

FY 2021 Annual Performance Report

U. S. Department of Justice



Introduction

About this Report

The Department of Justice (DOJ) vigorously enforces the broad spectrum of laws of the United States. DOJ's Annual Performance Report (APR) for fiscal year (FY) 2021 reports on FY 2021 accomplishments aligned with our new *FYs 2022-2026 Strategic Plan*. The APR provides performance information, enabling the President, Congress, and the American public to learn more about DOJ's annual performance. The APR is prepared under the direction of the Department's Chief Financial Officer (CFO) and the Performance Improvement Officer (PIO).

Section I—Overview

This section includes summary information about the mission and organization of the Department, resource information, and an analysis of performance information for the Department's key performance measures.

[Click here to Overview](#)

Section II—Performance Information by Goal

This section reports on 66 key performance measures by detailing program objectives. Since FY 2022 is the first year of the new strategic plan, the report provides FY 2021 actual performance, where available.

[Click here to Performance Information](#)

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](#)



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>.

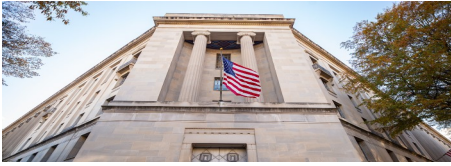
About DOJ



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



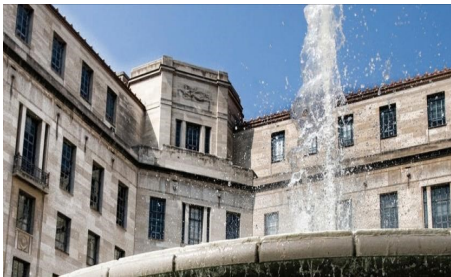
Goal 1: Uphold the Rule of Law

- 1.1 Protect Our Democratic Institutions
- 1.2 Promote Good Government



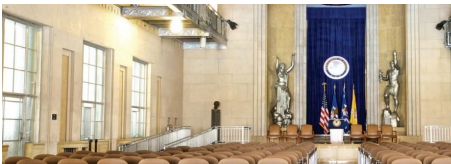
Goal 2: Keep Our Country Safe

- 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

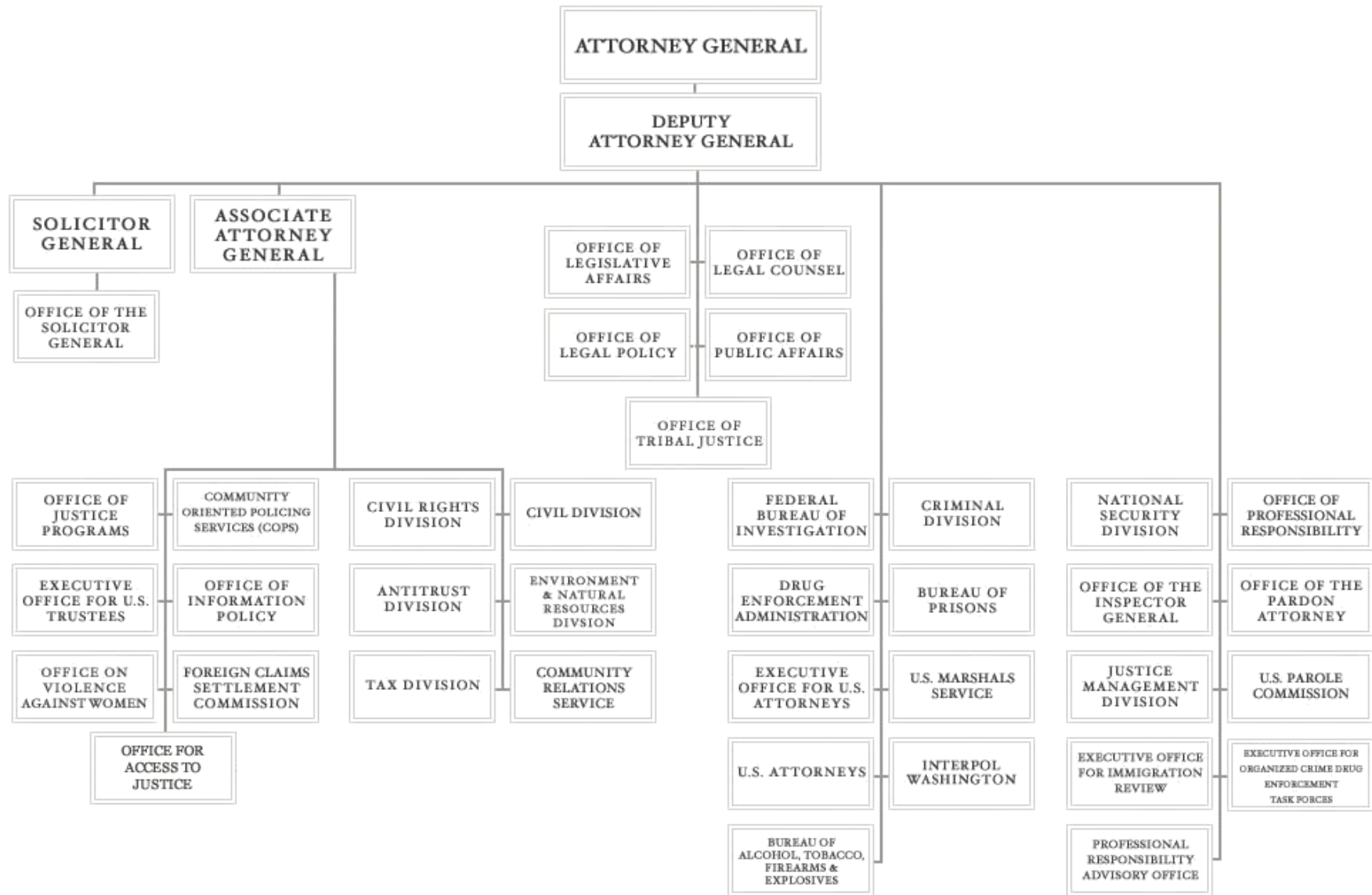
- 4.1 Reinvigorate Antitrust Enforcement and Consumer Protection
- 4.2 Combat Corruption, Financial Crime, and Fraud



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 performing “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 enough 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 identifies management and performance challenges facing the Department. In the *FY 2021 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:

