations and cases. VAWA 2022 also increased the penalties against defendants who commit civil rights offenses involving sexual misconduct, which includes those who commit sexual assault while acting under color of law. Sexual assault by prison officials has been an issue in many of the investigations addressed by CRT’s Special Litigation Section. This development will certainly impact the Division’s performance in FYs 2023 and 2024. There is an expectation generally that the number of cases will increase.

### Data Validation, Verification, and Limitations

CRT captures all litigation data in the Interactive Case Management WebTime system. Data in that system are validated periodically by Division staff.

**Convictions in the Ahmad Aubrey Case:** A federal jury found three men guilty of hate crimes in connection with the pursuit and killing of Ahmaud Arbery. The evidence at trial proved that race formed a “but-for” cause of the defendants’ actions on Feb. 23, 2020, meaning that, without that factor, the defendants would not have chased down a Black man whom they assumed, without evidence, was a criminal. Two of the defendants received life sentences plus ten years and seven years respectively; the other accomplice was sentenced to 35 years.

### Definition

Favorably resolved: Disposition of a defendant’s case in which the defendant is found guilty, or any government-endorsed disposition, such as a motion to dismiss a case that the government files.

Civil rights violations: Includes all civil rights criminal cases. These cases focus on primary civil rights statutes including hate crimes (18 U.S.C. 247,249; 42 U.S.C. 3631), human trafficking (18 U.S.C. 1201, 1591, 1592, 1594, 2422), and color of law (18 U.S.C. 242, 1512), as well as a number of general criminal statutes that may be associated with a particular case.

### Historical Data

|                | Actual |
|----------------|--------|
| <b>FY 2018</b> | 87%    |
| <b>FY 2019</b> | 89%    |
| <b>FY 2020</b> | 93%    |



## Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

Criminal and juvenile justice systems – at the federal, state, local, and tribal levels – serve an important role in protecting communities and seeking justice for victims. For these systems to be effective, they must be fair, open, and equitable; ensure that sanctions are proportional to the gravity of offenses committed; utilize evidence-based approaches; show mercy where appropriate; and promote rehabilitation. For too long, however, these systems have not lived up to their promise. The Justice Department is committed to using every tool available to become a national and international role model for innovative and effective criminal and juvenile justice reform.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 4                          | 1                | 1                     |

### Highlights

**DEA Critical Incident BWC Management and Pre-release Video Handling Guide:** This mission-critical resource is a step-by-step guide for processing body worn camera (BWC) video following a critical incident, depicting the entirety of the lifecycle from video capture to public release. Once finalized, the guide will be shared internally in DEA and with the other DOJ law enforcement components.

**Tribal Access Program (TAP) Expansion:** On September 27, 2022, the Department announced selection of an additional sixteen federally recognized tribes to participate in the continued expansion of the Tribal Access Program for National Crime Information (TAP). TAP provides tribal governments with means to access, enter, and exchange data with national crime information systems, including those maintained by the FBI Criminal Justice Information Services Division. Using TAP, tribes have shared information about missing persons; registered convicted sex offenders; entered domestic violence orders of protection for nationwide enforcement; run criminal histories; identified and arrested fugitives; entered bookings and convictions; and completed fingerprint-based record checks for non-criminal justice purposes such as screening employees or volunteers who work with children. This expansion brings the total number participating tribes to 123. The Office for Tribal Justice (OTJ) and JMD OCIO manage the TAP program funded by COPS, OVW, and OJP.



## Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

**Performance Measure:** Percent of federal law enforcement officers who receive use of force sustained training within a three-year period [ATF, BOP, DEA, FBI, USMS]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 85%     | 95%     | TBD     |
| <b>Actual</b> | 92%     | N/A     | N/A     |

**Use of Force Training:** ATF developed training specific to ATF’s use of force policies and their compliance to DOJ’s updated policies. In September 2022, ATF provided this training for all headquarters agents. This training is mandatory for all field agents in FY 2023.

### Discussion of FY 2022 Results

This is a new measure for the Department, as part of its efforts to promote trust between the agency’s law enforcement officers and the public they serve. The DOJ law enforcement components (BOP, FBI, ATF, USMS, and DEA) began implementing a robust training program for their agents during FY 2021. In FY 2022, the Department achieved a 92 percent compliance rate, exceeding its target by 7 percent. Components enhanced existing use of force training to align with guidance issued in the Attorney General's memo which updated the Department’s use of force policy, emphasizing a shared obligation to lead by example in a way that engenders the trust and confidence of the communities that DOJ serves. Components utilized existing training and continuing education to implemented protocols to allow staff to complete the updated use of force training. Agents taking part set internal targets to contribute to the Department’s target. Components are also making use of train the trainer models to increase instructors in the field.

### FYs 2023/2024 Planned Future Performance

By FY 2023, the Department aims to have at least 95 percent of its law enforcement officers receive use of force training within a three-year period. Each DOJ law enforcement component sets its own internal targets and will continue to conduct its own use of force training for law enforcement officers at least once every three years.

In order to support use of force training for both new and existing law enforcement officers, components will continue to conduct train the trainer

### FYs 2023/2024 Planned Future Performance (Cont.)

courses to increase the number of trainers in field offices. Components continue to identify additional resources and opportunities to improve use of force training overall by offering more scenarios more often in FY 2023 and beyond.

### Definition

Use of force training, as developed by each DOJ law enforcement component consistent with the Attorney General’s May 20, 2022 updated use of force policy, is delivered to each special agent at least once every three years.

### Data Validation, Verification, and Limitations

Each law enforcement component will manage its own internal data tracking and validation process. The data will be monitored by each component as well as the Department throughout the fiscal year. The Department will report aggregated data on an annual basis.



## Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

**Performance Measure:** Percent of participants in CRS-facilitated police-community relations programs who perceive stronger community capacity to address alleged inequities [CRS]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 80%     | 80%     | 80%     |
| <b>Actual</b> | 75%     | 75%     | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, the Department's Community Relations Service (CRS) reported 75 percent of the participants in their facilitated police-community relations programs perceived stronger community capacity. CRS received the results in FY 2022; however, the case study and data are from services and evaluations conducted in FY 2021. In FY 2022, CRS was unable to conduct a case study evaluation of police-community relations programs because the agency could not identify a community willing to participate in the evaluation process. According to CRS's mandate, all services, including conducting case studies, require the voluntary participation of stakeholders.

### FYs 2023/2024 Planned Future Performance

In FY 2023, CRS plans to conduct a case study evaluation in Hamden, CT. In coordination with the City of Hamden, Hamden Police Department, and leaders from community-based organizations, CRS will conduct the case study of the Strengthening Police and Community Partnerships (SPCP) program delivered in December 2020. The case study will identify the perceived outcomes of the program and the work of the SPCP Council. CRS expects the case study to be completed by June 2023.

### Definition

CRS-facilitated dialogue programs convene diverse stakeholders in a structured problem-solving process to identify issues impacting the community and to develop solutions to address these issues.

**Strengthening Police and Community Partnerships:** Erie SPCP Council has met once a month since April 2018. Accomplishments include providing cultural diversity and sensitivity training and implicit bias training to Erie police officers, hosting public forums to educate the community on police practices and to learn about issues impacting the community, requiring body cameras for every police officer, and hiring a full-time recruiter to focus on increasing the diversity of people of color and women in the Department.

### Data Validation, Verification, and Limitations

CRS collects evaluation data from program participants, including community members and public officials via online surveys and focus groups. The data are analyzed by CRS to identify trends and then synthesized for internal and external reporting. They are validated and verified by comparing the survey and interview results and identified outcomes (for example, SPCP Council accomplishments) to confirm consistency and identify any anomalies warranting further investigation. The data have limitations, including voluntary completion of surveys, voluntary participation in focus groups, potential respondent bias in areas such as their assessment of their own capabilities, and recall accuracy of survey and focus group participants.





## Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

**Performance Measure:** Percent of federal law enforcement officers equipped with body-worn cameras and associated training [ATF, DEA, FBI, USMS]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> |         |         |         |         |
| <b>Actual</b> |         | 6%      | N/A     | N/A     |

### Discussion of FY 2022 Results

This is a new measure for the Department, as part of its efforts to promote trust between the agency’s law enforcement officers and the public they serve. The DOJ law enforcement components (FBI, ATF, USMS, and DEA) began equipping their officers with and training them on the use of body-worn cameras. These data were used to establish a one-percent baseline in FY 2021 for the metric. The Department continues to implement the use of BWCs and conduct associated training in phases; however, progress on this metric was hindered due to lack of funding. In FY 2022, the Department did not meet its target but continued to equip law enforcement officers with BWCs and associated training as funding allows. The law enforcement components created a framework and implemented policy for a BWC program as well as established critical infrastructure for BWC usage to include procurement plans, software/data storage solutions and training platforms. Components also shared their knowledge within and outside the Department. For example, DEA shared lessons learned from outfitting its Special Response Team to aid other components in equipping and training their elite teams.

### FYs 2023/2024 Planned Future Performance

In FY 2023, each DOJ law enforcement component will continue its efforts to implement Phase I of the BWC program. This includes training and equipping agents on BWCs for actual use. The Department will also assess the challenges associated with implementing the BWC program throughout its law enforcement components. Department components continue to innovate and share knowledge in this area. Under development are a Critical

**Developing a Leading Body-Worn Camera (BWC) Model:** Within six months, the USMS established the critical infrastructure related to the usage of BWCs, assessed the deployment of BWCs through enhanced monitoring, evaluated the viability of specific processes, and developed a roadmap for future deployments of BWCs to other districts and regional fugitive task forces. DOJ law enforcement components, to include the ATF and DEA, as well as other federal law enforcement components such as DHS HSI are now following the USMS model.

**Special Response Team with Body-Worn Cameras:** The DEA is the first DOJ law enforcement component to outfit a Special Response Team with BWCs. DEA is the only DOJ component that has outfitted members of elite-trained personnel with BWCs and has assisted ATF, FBI, and USMS with lessons learned from this endeavor which could prove useful if those components intend to provide their elite teams with similar training under their respective BWC programs.

### FYs 2023/2024 Planned Future Performance

Incident BWC Management and Pre-release Video Handling Guide and innovative approaches for data storage and maintenance. For FY 2023, the Department aims to have at least 38 percent of its law enforcement officers trained on and equipped with BWCs and will set its FY 2024 target at a later date. Progress on this metric will continue to be impacted by funding levels.

### Definition

Number of special agents in roles where the Deputy Attorney General’s BWC guidance applies equipped with BWCs and required training, divided by total number of onboard agents at the end of the measured period.



## Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

**Performance Measure:** Percent of federal law enforcement officers equipped with body-worn cameras and associated training [ATF, DEA, FBI, USMS]

### **Data Validation, Verification, and Limitations**

Each law enforcement component will manage its own internal data tracking and validation process. The data will be monitored by each component as well as the Department throughout the fiscal year. The Department will report aggregated data on an annual basis.



## Strategic Objective 3.3: Reform and Strengthen the Criminal and Juvenile Justice Systems

**Performance Measure:** Percent of Justice Assistance Grant Program law enforcement grantees using innovation and evidence-based practices [OJP]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | TBD     | TBD     |
| <b>Actual</b> | TBD      | N/A     | N/A     |

### Discussion of FY 2022 Results

This is a new performance measure for the Department. OJP anticipates the full year of data to be available in spring 2023.

### FYs 2023/2024 Planned Future Performance

This measure looks at the extent to which Justice Assistance Grant (JAG)-funded law enforcement agencies are implementing best and promising policing practices and developing policies and procedures that promote accountability and improve training and hiring practices. OJP will use the data from fiscal years 2022 and 2023 to determine the future targets for this performance measure. In addition, BJA will use this data to help determine the extent to which grant funds have been used to promote police reform activities and will continue to encourage evidence-based practices.

### Definition

The percentage of grantees who used innovation and evidence-based practices to conduct police reform activities with JAG funds within four broad topic areas including 1) accountability 2) hiring, training, and internal agency culture; 3) community trust, partnerships and problem-solving; and 4) other.

**OJJDP Listening Sessions:** Office of Juvenile Justice and Delinquency Prevention held sixteen listening sessions, including two youth town halls to hear directly from juvenile justice stakeholders and young people with lived experience about how OJJDP can implement its three priorities: treating children as children; serving children at home, in their communities, with their families; and opening opportunities for system-involved youth. OJJDP will use the feedback from the 712 participants representing a diverse array of stakeholders from 41 states, the District of Columbia and one territory to inform an action plan that will guide the agency’s work in the years ahead.

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts’ review, electronic controls in the reporting systems, and grant managers’ programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric.



## Strategic Objective 3.4: Expand Equal Access to Justice

Millions of people across the United States face barriers and inefficiencies in our legal systems that undermine trust in government and the rule of law. The Department of Justice has a fundamental responsibility to expand equal access to justice for all, regardless of income, status, or identity. Equal access to justice requires innovative and community-centered approaches, including through improving the Department’s use of technology, expanding language and disability access, and pursuing culturally competent approaches. Equal access to justice also requires transparency, study, and constant evaluation through improved research and data collection to better understand access-to-justice gaps and better gauge whether programs are effective, equitable, and accessible.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 2                          | 1                | 1                     |

### Highlights

**Office for Access to Justice:** In October 2021, the Department reestablished the Office for Access to Justice (ATJ) to modernize, expand, and improve the Department’s access to justice function. The Office includes the Department’s first Department-wide Language Access Coordinator.

**Federal Pro Bono Program:** Expanding the federal Pro Bono Program and its resources for the first time in over twenty years has allowed ATJ to create pathways for thousands of federal attorneys to volunteer to help fill the justice gap.

**Organization for Economic Co-operation and Development (OECD) Access to Justice Roundtable:** In September 2022, ATJ attended the OECD Global Access to Justice Roundtable in Riga, Latvia, where 38 member countries convened to collaborate on people-centered approaches to access to justice including criminal justice.

**Diversion and Restorative Justice:** In FY 2022, National Institute of Justice released a solicitation seeking proposals for rigorous research and evaluation projects examining the impact of diversion programs that promote alternatives to incarceration among persons who experience mental health issues and projects examining the impact of restorative justice strategies.

**Reentry Coordination Council’s Report:** ATJ, in collaboration with six other federal agencies, drafted and published the *Reentry Coordination Council’s Report*, to present recommendations to Congress on reducing barriers to successful reentry for individuals released from incarceration, and hosted a Reentry Simulation that allowed high level federal officials to better understand and discuss the complex hurdles and barriers faced by people impacted by the criminal legal system.



## Strategic Objective 3.4: Expand Equal Access to Justice

**Performance Measure:** Percent of eligible individuals represented by consistent defense counsel throughout that individual’s justice system involvement [OJP]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | TBD     | TBD     |
| <b>Actual</b> | TBD      | N/A     | N/A     |

### Discussion of FY 2022 Results

OJP will use the grantee data from FY 2022 to establish a baseline. FY 2022 data will not be ready until late Spring 2023.

### FYs 2023/2024 Planned Future Performance

The Department of Justice has a responsibility to ensure equal access to justice for all. By having one defense counsel at all stages of representation for a case (i.e., arraignment, hearings, trial, sentencing, appeal, and reentry), eligible individuals are represented in a consistent manner. Counsel has increased time and familiarity with individuals, which assists with defense advocacy.

For this metric, OJP will use the baseline established in FY 2022 to determine future targets for the metric.

### Definition

OJP is measuring the percent of eligible individuals receiving vertical representation.

Vertical representation: Individual is represented by one defense counsel during all stages of their case under the jurisdiction of the juvenile justice system (i.e., arraignment, hearings, trial, sentencing, appeal, and reentry).

**Enhancing Juvenile Indigent Defense:** OJJDP awarded \$2.5 million under the Enhancing Juvenile Indigent Defense initiative, which is designed to ensure that youth involved in the juvenile justice system have access to high-quality legal representation and to resources that address the collateral consequences of justice system involvement. Funding will support the Gault Center to continue its work to ensure high-quality legal representation for young people, to protect them while also strengthening public faith in the juvenile justice system.

**BJA Funds Holistic Defense Curriculum:** In 2022, BJA began to develop a curriculum on holistic defense and engaged three Indian legal services programs to partner with an Indian tribe in to address criminal defense matters and collateral consequences. In support of this effort, BJA made an award in FY 2022 to Montana Legal Services Association and the National Association of Indian Legal Services through the Tribal Civil Legal Assistance program.

### Data Validation, Verification, and Limitations

Accurate data rely on correct tracking and entry by the grantees; as such, the data and analytical findings provided reflect the information as grantees have reported. These analytical findings make no claims of causation or demonstrate evidence of program effectiveness. Grantee performance data are verified by analysts’ review, electronic controls in the reporting systems, and grant managers’ programmatic monitoring. Data cleaning techniques are applied to the data after reporting is complete which includes a review for missing, duplicate, or outlier data. Grant managers review and verify performance measure data during on-site visits and desk reviews. Due to the collection process, there is a data lag for this metric.



## Strategic Objective 3.4: Expand Equal Access to Justice

**Performance Measure:** Number of Justice Department strategic partnerships established by the Office for Access to Justice [ATJ]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 6       | 10      | 20      |
| <b>Actual</b> | 10      | N/A     | N/A     |

### Discussion of FY 2022 Results

External factors have made the expansion of access to justice a critical need for focus, particularly coming on the heels of COVID-19 which exacerbated and highlighted access to justice gaps in court systems and emphasized the importance of strategic partnerships in advancing access to justice. In FY 2022, the Office for Access to Justice successfully met and surpassed its performance target for establishing strategic partnerships. ATJ facilitated over two dozen meetings and events with stakeholders on topics ranging from increasing court accessibility through technology to the role of legal aid in combating hunger. Some of the strategic partnerships established by ATJ in FY 2022 included reconvening the Legal Aid Interagency Roundtable, which is comprised of 28 federal departments and agencies and working with Justice Department leadership on the Reentry Coordination Council with the goal of breaking down barriers to successful reentry and improving outcomes for formerly incarcerated individuals. As part of ATJ's work through LAIR, the Office held three meetings and one principals convening leading to its publication of the 2021 report, *Access to Justice in the Age of COVID-19*.

Additionally, ATJ convened national public defense organizations with DOJ leadership to discuss ways DOJ can help support and expand public defense across the country. Finally, in FY 2022, ATJ partnered with multiple international stakeholders on various access to justice issues. This included meeting leaders and counterparts from Peru, Germany, and Canada to discuss efforts to promote access to counsel and the courts through research, data and innovative practices.

**Quarterly Convenings with State Access to Justice Commissions:** After the announcement by the Associate Attorney General to launch quarterly convenings with the over 40 state access to justice commissions, ATJ has launched this effort in FY 2022 with the first convening in FY 2023.

**Legal Aid Interagency Roundtable (LAIR):** The LAIR, a collaboration between 28 federal agencies, works to expand access to justice across the federal government, and it is directed and staffed by ATJ. ATJ convened the first Roundtable Principal's Convening, co-chaired by the Attorney General and White House Counsel, and implemented all directives mandated by Presidential Memorandum related to the LAIR.

### FYs 2023/2024 Planned Future Performance

Despite the Department's expansion of access to justice work in FY 2022, more efforts are required to address access to justice gaps, including to establish broader engagement and partnerships, and through efforts beyond the establishment of partnerships alone. Strategic partnerships are a critical tool for ATJ to improve equal access to justice since many related issues are controlled by other federal agencies and state, local, tribal, and territorial governments. Cultivating these partnerships helps foster innovative interagency collaborations and facilitate cooperative relations with state and local or non-governmental organizations that succeed in advancing fair, just, and efficient outcomes. ATJ will continue to establish and expand its partnerships with stakeholders to increase access, accelerate innovation, and safeguard the integrity of legal systems at all levels.

ATJ plans to establish ten strategic partnerships in FY 2023 and twenty partnerships in FY 2024 to break down barriers and expand access for all communities to the promises and protections of our legal systems. In FY



## Strategic Objective 3.4: Expand Equal Access to Justice

**Performance Measure:** Number of Justice Department strategic partnerships established by the Office for Access to Justice [ATJ] (Cont.)

### **FYs 2023/2024 Planned Future Performance (Cont.)**

2023, ATJ will leverage these partnerships to gather, analyze, and incorporate feedback from people impacted by the Department's programs and services with the ultimate goal of designing and implementing interventions to increase justice system efficiency, advance equity, and build trust. Furthermore, ATJ will continue to lead efforts in response to Executive Order 13985 on Advancing Racial Equity and Support for Underserved Communities through the federal government, including partnering with internal and external organizations to promote language access and expand Justice Department engagement with historically underserved and marginalized communities.

### **Definition**

Strategic partnership: The collaboration with one or more federal or non-federal stakeholders to advance access to justice. This may include state, local, tribal, territorial, or foreign governments as well as domestic or international business, non-profit, academic, civil society, community-based, or philanthropic organizations.

### **Data Validation, Verification, and Limitations**

Data for this metric will be collected and validated internally by the Office of Access to Justice.



## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

Although environmental crime and injustice can happen anywhere, communities of color, low-income communities, and tribal communities often bear the highest burden of the harm caused by environmental crime, pollution, and climate change. Equal justice does not exist where a person’s race or income determines their level of exposure to environmental and climate hazards that trigger deleterious health effects and diminished quality of life.

In recent years, the instability created by natural disasters and extreme weather events associated with climate change has emerged as a national security threat. Altered weather patterns due to climate change produce fires, floods, and, most recently, hard freezes in locations without the appropriate infrastructure for tolerating such events. Poor and underserved communities, as well as communities of color, are disproportionately impacted by these events. Additionally, the negative effects of climate change on agriculture and aquaculture impact both food prices and distribution, creating further insecurity for these communities.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 5                          | 2                | 2                     |

### Highlights

**Institutionalizing Environmental Justice at DOJ:** In May 2022, the Department issued a new comprehensive environmental justice enforcement strategy to guide the Justice Department’s work and launched a new Office of Environmental Justice (OEJ) within the Department. OEJ will engage all Justice Department bureaus, components, and offices in the collective pursuit of environmental justice.

**Settlement with Schnitzer Steel:** In April 2022, the United States reached a settlement to resolve Clean Air Act Title VI violations at 40 scrap metal recycling facilities nationwide in the case of *United States v. Schnitzer Steel Industries, Inc.* The settlement, which the district court approved in June 2022, requires implementation of an EPA-approved Refrigerant Recovery Management Program, destruction of R-12 recovered from scrapped appliances and automobiles, and payment of a civil penalty of \$1,550,000.

**Case Initiation and Outcomes:** The FBI opened 140 percent more environmental crime cases in FY 2022 than in FY 2021 to address adverse environmental and public health impacts. The FBI worked with partners to open new cases in or substantially affecting overburdened and underserved communities. In FY 2022, the FBI conducted 23 arrests, obtained eight convictions, and fourteen informations and indictments on environmental enforcement matters.





## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Number of Environmental Justice Coordinators designated [USAO]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 94      | 94      | 94      |
| <b>Actual</b> | 94      | N/A     | N/A     |

**Environmental Justice Coordinators:** USAOs designated environmental justice coordinators, published procedures for members of the public to report environmental justice issues, and participated in ongoing training for the coordinators.

### Discussion of FY 2022 Results

As part of its effort to advance environmental justice throughout the country, the Department required U.S. Attorneys Offices to designate an environmental justice coordinator. During FY 2022, all USAOs made this designation. The Department also required USAOs to publish procedures for members of the public to raise environmental justice concerns with the USAO. In FY 2022, 81 USAOs established these procedures.

### FYs 2023/2024 Planned Future Performance

In response to Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, the Department developed its Environmental Justice Enforcement Strategy. Consistent with the strategy, in FY 2023, remaining USAOs will establish environmental justice reporting procedures for the public. Additionally, training will be provided for all USAO environmental justice coordinators. Further, a number of USAOs, particularly those in industrial cities with aging housing stock, are bringing enforcement actions against building managers, property owners, and contractors who violate federal lead paint laws and endanger the health of children living in and near these apartments.

### Definition

Each USAO has designated an individual as an environmental justice coordinator and that individual has received training.

### Data Validation, Verification, and Limitations

Data on designation will be collected via USAO's Consolidated District Information System, supplemented by direct follow-up to USAOs as appropriate. Data on training will be tracked and maintained by USAO as training is provided to environmental justice coordinators.



## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Percent of participants in CRS-facilitated environmental justice programs who perceive stronger community capacity to address alleged inequities [CRS]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | 0%      | 75%     |
| <b>Actual</b> | 0%       | N/A     | N/A     |

**Environmental Justice Dialogues:** In FY 2022, CRS facilitated four dialogues relating to environmental justice. CRS has continued to build internal capacity and expand outreach to relevant community groups and other stakeholders to conduct this work. CRS named its first Program Manager for Environmental Justice to support CRS conciliation specialists working to help communities experiencing environmental justice inequities.

### Discussion of FY 2022 Results

CRS did not receive any requests to deliver facilitated dialogues relating to environmental justice in FY 2022. CRS developed an evaluation process for environmental justice-related facilitated dialogue cases in FY 2022 and plans to implement it in FY 2023.

### FYs 2023/2024 Planned Future Performance

The evaluation tool is currently under review and pending approval from the OMB Office of Information and Regulatory Affairs (OIRA). CRS expects the review to be completed by the end of FY 2023 and plans to first implement the tool in FY 2024. Additionally, to ensure that the CRS-facilitated environmental justice program addresses alleged inequities in communities, in FY 2023 CRS assigned a full-time employee to focus on environmental justice issues.

### Definition

CRS-facilitated dialogue programs convene diverse stakeholders in a structured process to identify issues impacting the community and to develop solutions to address these issues.

### Data Validation, Verification, and Limitations

Evaluation data for CRS-facilitated dialogues are collected from dialogue participants, including community members and public officials via online surveys and focus groups. The data are analyzed by CRS to identify trends and then synthesized for internal and external reporting. The data are validated and verified by comparing the survey and interview results and identified outcomes (for example, SPCP Council accomplishments) to confirm consistency and identify any anomalies warranting further investigation. The data have limitations, including voluntary completion of surveys, voluntary participation in focus groups, potential respondent bias in areas such as their assessment of their own capabilities, and recall accuracy of survey and focus group participants.



## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Number of matters that address adverse environmental and public health effects brought under civil rights statutes [CRT]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 16      | 16      | 16      |
| <b>Actual</b> | 29      | N/A     | N/A     |

**City of Houston Investigation:** The investigation will examine whether the city’s enforcement and solid waste management operations, policies, and practices in response to illegal dumping have resulted in discrimination against Black and Latino residents in violation of Title VI of the Civil Rights Act of 1964. Title VI prohibits recipients of federal financial assistance from discriminating on the basis of race, color or national origin.

### Discussion of FY 2022 Results

CRT began reporting on the measure in FY 2022 and exceeded its target, reporting 29 matters that address adverse environmental and public health effects.

### FYs 2023/2024 Planned Future Performance

As part of the Department’s overall effort to advance environmental justice, the Civil Rights Division aims to address adverse environmental and public health effects brought under civil rights statutes. Based upon review of the prior year data, CRT will aim to report at least sixteen matters annually in FYs 2023 and 2024. CRT will focus on strengthening its data collection process for this measure in FY 2023.

### Definition

CRT will tabulate the number of matters 1) under federal civil rights statutes that address adverse environmental justice concerns represented in litigation by the Civil Rights Division, and for the purpose of this performance measure 2) to include outreach, workshops and guidance documents addressing environmental justice.

### Data Validation, Verification, and Limitations

CRT captures all litigation data in the Interactive Case Management WebTime system. Data in that system are validated periodically by Division staff.



## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Percent of environmental enforcement matters in or substantially affecting overburdened and underserved communities that are favorably resolved [ENRD]

|               | FY 2022  | FY 2023 | FY 2024 |
|---------------|----------|---------|---------|
| <b>Target</b> | Baseline | TBD     | TBD     |
| <b>Actual</b> | 100%     | N/A     | N/A     |

### Discussion of FY 2022 Results

The Department’s Comprehensive Environmental Justice Enforcement Strategy, adopted in May 2022, sets forth principles and actions to ensure that the entire Department is vigorously and transparently working to secure environmental justice with the full set of legal tools at its disposal. The Department is working to advance this strategy across all of its activities. Coinciding with the announcement of this new strategy, the Department established the Office of Environmental Justice within the Environment and Natural Resources Division (ENRD) to coordinate these issues. ENRD will use the FY 2022 data to establish a baseline and begin public reporting on this metric. FY 2022 data are expected by the end of the second quarter of FY 2023.

### FYs 2023/2024 Planned Future Performance

In FYs 2023 and 2024, ENRD will continue implementation of the Comprehensive Environmental Enforcement Strategy, working with the Department-wide Enforcement Steering Committee established under the strategy. The strategy provides for annual progress reports to the Deputy Attorney General. As part of implementation of the strategy, OEJ will collaborate with CRT and other DOJ components to provide training and outreach resources to the entire Department. Training will foster awareness and community interactions that create opportunities for Department personnel to advance environmental justice in their work. In FY 2023, ENRD will analyze the new baseline data and other available data to establish an appropriate target for FY 2023 and beyond.

**Settlement with Chevron Phillips:** DOJ reached a settlement with Chevron Phillips Chemical Company LP to resolve allegations that Chevron violated the Clean Air Act and state air pollution control laws by failing to properly operate and monitor its industrial flares, which resulted in excess emissions of harmful air pollution at three Texas petrochemical manufacturing facilities located in Texas. Under the terms of the consent decree, Chevron agreed to pay a \$3.4 million civil penalty, make upgrades, and perform compliance measures estimated to cost \$118 million that will eliminate thousands of tons of air pollution from flares near overburdened communities with environmental justice concerns.

### Definition

**Environmental enforcement matters:** Any DOJ civil affirmative or criminal matters in ENRD’s case management system coded with an environmental justice tag that implicates overburdened and underserved communities.

**Overburdened and underserved communities:** Disadvantaged communities that have been historically marginalized and overburdened by pollution and underinvestment, which often include communities of color, low-income communities, and tribal and indigenous communities.

### Data Validation, Verification, and Limitations

There are no data available at this time. The data source and verification process will be provided by the end of the second quarter of FY 2023.



## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Percent reduction in energy intensity used by the Department [JMD]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | -2%     | -2%     | -2%     |
| <b>Actual</b> | -3%     | 1%      | N/A     | N/A     |

**Climate Adaptation and Mitigation Plans:** The DOJ 2022 Sustainability Plan and the DOJ Climate Adaptation Plan Progress Report were submitted to the White House Council on Environmental Quality and were approved and published.

### Discussion of FY 2022 Results

The DOJ mission requires the Department to operate a unique portfolio of buildings that includes criminal investigation and fire research laboratories, correctional institutions, medical centers, kennels, diverse training facilities, data centers, secure compartmented information facilities, aviation hangars, dormitories, and office buildings. When possible and plausible, DOJ strives to maintain all energy-consuming mechanical equipment and systems to their highest level of efficiency and continuously evaluate performance through the comprehensive evaluation and commissioning process and the implementation of energy savings performance contracts and utility energy service contracts.

In FY 2022, DOJ’s facilities collectively increased energy intensity by 1 percent as compared to FY 2021. The primary factors contributing to this observed increase are a 2.3 percent increase in natural gas consumption and 0.6 percent increase in purchased electricity consumption across BOP’s facilities. BOP’s total energy consumption increased by 2.1 percent in FY 2022. A primary factor of this observed trend was an increase in inmate population because of Executive Order 14006 on Reforming Our Incarceration System to Eliminate the Use of Privately Operated Criminal Detention Facilities, which shifted approximately 3,600 inmates from privately-operated correctional institutions to existing BOP-owned and operated facilities. Without the order, BOP’s performance would be similar to prior years (4.4 percent reduction in FY 2021 compared to FY 2020) and the Department’s overall reduction would have been 3.1 percent.

### FYs 2023/2024 Planned Future Performance

DOJ currently strives to reduce facility energy intensity by 2 percent annually relative to the previous year. DOJ hopes to achieve these reductions through a combination of strategies across its facility portfolio. Consistent with requirements in the Energy Act of 2020 that require agencies to utilize performance contracting to implement energy conservation measure projects, including installation of additional onsite renewable energy generation capacity, where cost-effective, DOJ will also utilize appropriated funding to implement energy projects that will optimize operations and reduce operating costs.

DEA is a recipient of two Assisting Federal Facilities with Energy Conservation Technologies grants awarded by the Department of Energy. DEA initiated the investment grade audit phase of two energy savings performance contracts funded by these grants. DEA expects to award both performance contracts in FY 2023.

The FBI is collaborating with NORESKO, one of the largest energy services companies in the United States, to review the active energy saving performance contracts at the J. Edgar Hoover Building to explore opportunities to extract additional value added from these contracts while enhancing energy performance and resilience for critical missions. The Hoover Building energy savings performance contracts extension is currently in the investment grade audit phase and is expected to cover three energy conservation measures totaling approximately \$10 million with an expected contract award in FY 2023.



## Strategic Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis

**Performance Measure:** Percent reduction in energy intensity used by the Department [JMD] (Cont.)

### Definition

Energy intensity reduction: The reduction of the energy consumed per gross square foot of federal building space.

Energy intensity: The quantity of energy required per unit output or activity, so that using less energy to produce a product reduces the intensity. JMD uses the data call workbook provided by the Department of Energy.

### Historical Data

|                | Actual |
|----------------|--------|
| <b>FY 2018</b> | -3%    |
| <b>FY 2019</b> | -2%    |
| <b>FY 2020</b> | -4%    |

### Data Validation, Verification, and Limitations

Department of Energy Federal Energy Management Program and the White House Council on Environmental Quality collect annual fiscal year energy management data from the owned and leased/delegated buildings where the components manage, control and pay the utilities. They conduct quality assessment and quality control of the submitted data for a final approval.