- Strengthening Public Trust in the U.S. Department of Justice
- The Department’s Contingency Planning Post-Pandemic
- Maintaining a Safe, Secure, and Humane Prison System
- Countering Domestic and International Terrorism and Safeguarding National Security
- Protecting the Nation and Department against Cyber-Related Threats and Emerging Technologies
- Strengthening Community Engagement, Law Enforcement Coordination, and the Response to Violent Crime
- Managing the Opioid/Fentanyl Crisis
- Managing Human Capital
- Ensuring Financial Accountability of Department Contracts, Grants, and Pandemic-Related Funds

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



SECTION II:

Performance Information by Goal



Goal 1: Uphold the Rule of Law

OF
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
6

Highlights

- ◆ **Paycheck Protection Program Fraud:** In May 2021, David T. Hines of Florida was sentenced to 78 months in prison after pleading guilty to fraudulently obtaining approximately \$3.9 million in Paycheck Protection Program (PPP) loans. Hines admitted to using those funds in part to purchase a \$318,000 Lamborghini. At sentencing, the Court ordered the defendant to pay \$4.8 million in restitution.
- ◆ **Proactive Disclosures:** DOJ more than doubled its proactive disclosure of records under the Freedom of Information Act (FOIA) by posting over 20,000 records.
- ◆ **Open-Source Intelligence Unit:** United States Marshals Service (USMS) significantly enhanced its threat identification capabilities by establishing the Open-Source Intelligence Unit, which integrates circuit-based district support to provide personnel, support, and lines of communication between all USMS circuits and headquarters. These circuits enable enhanced collaboration among the districts and intelligence staff, creating faster response times to district needs and issues, thereby managing risk.



Strategic Objective 1.1: Protect our Democratic Institutions

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

Discussion of FY 2021 Results

Actuals: 93%

The Office of Professional Responsibility (OPR) exceeded its FY 2021 performance targets by continuing to process its inquiries in a timely manner. Due to OPR senior leadership's supervision and direct participation in case management, OPR managers, attorneys, and staff completed 93 percent of inquiries within one year of being opened. These results were obtained even though during FY 2021 OPR opened twice as many inquiries as in the previous fiscal year.

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 in one year.

Data Validation, Verification, and Limitations

Analysts prepare tracking reports that are reviewed for accuracy by OPR managers.



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]

Discussion of FY 2021 Results

Actuals: N/A

The Department’s Criminal Division (CRM) is using FY 2022 to establish a baseline for this new performance measure. The baseline data will be used to set future performance targets.

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 the Criminal Division.

Medicare Defrauding Conviction: Proactive data analysis led to the opening of an investigation and conviction of a New Jersey rheumatologist for defrauding Medicare and other health insurance programs by billing for services that patients never received.

CARES Act Fraud Cases: Proactive data analysis led to numerous charges against defendants who allegedly defrauded the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Provider Relief Fund.

Pandemic Fraud in New York: Proactive data analysis led to charges against two owners of New York-area pharmacies for taking advantage of “emergency override” codes put in place during the pandemic to fraudulently bill over \$40 million in false and fraudulent claims for Targretin and other cancer-related medications.



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]

Discussion of FY 2021 Results

Actuals: N/A

The Criminal Division will use FY 2022 to establish a baseline for this new performance measure. The baseline data will be used to set future performance targets.

Definition

This measure captures the number of U.S. Attorney’s Offices (USAOs) that received proactive data leads from the Criminal Division in criminal government fraud cases.

Healthcare Fraud Investigations: In FY 2021, the Criminal Division’s Fraud Section referred numerous CARES Act, Paycheck Protection Program (PPP), Provider Relief Fund (PRF), and COVID-19 related healthcare fraud investigations to U.S. Attorney’s Offices.

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 cases concerning COVID-19 related fraud in which the Department seeks restitution [USAO]

Discussion of FY 2021 Results

Actuals: N/A

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. In 2021, the Department established both the COVID Fraud Enforcement Task Force and the National Unemployment Fraud Insurance Task Force. 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 all legally appropriate cases in coordination with the task forces. USAOs have received guidance on charging COVID fraud cases to include criminal statutes that facilitate court-ordered restitution. As restitution amounts are not ordered until the sentencing phase at the conclusion of a criminal case, there is not a significant sample size for restitution numbers for COVID-19 fraud cases for FY 2021.

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. Consolidated Debt Collection System (CDCS) 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.

Unemployment Insurance Fraud: In April 2021, Arizona resident Delashaun Dean was sentenced to 30 months in federal prison after pleading guilty to fraudulently obtaining more than \$239,000 in pandemic unemployment insurance benefits. Las Vegas law enforcement found Dean with 15 unemployment insurance debit cards issued by the state of California, all issued in different names. At sentencing, the Court ordered the defendant to pay \$223,505 in restitution.

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.

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



Strategic Objective 1.1: Protect our Democratic Institutions

Performance Measure: Percent of COVID-19 related fraud cases favorably resolved [USAO]