## Goal 4: Ensure Economic Opportunity and Fairness for All



## Goal 4: Ensure Economic Opportunity and Fairness for All

A fair economy is foundational to the American dream. Fraud, theft, corruption, bribery, environmental crime, market manipulation, and anti-competitive agreements threaten the free and fair markets upon which our economy is based. They decimate the assets of individuals, organizations, and governments alike, and they increase costs for every American. Corporate crime also weakens our economic institutions by undermining public trust in the fairness of those institutions. In its pursuit of fair markets, the Department will help ensure that all companies compete by the same rules; that tax dollars flow to their intended recipients; and that corporate crime is deterred, detected, and prosecuted.

### Enterprise Risk Themes

- Macroeconomic trends
- Impact of technology
- Data collection and analysis limitations
- Coordination challenges
- Building trust
- Changes in the legal landscape





## Strategic Objective 4.1: Reinvigorate Antitrust Enforcement and Consumer Protection

Antitrust and consumer protection laws are the charter of our economic liberty. The Department is committed to the vigorous enforcement of these laws. Robust enforcement ensures that all businesses play by the same rules and that Americans can compete and thrive. The Department will examine and prevent harmful mergers and will partner with other agencies to promote competition. In addition, the Department is committed to using criminal, civil, and administrative actions to protect consumers. The Department will work to ensure the safety of food, medicines, and consumer products, and will safeguard consumer information from unlawful acquisition and use. Using our full array of civil and criminal enforcement tools, we will hold accountable those who make fraudulent or misleading representations in the marketing of goods, especially where such conduct risks consumer harm.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 2                          | 2                | 0                     |

### Highlights

**First Corporate Enforcement Action Under the Consumer Product Safety Act Resolved:** A Chinese appliance manufacturer and two of its subsidiaries agreed to resolve criminal charges for failing to notify the U.S. Consumer Product Safety Commission that millions of dehumidifiers sold to U.S. consumers were defective and could catch fire. Gree Electronics Appliances Inc. of Zhuhai and Hong Kong Gree Appliances Sales Co. Ltd entered into a deferred prosecution agreement in connection with a criminal information, charging the companies with one felony count under the Consumer Product Safety Act of willfully failing to report product safety information to the Consumer Product Safety Commission. The companies admitted that they sold more than two million defective dehumidifiers and continued to sell the devices knowing they could catch fire. Executives knew of their obligation to report the defect to the Commission, but failed to do so. Under the agreement, the companies agreed to a \$91 million penalty and to provide restitution to any uncompensated victims of fires caused by the defective dehumidifiers. Gree USA Inc. pled guilty to the same charge.

**Amicus Briefs in Competition Matters:** Beyond prosecuting its own enforcement actions, the Department of Justice has reinvigorated its amicus program by filing amicus briefs or statements of interest in several competition matters, including high-profile appeals in *Epic Games v. Apple* and *State of New York v. Facebook* as well as cases concerning baseball’s exemption from the antitrust laws and elite colleges’ antitrust immunity under Section 568.



## Strategic Objective 4.1: Reinvigorate Antitrust Enforcement and Consumer Protection

**Performance Measure:** Number of active civil non-merger investigations [ATR]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 50      | 50      | 60      |
| <b>Actual</b> | 33      | 51      | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, the Antitrust Division (ATR) completed 51 non-civil merger investigations. The goal of the civil non-merger enforcement strategy is to promote savings to U.S. consumers that arise from its successful elimination and deterrence of anticompetitive behavior.

### FYs 2023/2024 Planned Future Performance

The Division continues to vigorously police anticompetitive conduct outside the merger context, initiating civil enforcement actions in numerous industries to protect consumers and competition. In FYs 2023 and 2024, the Division will seek to reinvigorate antitrust enforcement, combat fraud, and protect consumers by reviewing and blocking potentially anticompetitive mergers, investigating and litigating civil conduct that violates the antitrust laws, and investigating and prosecuting criminal antitrust violations.

### Definition

Investigations: ATR identifies and investigates alleged conduct violations of the Sherman Act and the Clayton Act.

### Data Validation, Verification, and Limitations

Because staff may be working on an investigation for some time, this indicator accounts for the number of investigations with hours reported during the fiscal year, as opposed to the number of opened investigations during the fiscal year.

**Abandonments of Mergers:** During 2022, the Antitrust Division secured abandonments of several problematic mergers, including Grupo Verzatec S.A. de C.V.’s proposed acquisition of Crane Composites, Cargotec Corporation’s merger with Konecranes Plc, and China International Marine Containers Group Co. Ltd.’s acquisition of Maersk Container Industry A/S and Maersk Container Industry Qingdao Ltd.

**Worker Pay at Poultry Processing Plants:** On July 25, 2022, in partnership with the Department of Agriculture, the Department of Justice filed a complaint and consent decrees to halt a long-running conspiracy to suppress worker pay at poultry processing plants and to address deceptive practices against poultry growers. Among other requirements, the proposed consent decree would prohibit the exchange of compensation information, bar the president of a data consulting firm from the industry, impose a compliance monitor for ten years, remediate deceptive practices in the “tournament system” for poultry growers, and require poultry processors to pay \$84.8 million in restitution.

### Historical Data

|                | Actual |
|----------------|--------|
| <b>FY 2018</b> | 31     |
| <b>FY 2019</b> | 22     |
| <b>FY 2020</b> | 40     |



## Strategic Objective 4.1: Reinvigorate Antitrust Enforcement and Consumer Protection

**Performance Measure:** Percent of Consumer Protection Branch cases favorably resolved [CIV]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 85%     | 85%     | 85%     |
| <b>Actual</b> | 96%     | 92%     | N/A     | N/A     |

### Discussion of FY 2022 Results

The Civil Division exceeded its target for FY 2022 by favorably resolving 92 percent of Consumer Protection Branch cases.

### FYs 2023/2024 Planned Future Performance

The Civil Division’s Consumer Protection Branch will continue to bring affirmative civil and criminal cases to enforce laws that protect American consumers’ health, safety, economic security, and identity integrity. This includes actions responding to the ongoing opioid epidemic, drug and device hazards, pathogen outbreaks, youth smoking, product harms, and deceptive business practices, as well as fraud affecting or targeting older adults, recent immigrants, and other vulnerable communities. In addition, the Branch will continue to defend the Food and Drug Administration, the Consumer Product Safety Commission, and the Federal Trade Commission in civil litigation before district and appellate courts. This includes challenges to agency actions, policies, and programs related to food, drugs, vaccines, medical devices, tobacco, and other consumer products.

### Definition

Consumer Protection Branch cases: Includes cases handled by the Consumer Protection Branch and those handled jointly with U.S. Attorney’s Offices or other Department components.

Favorably resolved: Cases that resulted in court judgments favorable to the government, such as convictions and government-endorsed motions to dismiss.

**Consent Decree with Abbott Laboratories:** The Consumer Protection Branch filed a consent decree with Abbott Laboratories, which followed an inspection by the FDA and set forth requirements for Abbott to resume safely manufacturing formula at its shuttered facility in Michigan. The consent decree required Abbott to, among other things, retain outside expert assistance to bring its plant into compliance with federal law, develop plans to reduce and control the rise of bacterial contamination, and periodically evaluate compliance with the Federal Food, Drug, & Cosmetic Act, regulations, and the consent decree.

**Mastermind Behind \$300 Million Ponzi Scheme Sentenced to Ten Years:** The Consumer Protection Branch secured a ten-year sentence for an individual who caused more than \$310 million in loss to more than 2,500 retirees and placed more than 13,000 veterans into exploitative loans. For seven years, the defendants targeted retired military veterans in financial distress, by offering upfront lump-sum payments in exchange for assignment of their rights to monthly pension and disability payments. These predatory loans had annual interest rates as high as 240 percent. The defendants then solicited thousands of seniors— falsely promising significant return rates—to purchase “structured cash flows” funded by the pensioners’ monthly payments. The scheme collapsed when the defendants could not acquire enough rights to pensions to meet the promised investment returns. The defendants funded a lavish lifestyle with proceeds from the scheme.

### Data Validation, Verification, and Limitations

CIV’s Office of Management Information will generate reports and validate data.



## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

Financial crime can be devastating for victims, wiping out a lifetime of savings. In 2020, reports of financial victimization via fraud, especially internet-enabled fraud, reached all-time highs. Even when there are no identifiable individual victims, corporate crime destabilizes markets and creates risks to consumers. To prevent and disrupt such violations, the Department will work to pursue not just corporations that participate in such practices, but also the individuals responsible. Finally, the government has an obligation to spend taxpayer dollars responsibly, which requires detecting, targeting, and reducing fraud in government contracting and programs.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 4                          | 3                | 0                     |

### Highlights

**Cryptocurrency Fraud:** The Criminal Division charged eight defendants in six separate high-dollar, high-impact cases including the largest-known non-fungible token (NFT) scheme charged to date and a fraudulent initial coin offering.

- CRM secured the guilty plea of the head trader for EmpiresX, a purported cryptocurrency platform, in a scheme that took in approximately \$100 million from investors.
- CRM also charged two CEOs of purported cryptocurrency investment platforms with orchestrating investment fraud schemes of international scope.
- In addition, CRM charged the founder of BitConnect with perpetrating a \$2.4 billion global cryptocurrency Ponzi scheme; in that case, \$56 million in fraud proceeds were seized in the largest-known single recovery of a cryptocurrency fraud by the United States to date.

**Arrest of Sung Kook Hwang:** In May 2022, the USAO for the Southern District of New York (SDNY) announced the charging and arrest of Sung Kook Hwang, the founder and head of a private investment firm known as Archegos, and Patrick Halligan, Archegos’s Chief Financial Officer, for racketeering conspiracy, securities fraud, and wire fraud offenses in connection with interrelated schemes to unlawfully manipulate the prices of publicly traded securities in Archegos’s portfolio and to defraud many leading global investment banks and brokerages.



## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

**Performance Measure:** Percent of corporate criminal cases in which individual responsibility was evaluated [CRM, USAO]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 95%     | 95%     | 95%     |
| <b>Actual</b> | 100%    | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, the Criminal Division’s Fraud Section and EOUSA continued their emphasis on prosecuting fraud and manipulation in the commodities markets. Fraud Section entered into eight corporate resolutions and evaluated individual responsibility in 100 percent of those resolutions. USAOs reported that they evaluated individual responsibility in 101 out of 101 corporate criminal cases.

### FYs 2023/2024 Planned Future Performance

The Department seeks to annually evaluate individual responsibility in at least 95 percent of its criminal corporate cases. CRM and EOUSA will remain committed to this effort in FYs 2022 and 2023. EOUSA will use survey results of the USAOs to assess whether additional training is needed to effectively evaluate individual responsibility in connection with corporate prosecutions. If it is determined that USAOs would benefit from additional training, either on an individual basis or community-wide, EOUSA will develop and provide that training. Together, EOUSA and CRM will continue to produce comprehensive data for this metric.

### Definition

The measure is calculated by taking the number of corporate criminal cases resolved in the fiscal year in which individual responsibility was evaluated divided by total number of corporate criminal cases resolved in that fiscal year.

**JPMorgan:** In a high-profile trial in the Northern District of Illinois, Market Integrity and Major Frauds Unit prosecutors convicted two former director-level JPMorgan employees who participated in a scheme to manipulate the price of gold and silver futures contracts traded on the Chicago Mercantile Exchange. Their trial convictions followed earlier guilty pleas by two other former members of the same trading desk, as well as a deferred prosecution agreement entered into in September 2020 in which JPMorgan agreed to pay approximately \$920 million.

### Data Validation, Verification, and Limitations

For EOUSA, the data has been gathered by surveying each USAO and cross-referencing the survey results with existing data on corporate cases collected in connection with its suspension and debarment reporting. For CRM, the data will be manually tracked for compliance to required evaluation.



## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

**Performance Measure:** Percent of corporate criminal resolutions containing compliance reporting obligations that are evaluated by DOJ at least annually [CRM, USAO]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 95%     | 95%     | 95%     |
| <b>Actual</b> | 96%     | N/A     | N/A     |

### Discussion of FY 2022 Results

During FY 2022, USAOs reported evaluating compliance reporting obligations in 92 out of 96 cases. The Criminal Division entered into eight corporate resolutions during FY 2022 and incorporated compliance obligations evaluated by DOJ at least annually in 100 percent of those resolutions. These include the imposition of an independent compliance monitor in five cases, enhanced self-reporting obligations imposed in one case, and standard self-reporting obligations imposed in one case.

### FYs 2023/2024 Planned Future Performance

The Department seeks to annually evaluate at least 95 percent of its corporate criminal resolutions containing compliance reporting obligations. CRM and EOUSA will remain committed to this effort in FYs 2022 and 2023. Each U.S. Attorney’s Office will use survey results to assess whether additional training is needed to effectively evaluate individual responsibility in connection with corporate prosecutions. If it is determined that USAOs would benefit from additional training, either on an individual basis or community-wide, EOUSA will develop and provide that training.

### Definition

The measure is calculated by taking the number of corporate criminal resolutions with compliance reporting obligations that are evaluated by DOJ at least annually divided by total number of corporate criminal resolutions that contain compliance reporting obligations.

**Glencore International AG.** Glencore International AG, a Swiss-based commodities trading and mining company, pleaded guilty to conspiring to violate the Foreign Corrupt Practices Act (FCPA) in connection with conduct in seven countries: Nigeria, the Democratic Republic of the Congo, Ivory Coast, Equatorial Guinea, Cameroon, Brazil, and Venezuela. Pursuant to the resolution, Glencore agreed to plead guilty and to pay a criminal penalty and forfeiture amounting to approximately \$700 million and also agreed to the imposition of an independent compliance monitor. As with many FCPA cases in recent years, the Glencore resolution was coordinated with domestic and foreign authorities and credited portions of the criminal penalty and forfeiture; among them are the United Kingdom’s Serious Fraud Office, the Brazilian Ministério Público Federal as well as the Commodity Futures Trading Commission.

### Data Validation, Verification, and Limitations

CRM captures all data in internal systems. Data are validated annually by the respective section chiefs. For EOUSA, the data has been gathered by surveying each USAO and cross-referencing the survey results with existing data on corporate cases collected in connection with its suspension and debarment reporting. Together, EOUSA and CRM will produce comprehensive data for this metric.



## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

**Performance Measure:** Number of criminal disruptions or dismantlements in public corruption and fraud against the government [FBI]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 468     | 487     | 487     |
| <b>Actual</b> | 453     | 407     | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, the FBI Public Corruption program conducted 407 disruptions and dismantlements to mitigate public corruption at all levels of government. While the FBI Criminal Investigation Division did not meet its FY 2022 target, Public Corruption squads conducted many disruptions and dismantlements against senior-level public officials. To effect prosecutions, the Public Corruption program builds strong partnerships with local, state, and federal agencies and leads over 50 active task forces.

### FYs 2023/2024 Planned Future Performance

In FY 2023, the FBI will continue to initiate complex investigations into senior-level public officials and aims to achieve nearly 500 criminal disruptions or dismantlements in public corruption and fraud against the government per year. Through collaboration and coordination with the Criminal Division Fraud Section, national crime agencies, Internal Revenue Service Criminal Investigation, and field office public corruption units and law enforcement partners, CID is able to identify threat actors, find new trends, open investigations, and combine resources to mitigate corrupt activities in government. These actions build on the FBI’s partnerships throughout the world.

### Definition

This measure uses the combined score of two types of statistical accomplishments - disruptions and dismantlements - as documented by the FBI in its record-keeping system. The Claiming Guidance Library defines a

**Public Corruption investigation:** Former Baltimore City Mayor Catherine E. Pugh admitted that from November 2011 until March 2019 she conspired with a co-defendant to defraud purchasers of Healthy Holly books in order to enrich themselves, promote Pugh’s political career, and fund her campaign for mayor. Specifically, Pugh admitted that she sold approximately 20,000 each of Healthy Holly books to a university but never delivered them. Pugh further admitted that she used the proceeds of the sale of fraudulently obtained Healthy Holly books for her own purposes, including to fund straw donations to Pugh’s mayoral election campaign and to fund the purchase and renovation of a house in Baltimore City. Pugh also admitted that she conspired to evade taxes on the income received from the sales of Healthy Holly books. Pugh pleaded guilty to federal conspiracy and tax evasion charges involving sales of her self-published children’s books.

### Definition (Cont.)

disruption as interrupting or inhibiting a threat actor from engaging in national security-related activity. A dismantlement occurs when the targeted organization’s leadership, financial base, and supply network has been destroyed, such that the organization is incapable of operating or reconstituting itself.

FBI personnel claim statistical accomplishments for various types of operational activities so that the number of occurrences of these activities can be tracked for oversight purposes. This measure includes only disruptions and dismantlements documented in case files within the FBI Criminal Investigative program.

These accomplishments fall under the “Operational Outcomes” accomplishment type: outcome accomplishments are measures of



## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

**Performance Measure:** Number of criminal disruptions or dismantlements in public corruption and fraud against the government [FBI]

### Definition (Cont.)

effectiveness of a wide scope of FBI activities, not only arrests, and are claimed in conjunction with those activities. Disrupt and dismantle are the highest value outcome accomplishments for the FBI. Even a complex network case, with multiple arrests and asset seizures, would qualify as only a single disrupt operational outcome. Operational outcomes are the major quantitative tool to demonstrate the FBI’s impact on a threat.

### Data Validation, Verification, and Limitations

Disrupt and dismantle accomplishment claims are verified by two FBI supervisors with knowledge of the case by reference to the Claiming Guidance Library definitions. Offices have 30 days to enter accomplishment claims and have them adjudicated. Accomplishments may be entered too late for inclusion in fiscal year roll up data.

### Historical Data

|                | Actual |
|----------------|--------|
| <b>FY 2018</b> | 697    |
| <b>FY 2019</b> | 530    |
| <b>FY 2020</b> | 426    |





## Strategic Objective 4.2: Combat Corruption, Financial Crime, and Fraud

**Performance Measure:** Percent of new contacts by the FBI with foreign anti-corruption agencies that progress to mutual sharing of information or assistance or result in a new international corruption case [FBI]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 60%     | 60%     | 60%     |
| <b>Actual</b> | 70%     | 62%     | N/A     | N/A     |

**IMDB FCPA Case:** Ng Chong Hwa, aka “Roger Ng” was found guilty of conspiring to launder billions of dollars embezzled from 1Malaysia Development Berhad (1MDB), conspiring to violate the FCPA by paying bribes to a dozen government officials in Malaysia and Abu Dhabi and conspiring to violate the FCPA by circumventing the internal accounting controls of Goldman Sachs.

### Discussion of FY 2022 Results

All members of the Integrity and Compliance Program support the program’s goal of establishing and enhancing relationships with all partners, both public and private, domestic and international. Contact with foreign partners occurs on a frequent and consistent basis. Along with the International Corruption Unit at FBI, the Integrity and Compliance Program consists of four field office investigative squads and five internationally placed supervisory special agents. One agent serves as FBI’s representative to the International Anti-Corruption Coordination Centre in London, and there are four agents in support of the Transnational Anti-Corruption Program, which seeks to establish relationships with foreign partner agencies and assist in anti-corruption capacity building.

### FYs 2023/2024 Planned Future Performance

The FBI will continue its efforts to increase the number of new contacts with foreign anti-corruption agencies. The program will be entering the next phase of its international relationship strategy, which will focus on further enhancements of new and existing relationships. Efforts to establish new relationships in 2023 will likely be reduced year over year since International Corruption Unit (ICU) members’ focus on existing relationships will be increased. Another factor will be the availability of strategic new partnerships may be reduced going forward due the finite nature of this endeavor. In FYs 2023 and 2024, the ICU will continue to leverage the program's members' access to foreign agencies to build the FBI's base of anti-corruption partners. Part of this strategy includes

### FYs 2023/2024 Planned Future Performance (Cont.)

expanding the Transnational Anti-Corruption Program advisors by one to two agents to expand resources and address regions to which ICU has been unable to direct appropriate resources.

### Definition

The measure is calculated using the foreign anti-corruption agency collaboration rate and the international corruption case initiation rate. ICU tracks whenever a member of the program establishes a relationship with one of these partners and whether this relationship has subsequently resulted in the exchange of information (intelligence, presentations, referrals to other partners/agencies to assist with investigations or capacity building) or a referral from the partner which resulted in an ICU investigation.

### Data Validation, Verification, and Limitations

All data will list meetings, participants, dates, and informational aspects, as well as all new case initiations based on new foreign contacts will be documented in opening documentation.

Limitation: The data are dependent on individuals’ diligence.



## Goal 5: Administer Just Court and Correctional Systems



## Goal 5: Administer Just Court and Correctional Systems

Administering the federal prison system and immigration courts are among the Department’s most solemn responsibilities. Prison serves as a necessary deterrent to and consequence of criminal behavior, but it also provides an opportunity to prevent recidivism through rehabilitation and reentry programs that successfully reintegrate formerly incarcerated individuals into communities. Similarly, the rule of law requires that the immigration laws be enforced, but justice requires that this enforcement be humane and compassionate. In both realms, the Department strives to demonstrate the professionalism, integrity, and respect that are the Department’s hallmarks.

### Enterprise Risk Themes

- Impact of technology
- Building trust
- Need for community support
- Changes in the legal landscape
- Data collection and analysis limitations
- Staffing
- COVID-19 pandemic-related challenges
- Threats to prison security



## Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

The Justice Department is responsible for equitably and efficiently administering our nation’s immigration courts. In January 2021, there were nearly 1.3 million outstanding cases before the immigration courts – the largest ever pending caseload.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 4                          | 2                | 0                     |

### Highlights

**Executive Office for Immigration Review (EOIR) Rules:** In FY 2022, EOIR published several proposed, interim final, or final rules, including the following:

- EOIR Electronic Case Access and Filing, 86 Fed. Reg. 70708 (Dec. 13, 2021).
- Security Bars and Processing; Delay of Effective Date, 86 Fed. Reg. 73615 (Dec. 28, 2021).
- Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protection Claims by Asylum Officers, 87 Fed. Reg. 18078 (Mar. 29, 2022).

**Civil Division’s Office of Immigration Litigation (OIL):** During FY 2022, the Appellate Section and private immigration bar engaged in outreach efforts to improve the accessibility of circuit court mediation programs to litigants, including those not represented by counsel. In a first of its kind effort for OIL, the private bar and non-profit organization attended webinars hosted by chief circuit mediators in the First, Seventh, Ninth, and Tenth Circuits, in which OIL’s Director, OIL officials, and private attorneys engaged in a meaningful dialogue about the role of mediation in immigration cases, mediation benefits and remand processes.



## Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

**Performance Measure:** Median case completion time [EOIR]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 852     | 710     | 569     |
| <b>Actual</b> | 947     | 1,085   | N/A     | N/A     |

### Discussion of FY 2022 Results

The Executive Office for Immigration Review had a median case completion time of 1,085 days. Although this does not represent the reduction that EOIR had planned to achieve, the agency has made a number of docketing adjustments that may lead to case completion time reductions as the effects of those modifications begin to impact the case adjudication timeframes.