Discussion of FY 2021 Results

Actuals: 97.5%

The Department of Justice favorably resolved 97.5 percent of its 122 Coronavirus Fraud National Initiative cases in FY 2021. Consistent with the establishment of the COVID Fraud Enforcement Task Force and the National Unemployment Fraud Insurance Task Force, USAOs participated in the COVID-19 Health Care Fraud Law Enforcement Action in May 2021, as well as the September 2021 Health Care Fraud Enforcement Action that targeted COVID fraud and other schemes. In addition to the criminal charges, Civil Assistant U.S. Attorneys (AUSAs) have obtained multiple injunctions against hawkers of fraudulent COVID cures, treatments, personal protective equipment (PPE), and other goods. One hundred and twenty-seven pandemic-related civil fraud matters have been opened, in addition to pandemic fraud-related whistleblower cases. In conjunction with the Civil Division, USAOs have settled approximately 6 PPP and COVID-19 Economic Injury Disaster Loan (EIDL) cases under the False Claims Act and/or the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), recovering over \$570,000 in damages and penalties and almost \$2 million in returned loans. On the forfeiture front, USAO personnel have seized or recovered more than \$794 million associated with pandemic fraud. USAOs have each identified COVID Fraud Coordinators to provide education, guidance, and reporting on pandemic fraud.

United States v. Cheng: In August 2021, a Fintech chief executive officer (CEO), Sheng-Wen Cheng, was sentenced to six years in prison after pleading guilty to multiple fraud schemes. Cheng, a Taiwanese national, used the identities of others to apply for \$7 million in loans. Cheng received approximately \$3.7 million in fraudulently obtained pandemic relief funds, which he spent on a Rolex watch, luxury clothing, a Mercedes, and more.

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, but is not limited to, 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]

Discussion of FY 2021 Results

Actuals: 51.2%

The FOIA backlog was significantly impacted by the closures of the immigration courts and Federal Records Centers. However, many components of the Department were able to adjust their processing to mitigate the challenges of the pandemic resulting in a reduction or a minimal increase in backlog.

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.

Number of FOIA Requests Processed & Processing Times: DOJ processed 71 percent of its simple FOIA requests within 20 working days. It also had the second highest number of requests across the government.

FOIA.gov: DOJ enhanced the National FOIA Portal by updating the Agency Manager and Administrator Guides for FOIA.gov. It also improved the efficiency of submitting large agency reports to the agency Annual FOIA Report tool. Furthermore, DOJ teamed up with two different General Services Administration teams to explore additional functionality to improve user experience.

Data Validation, Verification, and Limitations

The Department goes through a very thorough validation process for Annual FOIA Report data which is very reliable. However, quarterly report data is 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
5

Highlights

- ◆ **National DNA Database:** In FY 2021, the FBI implemented a paperless automation system for biographic data entry into Laboratory Division systems for Department of Homeland Security (DHS) submissions, which saved time and resources as record numbers of samples (between 50,000 and 60,000 per month) were submitted for national DNA database entry.
- ◆ **Reasonable Accommodation Survey:** From December 2020 through January 2021, DOJ invited employees who have requested or participated in the reasonable accommodation process within the past three years to complete a survey regarding their experience.
- ◆ **Diversity and Inclusion Dialogue Program (DIDP):** The DOJ DIDP was launched in 2014 to allow small groups of DOJ employees to come together to discuss commonalities and differences based on the many dimensions of diversity in DOJ’s workforce. In FY 2021, 84 participants from 19 different DOJ components successfully completed the program. Ninety-six percent of respondents indicated they would recommend that their DOJ component continue to support employee participation in the DOJ DIDP.



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]

Discussion of FY 2021 Results

Actuals: 59%

For FY 2021, the Department’s average positive composite score of the four identified Office of Personnel Management (OPM) FEVS questions is approximately 59 percent—slightly lower than its FY 2020 results (62 percent). The Department has regularly participated in the OPM FEVS throughout the years. JMD developed this performance measure in FY 2022 and will use FY 2021 data as the baseline.

Data Validation, Verification, and Limitations

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

Definition

The 2021 Office of Personnel Management Federal Employee Viewpoint Survey (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?



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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. JMD will begin surveying employees in FY 2022 to determine a baseline. In addition, JMD will use the data to assess the current curriculum to determine if new content and resources are needed.

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.

Interviewing Skills Best Practices: The Department’s HR staff identified best practices in the Office of Attorney Recruitment and Management’s interviewing skills training for attorneys and the training of the Federal Bureau of Investigation (FBI) for assessors interviewing candidates for special agent jobs.