### FYs 2023/2024 Planned Future Performance

To support the Department’s commitment to improving the immigration process, EOIR seeks to reduce the number of days to case completion each fiscal year. EOIR continues to undertake goals to improve adjudicatory productivity and the integrity of adjudications.

**Immigration Case Completion:** In FY 2022, EOIR immigration court case completions increased by nearly 13 percent over FY 2019 (the most recent year EOIR operations not impacted by COVID-19), the highest total completions in its history despite approximately 20 percent of EOIR’s immigration judge corps in position two years or less.

### Definition

**Median case completion time:** The value lying at midpoint of all case completion times. Case completion time is measured from filing of the Notice To Appear in immigration court to an immigration judge's issuance of a decision.

### Data Validation, Verification, and Limitations

Data are collected from the Case Access System for EOIR, a nationwide case tracking system for the trial and appellate levels. Court staff nationwide enter data, which is electronically transmitted and stored at EOIR headquarters, allowing for timely and complete data collection. Data are verified by online edits of data fields. Headquarters and field office staff use routine daily, weekly, and monthly reports that verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases.



## Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

**Performance Measure:** Average number of vacancy days for immigration adjudicator positions [EOIR]

|               | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|---------|
| <b>Target</b> | N/A     | 403     | 382     | 357     |
| <b>Actual</b> | 424     | 655     | N/A     | N/A     |

### Discussion of FY 2022 Results

Although the length of time that immigration adjudicator positions were vacant was longer than EOIR expected, there was significant progress and improvements made in the hiring process. For example, in 2022, EOIR conducted more second round interviews than ever before – although conducting these 200+ interviews took significant time, they did help to identify a strong pool of candidates from which the component will be able to choose to fill future vacancies, ultimately speeding up the hiring process and lowering the time positions are vacant in the future. EOIR also successfully brought on board 104 immigration judges in FY 2022, the largest number of immigration judges to enter on duty in a single year.

### FYs 2023/2024 Planned Future Performance

EOIR seeks to reduce the number of vacancy days for immigration judges to an annual average of 382 days in FY 2023 and 357 days in FY 2024 from a FY 2021 baseline of 424 days. To better enable operations through human capital, EOIR will recruit, allocate, and retain talented staff in accordance with workforce planning goals, provide training opportunities and performance feedback to staff, foster and maintain an agency culture committed to a positive environment and success, and ensure compliance with human capital goals. Key activities and initiatives to achieve these objectives include:

- Implementing efficient and rigorous hiring and screening processes.
- Aligning the construction of new courtrooms with the hiring of new immigration judges.
- Ensuring that all courts, the Board, and Office of the Chief

### FYs 2023/2024 Planned Future Performance (Cont.)

Administrative Hearing Officer are adequately staffed with support personnel.

- Bolstering and standardizing employee job-specific training and mentoring across all positions at headquarters and in the field.

### Definition

For this measure, the average number of vacancy days is defined as the number of days between the date an immigration judge vacates an existing position or a new position is approved to when an immigration judge fills that position.

### Data Validation, Verification, and Limitations

Data are collected through EOIR’s Office of the Chief Immigration Judge, in coordination with other agency components that may gather relevant data. Data will be cross-checked before use in the metrics. Limitations may include the fact that some aspects are outside of EOIR's control, for example, the time it takes for a candidate to resolve an issue with their background or candidates unwilling to enter on duty at the earliest possible time.



## Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

**Performance Measure:** Percent of immigration judges who have received all relevant continuing legal education annually [EOIR]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 90%     | 92%     | 95%     |
| <b>Actual</b> | 100%    | N/A     | N/A     |

### Discussion of FY 2022 Results

All immigration judges received the required continuing legal education in FY 2022.

### FYs 2023/2024 Planned Future Performance

EOIR will continue to strive for high levels of success in meeting expected immigration judge training plan requirements.

### Definition

The percentage of immigration judges who have received all relevant legal training as referenced in the EOIR annual immigration judge training plan. With some variation each year, training included in the plan consists of updates in substantive immigration law; examinations of cultural differences that may be relevant in an adjudicatory or litigation context; compassion fatigue and education on trauma; and individual responsibilities regarding fairness, integrity, and judicial temperament.

### Data Validation, Verification, and Limitations

Data are collected through EOIR’s Office of Policy, in coordination with other agency components that may present relevant trainings or track attendance at such trainings. Data entered will be cross-checked before use in the metrics.

Limitations may include issues surrounding the onboarding date of new immigration judges and opportunities to attend training. With five scheduled on-boarding dates, some of which are close to the end of the fiscal year, for some new immigration judges it will be impracticable to complete all training within the fiscal year in which they are appointed.



## Strategic Objective 5.1: Administer an Equitable and Efficient Immigration Court System

### Performance Measure: Visits to the Immigration Court Online Resource (ICOR) [EOIR]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 12,000  | 24,000  | 30,000  |
| <b>Actual</b> | 276,913 | N/A     | N/A     |

#### Discussion of FY 2022 Results

EOIR far exceeded its goal for visits to the ICOR webpage in FY 2022, achieving more than twenty times the target number of visits. The agency rolled out several new pieces of information on ICOR, which may have led to this extremely high level of visits in 2022. While EOIR does intend to continue providing new information to the public via ICOR and the Department is hopeful to continue this trend of significant public interest, given that ICOR is a relatively new resource, it may take some time to level-set as to what is a normal amount of expected visits.

#### FYs 2023/2024 Planned Future Performance

By increasing the traffic to the ICOR website, EOIR will be making immigration court resources available to a broader audience. For those individuals who are not represented in immigration court, having access to materials that may provide for additional insights into the immigration court process may aid their preparations.

EOIR will strive for at least 24,000 visits per year in 2023 and 30,000 in 2024. This 2023 target is approximately half of those unrepresented in proceedings whose cases are completed per quarter. EOIR recognizes that there will be fluctuation based on the amount of new content, changes to laws or regulations, and policy implications on EOIR’s proceedings.

**Access EOIR:** Through the Access EOIR initiative, EOIR increased access to information for non-citizens appearing before immigration courts. EOIR launched the FOIA Public Access Link to simplify access to records and additional improvements to the EOIR Courts & Appeals System to allow access to records and ease of filing and working with EOIR’s systems.

#### Definition

ICOR is an online tool available 24 hours a day, seven days a week, and 365 days a year in six languages: English, Spanish, Chinese, Portuguese, Haitian Creole, and Punjabi. EOIR will count the number of hits the website receives quarterly to provide responsive data.

#### Data Validation, Verification, and Limitations

Data are collected from EOIR's Office of Information Technology web tools through Google Analytics, a trusted provider in web metrics. The platform provides verification tools. No limitations are known.





## Strategic Objective 5.2: Maintain a Safe and Humane Prison System

The federal prison and pretrial detention systems are a critical part of the Department’s criminal justice mission. It is equally critical that prisons, detention centers, and community-based facilities are safe, humane, cost-efficient, and appropriately secure. Adequate staffing is a prerequisite to safe and secure facilities, and we must ensure that even facilities in hard-to-recruit areas are fully staffed. Additionally, we must pay special attention to the changing health and safety needs of incarcerated individuals. As more individuals who have paid their debt to society complete their prison terms, we must combat barriers to reentry and proactively provide the tools and resources these individuals need to succeed and thrive.

| Key Performance Indicators |                  |                       |
|----------------------------|------------------|-----------------------|
| Total Measures             | Targets Achieved | Baselines Established |
| 3                          | 3                | 0                     |

### Highlights

**Prisoner Suicide Prevention:** The USMS developed and implemented a suicide incident review and response protocol that assesses detention facility procedures, training, and supervision with the objective to identify deficiencies that can be remediated that might reduce the likelihood of prisoner suicide. The agency also hired a psychologist to assist with prisoner mental health issues and to oversee clinical aspects of the USMS suicide mitigation program.

**Preparations for Reinstatement of Correctional Pell Grants:** In FY 2022, Bureau of Justice Assistance provided \$2.25 million of funding to the Vera Institute of Justice to provide technical assistance to the Department of Education’s Second Chance Pell Experimental Sites and BJA grantees. This award supports Vera’s efforts to prepare state correctional agencies for the reinstatement of Pell Grants for eligible incarcerated individuals in July 2023 by providing workshops, presentations, and memos; sharing best practices; making connections across jurisdictions; clarifying policy; and offering targeted technical support.



## Strategic Objective 5.2: Maintain a Safe and Humane Prison System

**Performance Measure:** Percent of funded corrections officer positions filled at the end of each fiscal year [BOP]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 88%     | 88%     | 88%     |
| <b>Actual</b> | 88%     | N/A     | N/A     |

### Discussion of FY 2022 Results

BOP implemented various hiring incentives in FY 2022. BOP increased the full performance level for correctional officers from GL-07 to GL-08. This allows applicants with requisite education or experience to enter at higher levels and earn a higher wage for this position without competitive promotion. For 90 days, BOP focused hiring efforts on external applicants to increase its staff. In addition, the Bureau received direct hire authority for several locations considered hard-to-fill, which expedites the hiring process.

### FYs 2023/2024 Planned Future Performance

BOP continues to pursue means of ensuring that all available corrections officer positions are filled, including identifying drivers for staff separation.

### Definition

Percentage of funded corrections officer positions filled at the end of each fiscal year. BOP’s Human Resource Management Division’s (HRMD) data report position filled rates for authorized positions only—not funded correctional officer rates. “Funded” refers to full-time equivalent.

### Data Validation, Verification, and Limitations

BOP’s HRMD reports the position filled rates — positions filled over the number of positions authorized as a percent. HRMD provides this data at the end of any specific pay period, which includes the end of the calendar year or fiscal year. HRMD calculates the number of filled correctional officer positions via National Finance Center data.

The number of authorized correctional officer positions is collected from the Administration Division and position management reports. The data from each system are cross-referenced to ensure accuracy. All information is subject to timely and accurate data entered into each system.



## Strategic Objective 5.2: Maintain a Safe and Humane Prison System

**Performance Measure:** Percent of inmates in federal custody who have successfully completed or are enrolled in an FSA program or activity [BOP]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 50%     | 55%     | 80%     |
| <b>Actual</b> | 61%     | N/A     | N/A     |

### Discussion of FY 2022 Results

In FY 2022, 61 percent of the inmates in federal custody completed or enrolled in a First Step Act (FSA) program or activity. Inmates are assigned FSA programs and activities based on their risk and needs assessment findings. Some inmates are recommended for structured, curriculum-based programs as part of this process. The BOP continues to monitor participation in structured and unstructured FSA programs and activities for capacity planning and to ensure program offerings address the needs of the inmate population.

### FYs 2023/2024 Planned Future Performance

In FY 2023, BOP plans to implement the new policy, First Step Act 2018 – Time Credits: Procedures for Implementation of 18 U.S.C. § 3632(d)(4). There will be three major changes incorporated in this policy. First, inmates will soon be able to see all potential federal time credits they may earn over the course of their sentence at their first unit team meeting. Second, inmates will be able to earn credit while in administrative detention if they continue participating in available programming opportunities provided to them. Finally, inmates will be able to continue earning credit while in the community, so long as they continue to successfully comply with all the rules and procedures of pre-release custody. In addition, the BOP plans to provide more structured training for staff on FSA processes. The BOP will continue its efforts to increase the percent of inmates who have successfully completed the needs assessment and enrolled in an FSA program or activity in FYs 2023 and 2024. Additionally, the BOP will evaluate the effectiveness of fourteen programs.

**Federal Time Credits:** DOJ submitted a new rule to the Federal Register implementing the time credits program required by the FSA for persons incarcerated in federal institutions for nonviolent offenses. The FSA provides eligible inmates the opportunity to earn ten to fifteen days of time credits for every 30 days of successful participation in evidence-based recidivism reduction programs and productive activities. The earned credits can be applied toward earlier placement in pre-release custody, such as residential reentry centers and home confinement.

### Definition

The percentage of inmates who have successfully completed an FSA evidence-based recidivism reduction program or productive activity during their term of incarceration or are enrolled or participating in an FSA evidence-based recidivism reduction program or productive activity each month.

### Data Validation, Verification, and Limitations

Evidence-based recidivism reduction programs and productive activities utilize standardized program codes for program monitoring and tracking purposes. Participation and completion data for these programs are maintained in the BOP's data system. At a minimum, case managers and the inmate's unit team review, verify, and update the data input for that inmate during the inmate's routine program review, which occurs every 180 days for inmates with twelve months or more remaining on their sentence, and every 90 days for inmates with less than twelve months remaining on their sentence.



## Strategic Objective 5.2: Maintain a Safe and Humane Prison System

**Performance Measure:** Percent of inquiries from external stakeholders that BOP responds to within the target response time [BOP]

|               | FY 2022 | FY 2023 | FY 2024 |
|---------------|---------|---------|---------|
| <b>Target</b> | 80%     | 80%     | 80%     |
| <b>Actual</b> | 87%     | N/A     | N/A     |

**Large Data Files:** BOP has streamlined data transfer protocol by using Justice Enterprise Files Sharing (JEFS) to transmit large data files in response to external inquiries.

### Discussion of FY 2022 Results

BOP’s responses to external stakeholders exceeded established statutory response times 87 percent of the time, which is 7 percentage points greater than the proposed target. The data were calculated using statutory and regulatory guidelines and available internal data. For FOIA responses, the BOP consistently meets its statutory and regulatory obligations. In circumstances when a final response cannot be provided, an acknowledgment letter is sent within the established guidelines.

### FYs 2023/2024 Planned Future Performance

BOP components responding to external stakeholders will develop internal responses that are either directly provided to external stakeholders or submitted for intra-DOJ review within BOP’s target response times at least 80 percent of the time. The offices responsible for these responses will continue to leverage their current systems to track responses and flag any incidents where target response times are not met.

In responding to audits, reports, findings, and requests from external entities such as the Office of the Inspector General (OIG) and Government Accountability Office (GAO), the BOP continues to collaborate among its program offices on issues to complete and accurate responses. Additionally, the BOP has increased collaboration and coordination with its external auditing stakeholders such as OIG and GAO through regular interagency quarterly calls as well as enhanced trainings between BOP and OIG/GAO staff.

### FYs 2023/2024 Planned Future Performance (Cont.)

BOP’s Freedom of Information Act Branch will meet all statutory and regulatory guidelines at least 95 percent of the time. BOP will maintain processing times for simple requests below DOJ’s average and the statute’s permitted twenty working days.

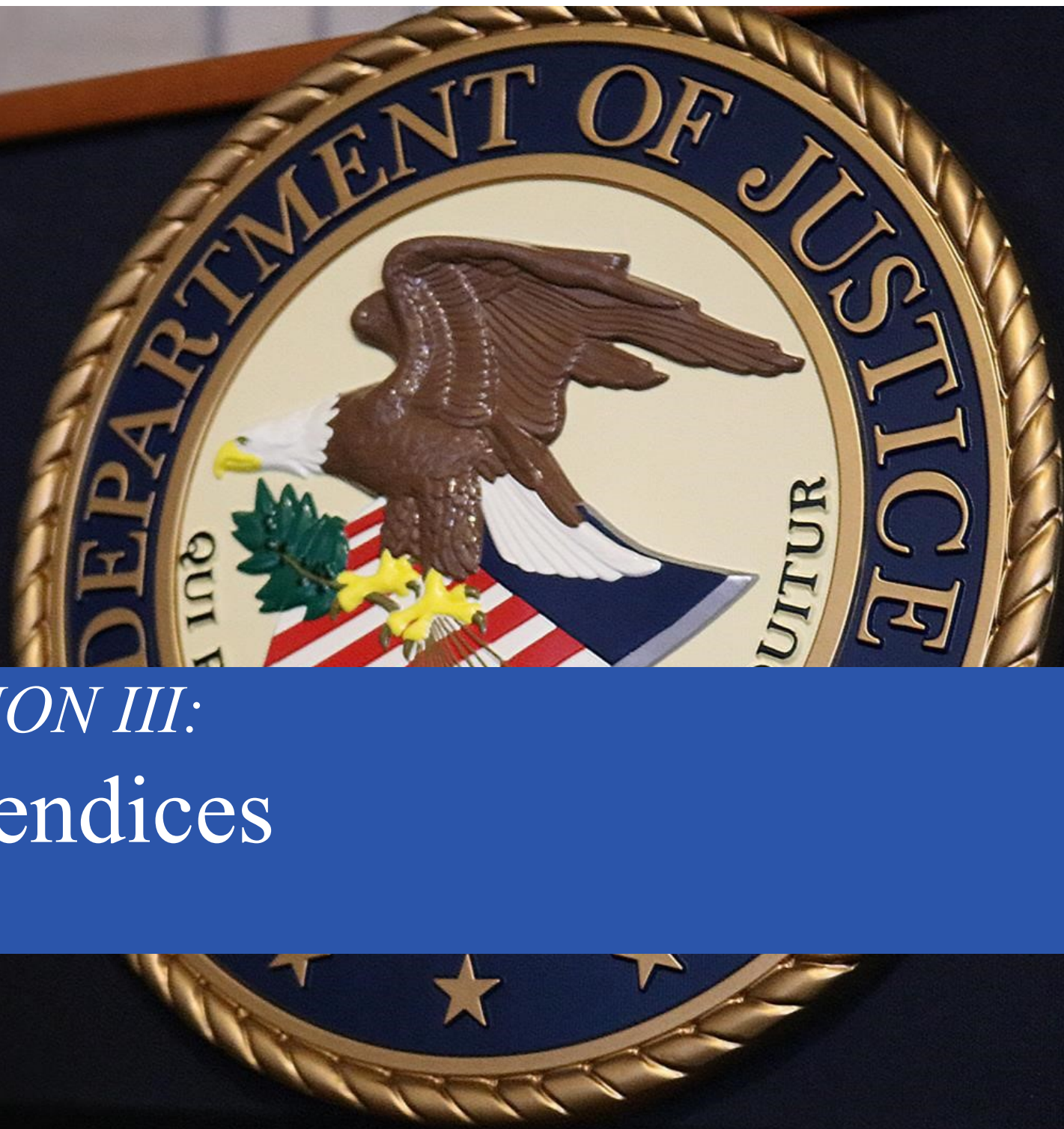
### Definition

Number of inquiries from external stakeholders, specifically Congress, the media, and the public via the FOIA process that BOP responds to within the target response time over the total number of inquiries from external stakeholders.

### Data Validation, Verification, and Limitations

BOP tracks and processes all FOIA requests in its internal database, including deadlines for external auditors. The database is used to run reports to determine which requests are processed within the statutory time limits. BOP reports every FOIA request – opened or closed – during the fiscal year to the Department’s FOIA staff to publish on FOIA.gov.

BOP does not identify FOIA requesters as first or third parties. Each requester is considered an external stakeholder regardless of their status.



*SECTION III:*  
Appendices

# Appendix A: Abbreviations and Acronyms

|             |  |                  |   |
|-------------|--|------------------|---|
| <b>A</b>    |  | <b>CARES Act</b> | Coronavirus Aid, Relief, and Economic Security Act        |
| <b>AECA</b> | Arms Export Control Act                              | <b>CEHTTF</b>    | Child Exploitation and Human Trafficking Task Force (FBI) |
| <b>AFF</b>  | Asset Forfeiture Fund                                | <b>CES</b>       | Counterintelligence and Export Control Section (NSD)      |
| <b>ATF</b>  | Bureau of Alcohol, Tobacco, Firearms, and Explosives | <b>CFIUS</b>     | Committee on Foreign Investment in the United States      |
| <b>ATJ</b>  | Office for Access to Justice                         | <b>CID</b>       | Criminal Investigative Division (FBI)                     |
| <b>ATR</b>  | Antitrust Division                                   | <b>CIPA</b>      | Classified Information Procedure Act                      |
| <b>B</b>    |  | <b>CISA</b>      | Cybersecurity and Infrastructure Security Agency          |
| <b>BCJI</b> | Byrne Criminal Justice Innovation (BJA)              | <b>CIV</b>       | Civil Division  |
| <b>BJA</b>  | Bureau of Justice Assistance                         | <b>COPS</b>      | Community Oriented Policing Services                      |
| <b>BOP</b>  | Federal Bureau of Prisons                            | <b>CPOT</b>      | Consolidated Priority Organization Targets                |
| <b>BWC</b>  | Body Worn Camera                                     | <b>CRM</b>       | Criminal Division   |
| <b>C</b>    |  | <b>CRS</b>       | Community Relations Services                              |
| <b>CAC</b>  | Crimes-against-children (FBI)                        | <b>CRT</b>       | Civil Rights Division                                     |

# Appendix A: Abbreviations and Acronyms

|              |   |              |  |
|--------------|---|--------------|--|
| <b>CTS</b>   | Counterterrorism Section (NSD)                  | <b>EOIR</b>  | Executive Office for Immigration Review      |
| <b>CyD</b>   | Cyber Division (FBI)                            | <b>EOUSA</b> | Executive Office for United States Attorneys |
| <b>D</b>     |   | <b>F</b>     |  |
| <b>DEA</b>   | Drug Enforcement Administration                 | <b>FBI</b>   | Federal Bureau of Investigation              |
| <b>DEIA</b>  | Diversity, equity, inclusion, and accessibility | <b>FCC</b>   | Federal Communications Commission            |
| <b>DHS</b>   | Department of Homeland Security                 | <b>FCPA</b>  | Foreign Corrupt Practices Act                |
| <b>DOJ</b>   | Department of Justice                           | <b>FCSC</b>  | Foreign Claims Settlement Commission         |
| <b>DT</b>    | Domestic terrorism                              | <b>FDA</b>   | Food and Drug Administration                 |
| <b>DVE</b>   | Domestic violent extremism                      | <b>FEVS</b>  | Federal Employee Viewpoint Survey            |
| <b>E</b>     |   | <b>FIRS</b>  | Foreign Investment Review Section (NSD)      |
| <b>ECRA</b>  | Export Control Reform Act                       | <b>FOIA</b>  | Freedom of Information Act                   |
| <b>EIDL</b>  | Economic Injury Disaster Loans                  | <b>FSA</b>   | First Step Act                               |
| <b>EJI</b>   | Elder Justice Initiative                        | <b>FY</b>    | Fiscal year                                  |
| <b>ENRD</b>  | Environmental and Natural Resources Division    | <b>G</b>     |  |
| <b>EOUSA</b> | Executive Office for United States Attorneys    | <b>GAO</b>   | Government Accountability Office             |