Data Validation, Verification, and Limitations

JMD HR will use its learning management system, Learn DOJ, and rely on reports from the 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. JMD will begin reporting this measure in FY 2022.

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.

Exit Survey Program: DOJ is developing an exit survey pilot program to assess current attrition rate data, identify possible barriers to participation rates, and compare attrition in the relevant civilian labor force.

Data Validation, Verification, and Limitations

JMD's Human Resources Information Technology Office will extract the attrition data from the National Finance Center (NFC) 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]

Discussion of FY 2021 Results

Actuals: N/A

The U.S. Web Design System is the cornerstone of the 21st Century Integrated Digital Experience Act (IDEA). The Act requires all executive agencies to modernize their websites. This is a new performance measure for the Department.

Definition

Modernizing websites: The agency must use the U.S. Web Design System (USWDS). For the purpose of this measure, DOJ will increase the number of public-facing websites that meet the federally-required mandates.

Web Certification Survey: DOJ developed a draft web certification survey in FY 2021. We will publish it now that the strategic plan is public.

US Web Design Requirements: All external-facing Civil Division (CIV) websites were updated to follow the DOJ and U.S. Web Design System Requirements.

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 USWDS. Digitaldashboard.gov only measures whether a website is leveraging a USWDS 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. JMD will begin reporting this measure in FY 2022. Going forward, each DOJ component will report its data sets to the Department’s Office of the Chief Information Officer (JMD OCIO) in the Justice Data Catalog. The Justice Data Catalog will be enhanced to include an inventory of data exchanges, which will provide additional insight into component accessibility. The goal is to make more information available and consumable by approved DOJ component users.

Definition

Each DOJ component will report its datasets to JMD OCIO in the Justice Data Catalog. The Justice Data Catalog is the Department’s comprehensive data inventory required by the Foundations of Evidence-based Policymaking Act of 2018. Datasets that are marked as “public” are considered common data sets that are accessible amongst DOJ components, as well as to the general public. OCIO already performs analytics on the contents of the Justice Data Catalog, and will augment the metrics to include longitudinal analysis of the quantity of public data sets over time.

Data Validation, Verification, and Limitations

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



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
3

Highlights

- ◆ **Economic Espionage:** In April 2021, prosecutors from the National Security Division (NSD), CRM, and the USAO for the Eastern District of Tennessee successfully tried a defendant charged with conspiracy to commit economic espionage, conspiracy to steal trade secrets, possession of stolen trade secrets, and wire fraud. The defendant was convicted on all counts, each of which stemmed from her theft of valuable trade secrets related to formulations for coatings for the inside of beverage cans in order to establish a company in China using Chinese government grants. The stolen trade secrets belonged to major chemical and coating companies and cost nearly \$120 million to develop.
- ◆ **Security Clearance Standardization:** The FBI Insider Threat Office and Security Division launched the Continuous Evaluation Tool in 2021. The tool automates the Security Division’s evaluation for mandated data checks, instituting a workflow that revamps and standardizes the process for evaluating an employee's suitability to maintain a security clearance.
- ◆ **Former Army Green Beret Sentenced:** A former Army Green Beret was sentenced to 188 months in prison on May 14, 2021, for conspiring with Russian intelligence operatives to provide them with U.S. national defense information. According to court documents, from December 1996 to January 2011, Peter Rafael Dzibinski Debbins, 46, of Gainesville, a former member of the U.S. Army, conspired with agents of a Russian intelligence service. Over the course of the conspiracy, Debbins provided Russian intelligence agents with information he obtained as a member of the U.S. Army, including sensitive details about his chemical and Special Forces units. In 2008, after leaving active duty service, Debbins disclosed to the Russian intelligence agents classified information about his previous activities while deployed with the Special Forces.



Strategic Objective 2.1: Protect National Security

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

Discussion of FY 2021 Results

Actuals: 447

The domestic counterintelligence (CI) environment is more complex than ever, posing a continuous threat to U.S. national security and its economy by targeting strategic technologies, industries, sectors, and critical infrastructures. Historically, asymmetric CI threats involved foreign intelligence service officers seeking U.S. government (USG) and U.S. Intelligence Community (USIC) information. The FBI has observed foreign adversaries employing a wide range of nontraditional collection techniques, including the use of human collectors not affiliated with intelligence services, foreign investment in critical U.S. sectors, and infiltration of U.S. supply chains.