# Appendix A: Abbreviations and Acronyms

| <b>H</b>     |  | <b>K</b>       |  |
|--------------|--|----------------|--|
| <b>HR</b>    | Human resources  | <b>KPI</b>     | Key performance indicator  |
| <b>HRMD</b>  | Human Resources Management Division (BOP)                    | <b>L</b>       |  |
| <b>I</b>     |  | <b>LEP</b>     | Limited English proficiency  |
| <b>ICOR</b>  | Immigration Court Online Resource (EOIR)                     | <b>LGBTQI+</b> | Lesbian, gay, bisexual, transgender, queer, and intersex community |
| <b>ICTS</b>  | Information and Communications Technology and Services (NSD) | <b>M</b>       |  |
| <b>ICU</b>   | International Corruption Unit (FBI)                          | <b>MAT</b>     | Medication assisted treatment                                      |
| <b>IDEA</b>  | Integrated Digital Experience Act                            | <b>MMIP</b>    | Missing or murdered Indigenous people                              |
| <b>IEEPA</b> | International Emergency Economic Powers Act                  | <b>N</b>       |  |
| <b>IIR</b>   | Intelligence information report                              | <b>NCVS</b>    | National Crime Victimization Survey                                |
| <b>IRGC</b>  | Islamic Revolutionary Guard Corps                            | <b>NFT</b>     | Non-fungible token   |
| <b>J</b>     |  | <b>NICS</b>    | National Instant Criminal Background Check System (FBI)            |
| <b>JAG</b>   | Justice Assistance Grant                                     | <b>NIJ</b>     | National Institute for Justice                                     |
| <b>JEFS</b>  | Justice Enterprise File Sharing                              | <b>NSD</b>     | National Security Division   |
| <b>JMD</b>   | Justice Management Division                                  | <b>NSR</b>     | National Security Review   |
| <b>JSOC</b>  | Joint Special Operations Command                             |                |  |



# Appendix A: Abbreviations and Acronyms

|               |   |               |  |
|---------------|---|---------------|--|
| <b>O</b>      |   | <b>OLA</b>    | Office of Legislative Affairs            |
| <b>OAG</b>    | Office of the Attorney General                              | <b>OLC</b>    | Office of Legal Counsel                  |
| <b>OASG</b>   | Office of the Associate Attorney General                    | <b>OLP</b>    | Office of Legal Policy                   |
| <b>OCDETF</b> | Organized Crime Drug Enforcement Task Forces                | <b>OMB</b>    | Office of Management and Budget          |
| <b>OCIO</b>   | Office of the Chief Information Officer                     | <b>ONSI</b>   | Office of National Security Intelligence |
| <b>ODAG</b>   | Office of the Deputy Attorney General                       | <b>OPA</b>    | Office of Public Affairs                 |
| <b>OECD</b>   | Organization for Economic Co-operation and Development      | <b>OPM</b>    | Office of Personnel Management           |
| <b>OEJ</b>    | Office of Environmental Justice                             | <b>OPR</b>    | Office of Professional Responsibility    |
| <b>OIG</b>    | Office of the Inspector General                             | <b>OSG</b>    | Office of the Solicitor General          |
| <b>OIL</b>    | Office of Immigration Litigation (CIV)                      | <b>OTJ</b>    | Office of Tribal Justice                 |
| <b>OIP</b>    | Office of Information Policy                                | <b>OVW</b>    | Office on Violence Against Women         |
| <b>OIRA</b>   | Office of Information and Regulatory Affairs                | <b>P</b>      |  |
| <b>OJJDP</b>  | Office of Juvenile Justice and Delinquency Prevention (OJP) | <b>PARDON</b> | Office of the Pardon Attorney            |
| <b>OJP</b>    | Office of Justice Programs                                  | <b>PDMP</b>   | Prescription Drug Monitoring Program     |

# Appendix A: Abbreviations and Acronyms

|                |   |               |   |
|----------------|---|---------------|---|
| <b>POST</b>    | Peace Officers Standards and Training   | <b>U</b>      |   |
| <b>PPP</b>     | Paycheck Protection Program   | <b>UAH</b>    | United Against Hate                                       |
| <b>PRAO</b>    | Professional Responsibility Advisory Office                                   | <b>USAO</b>   | United States Attorney's Office                           |
| <b>PRF</b>     | Provider Relief Fund  | <b>USERRA</b> | Uniformed Services Employment and Reemployment Rights Act |
| <b>PSN</b>     | Project Safe Neighborhoods (USAO)   | <b>USIC</b>   | United States Intelligence Community                      |
| <b>R</b>       |   | <b>USMS</b>   | United States Marshals Service                            |
| <b>RICO</b>    | Racketeer Influenced and Corrupt Organization Act                             | <b>USNCB</b>  | United States National Central Bureau                     |
| <b>ROP</b>     | Release Orientation Program (BOP)   | <b>USPC</b>   | United States Parole Commission                           |
| <b>S</b>       |   | <b>USTP</b>   | United States Trustee Program                             |
| <b>SDNY</b>    | Southern District of New York   | <b>V</b>      |   |
| <b>SDTX</b>    | Southern District of Texas  | <b>VAWA</b>   | Violence Against Women Act                                |
| <b>SPCP</b>    | Strengthening Police and Community Partnership (CRS)                          | <b>VICAR</b>  | Violent Crime in Aid of Racketeering Act                  |
| <b>SUPPORT</b> | Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment | <b>VOCA</b>   | Victims of Crimes Act                                     |
| <b>T</b>       |   | <b>VRA</b>    | Voting Rights Act   |
| <b>TAP</b>     | Tribal Access Program (OTJ)   | <b>Misc</b>   |   |
| <b>TAX</b>     | Tax Division  | <b>IMDB</b>   | 1Malaysia Development Berhad                              |

# Appendix B: Component Websites

| Component   | Website  |
|---|--|
| American Indian and Alaska Native Affairs Desk (OJP)      | <a href="http://www.ojp.gov/topics/tribal-justice">www.ojp.gov/topics/tribal-justice</a>                   |
| Antitrust Division  | <a href="http://www.justice.gov/atr">www.justice.gov/atr</a>   |
| Bureau of Alcohol, Tobacco, Firearms and Explosives       | <a href="http://www.atf.gov">www.atf.gov</a>   |
| Bureau of Justice Assistance (OJP)                        | <a href="https://bja.ojp.gov/">https://bja.ojp.gov/</a>  |
| Bureau of Justice Statistics (OJP)                        | <a href="http://www.bjs.ojp.gov">www.bjs.ojp.gov</a>   |
| Civil Division  | <a href="http://www.justice.gov/civil">www.justice.gov/civil</a>   |
| Civil Rights Division                                     | <a href="http://www.justice.gov/crt">www.justice.gov/crt</a>   |
| Community Oriented Policing Services                      | <a href="https://cops.usdoj.gov/">https://cops.usdoj.gov/</a>  |
| Community Relations Service                               | <a href="http://www.justice.gov/crs">www.justice.gov/crs</a>   |
| Criminal Division   | <a href="http://www.justice.gov/criminal">www.justice.gov/criminal</a>                                     |
| Diversion Control Program (DEA)                           | <a href="http://www.dea.gov/operational-division/diversion">www.dea.gov/operational-division/diversion</a> |
| Drug Enforcement Administration                           | <a href="http://www.dea.gov">www.dea.gov</a>   |
| Environment and Natural Resources Division                | <a href="http://www.justice.gov/enrd">www.justice.gov/enrd</a>   |
| Executive Office for Immigration Review                   | <a href="http://www.justice.gov/eoir">www.justice.gov/eoir</a>   |
| Executive Office for U.S. Attorneys                       | <a href="http://www.justice.gov/usao/eousa">www.justice.gov/usao/eousa</a>                                 |
| Executive Office for U.S. Trustees                        | <a href="http://www.justice.gov/ust">www.justice.gov/ust</a>   |
| Federal Bureau of Investigation                           | <a href="http://www.fbi.gov">www.fbi.gov</a>   |
| Federal Bureau of Prisons                                 | <a href="http://www.bop.gov">www.bop.gov</a>   |
| Foreign Claims Settlement Commission of the United States | <a href="http://www.justice.gov/fcsc">www.justice.gov/fcsc</a>   |
| INTERPOL Washington                                       | <a href="http://www.justice.gov/interpol-washington">www.justice.gov/interpol-washington</a>               |
| Justice Management Division                               | <a href="http://www.justice.gov/jmd">www.justice.gov/jmd</a>   |
| National Criminal Justice Reference Service (OJP)         | <a href="http://www.ojp.gov/ncjrs">www.ojp.gov/ncjrs</a>   |
| National Institute of Corrections                         | <a href="http://www.nicic.gov">www.nicic.gov</a>   |
| National Institute of Justice                             | <a href="https://nij.ojp.gov/">https://nij.ojp.gov/</a>  |
| National Security Division                                | <a href="http://www.justice.gov/nsd">www.justice.gov/nsd</a>   |
| Office for Access to Justice                              | <a href="http://www.justice.gov/atj">www.justice.gov/atj</a>   |

## Appendix B: Component Websites

| Component  | Website   |
|--|---|
| Office of the Associate Attorney General   | <a href="http://www.justice.gov/asg">www.justice.gov/asg</a>                |
| Office of the Attorney General   | <a href="http://www.justice.gov/ag">www.justice.gov/ag</a>                  |
| Office of the Deputy Attorney General  | <a href="http://www.justice.gov/dag">www.justice.gov/dag</a>                |
| Office of Information Policy   | <a href="http://www.justice.gov/oip">www.justice.gov/oip</a>                |
| Office of the Inspector General  | <a href="http://www.justice.gov/oig">www.justice.gov/oig</a>                |
| Office of Justice Programs   | <a href="http://www.ojp.gov">www.ojp.gov</a>                                |
| Office of Juvenile Justice and Delinquency Prevention (OJP)                            | <a href="https://ojjdp.ojp.gov/">https://ojjdp.ojp.gov/</a>                 |
| Office of Legal Counsel  | <a href="http://www.justice.gov/olc">www.justice.gov/olc</a>                |
| Office of Legal Policy   | <a href="http://www.justice.gov/olp">www.justice.gov/olp</a>                |
| Office of Legislative Affairs  | <a href="http://www.justice.gov/ola">www.justice.gov/ola</a>                |
| Office of the Pardon Attorney  | <a href="http://www.justice.gov/pardon">www.justice.gov/pardon</a>          |
| Office of Professional Responsibility  | <a href="http://www.justice.gov/opr">www.justice.gov/opr</a>                |
| Office of Public Affairs   | <a href="http://www.justice.gov/opa">www.justice.gov/opa</a>                |
| Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking | <a href="https://smart.ojp.gov/">https://smart.ojp.gov/</a>                 |
| Office of the Solicitor General  | <a href="http://www.justice.gov/osg">www.justice.gov/osg</a>                |
| Office of Tribal Justice   | <a href="http://www.justice.gov/otj">www.justice.gov/otj</a>                |
| Office for Victims of Crime (OJP)  | <a href="https://ovc.ojp.gov/">https://ovc.ojp.gov/</a>                     |
| Office on Violence Against Women   | <a href="http://www.justice.gov/ovw">www.justice.gov/ovw</a>                |
| Organized Crime Drug Enforcement Task Forces   | <a href="https://www.justice.gov/ocdetf">https://www.justice.gov/ocdetf</a> |
| Professional Responsibility Advisory Office  | <a href="https://www.justice.gov/prao">https://www.justice.gov/prao</a>     |
| Tax Division   | <a href="http://www.justice.gov/tax">www.justice.gov/tax</a>                |
| U.S. Attorneys   | <a href="http://www.justice.gov/usao">www.justice.gov/usao</a>              |
| U.S. Marshals Service  | <a href="http://www.usmarshals.gov">www.usmarshals.gov</a>                  |
| U.S. Parole Commission   | <a href="http://www.justice.gov/uspc">www.justice.gov/uspc</a>              |