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.

Sanctions Evasion: The owner of a Russian energy company has been sentenced to federal prison for his role in a scheme to evade United States national security laws. Oleg Vladislavovich Nikitin, 54, of St. Petersburg, Russia, was sentenced to 28 months in prison after pleading guilty to Conspiracy to Violate the International Emergency Economic Powers Act, the Export Control Reform Act and the Export Administration Regulation.

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: 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. NSD will begin reporting this measure in FY 2022.

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 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).

DoD Linguist Pleads Guilty: Mariam Taha Thompson, a contract linguist for the Department of Defense, was sentenced to 23 years in prison for delivering classified national defense information to a foreign national she believed would provide the information to Lebanese Hizballah.

Data Validation, Verification, and Limitations

NSD captures all litigation data in its case tracking system. Data is 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]

Discussion of FY 2021 Results

Actuals: 100%

NSD, through the Foreign Investment Review Section (FIRS), completed 369 foreign-investment cases in FY 2021, a 40 percent increase from FY 2020, and favorably adjudicated 100 percent of these cases. These cases included 98 DOJ co-led cases under review before the Committee on Foreign Investment in the United States (CFIUS), a 42 percent increase from calendar year 2020. DOJ led 25 percent of all CFIUS cases in 2021, compared to 21 percent in 2020. DOJ also led 84 cases that were referred by the Federal Communications Commission (FCC) to Team Telecom, a 33 percent increase from FY 2020. This FY 2021 case-load was unique for NSD, given that NSD led 100 percent of Team Telecom cases in FY 2021, including resolving a significant backlog of prior years' cases that were inherited when Executive Order 13913 took effect at the end of FY 2020. NSD also monitored 185 mitigation agreements, a 41 percent increase from FY 2020. In addition, NSD led two information and communications technology and services (ICTS) supply chain referrals to the Department of Commerce under Executive Order 13873, with NSD having submitted the only three ICTS referrals to the Department of Commerce so far. Despite the challenges associated with the ongoing COVID-19 pandemic, NSD conducted 12 physical and virtual site visits for high-priority compliance matters.

New Pacific Light Cable Network System (New PLCN): NSD resolved a complex case involving critical infrastructure, enabling Google and Meta to take advantage of new submarine-cable capacity between the United States and Asia while protecting U.S. persons' privacy and ensuring the security of U.S. data. Team Telecom's National Security Agreements with Meta and Google and its recommendation to the FCC to grant the New PLCN application, affects far-reaching changes in the submarine-cable industry and has changed the data-infrastructure topology in the Asian region to the benefit of the United States and its allies in Asia.

Definition

Department-led foreign investment cases: Percentage of cases co-led by the DOJ in the Committee on Foreign Investment in the United States (CFIUS), 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

Internal manual data validation process.



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
4

Highlights

- ♦ **Capitol Breach Prosecutions:** The January 6, 2021 attack on the U.S. Capitol has resulted in the USAO for the District of Columbia handling hundreds of complex and resource-intensive cases charging defendants from around the nation with a broad range of offenses from violations such as unlawful entry to more complex charges such as conspiracy. In FY 2021, approximately 650 defendants were arrested, with more than 90 defendants pleading guilty to federal charges, 12 defendants received sentences ranging from 24 months of probation to 8 months of incarceration, and five defendants sentenced to periods of incarceration.
- ♦ **Rise of Domestic Terrorism:** The conviction of Ty Garbin on August 25, 2021, illustrates the rising threat of domestic terrorism. Garbin was a member of a conspiracy that plotted to kidnap the Governor of Michigan because of his anti-government conspiratorial views. Other members of the conspiracy await trial.
- ♦ **Battlefield Evidence:** The investigation and prosecution of foreign terrorist fighters involves specific challenges relating to the collection, preservation, and sharing of battlefield evidence that is admissible in a civilian criminal court. Over the last few years, best practices have been developed for the collection, use, and dissemination of battlefield evidence for use in civilian criminal courts, both domestically and internationally.



Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

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

Discussion of FY 2021 Results

Actuals: 793

The FBI maintained a high operational tempo and accomplished 793 disruptions. Counterterrorism (CT) remains the number one mission priority for the FBI, and the entire organization remains committed to proactively investigating terrorism actors and plotters. The FBI, alongside federal, state, and local partners, continues to make every effort to identify and disrupt terrorism threats and exploit the complex networks frequently associated with these threats.

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.

These accomplishments fall under the “Operational Outcomes” accomplishment type; outcome accomplishments are measures of effectiveness of a wide scope of FBI activities, not only arrests, and are claimed in conjunction with those activities. Disruptions are one of 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 disruption.

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 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.)



Strategic Objective 2.2: Counter Foreign and Domestic Terrorism

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

Discussion of FY 2021 Results

Actuals: 93%

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 March 2021 DOJ issued a new directive to USAOs that requires reporting of all domestic terrorism cases to NSD. In addition, the directive grants NSD additional oversight of these cases.

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

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.

Syria and Iraq Repatriations: The convictions of Samantha Elhassani and Abdelhamid Al-Madioum illustrate the ongoing challenge of repatriating U.S. citizens who provided material support or fought with ISIS in Syria and Iraq. As of October 2022, the United States has repatriated a total of 27 U.S. citizens from Syria and Iraq and DOJ charged 10 with a variety of federal criminal offenses, including providing and attempting to provide material support to a foreign terrorist organization.

Data Validation, Verification, and Limitations

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



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]

Discussion of FY 2021 Results

Actuals: 1,674

Six webinars were conducted in FY 2021 that included topics regarding domestic terrorism (DT) and domestic violent extremists (DVE). There were a total of 1,674 registered attendees. NSD was able to track the number of individuals who registered for webinars.

Definition

This measure includes virtual or in-person courses and webinar trainings on prosecuting Domestic Terrorism (DT) and Domestic Violent Extremists (DVE). Only content allowed in an unclassified environment may be conducted via webinar.

Virtual Training: In FY 2021, EOUSA's Office of Legal Education (OLE) and NSD continued to conduct training on a virtual platform as a result of the pandemic. Although it comes with many challenges, the highlights of virtual training in FY 2021 included the ability to train larger numbers of prosecutors and agents because space, travel, and funding requirements associated with in-person training did not exist.

Data Validation, Verification, and Limitations

The data will be validated by OLE. NSD will track the number of individuals who register for webinars, but not who actually attended the meetings.



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]

Discussion of FY 2021 Results

Actuals: 7%

The FBI's Directorate of Intelligence (DI) will continue to support the complete integration of intelligence and operations through the sharing of intelligence to enable FBI and USIC partners to identify and mitigate current and emerging threats. Progress towards this goal is reflected by the increased inclusion of FBI-originated reporting in USIC products. Increased inclusion drives the development of high-quality intelligence while mitigating risk.

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 US faces.

Data Validation, Verification, and Limitations

The FBI's DI 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.



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
3

Highlights

- ◆ **USMS Violent Crime Reduction Response:** In response to the Deputy Attorney General's memorandum directing DOJ components to collaborate on violent crime reduction efforts in May of 2021, the USMS combined its efforts with state and local authorities to conduct 153 operations, arrest 1,815 fugitives, and clear 2,047 warrants related to violent crimes including homicide, assault, robbery, and sexual assault. Additionally, USMS seized 1,078 firearms and 328 kg of narcotics in the Summer Initiative between May and September 2021.
- ◆ **FBI Criminal Dismantlements:** In FY 2021, FBI dismantled a total of 198 gang and criminal enterprises.
- ◆ **Interstate Stalking Conviction:** In July 2021, Jarvis Wayne Madison was sentenced to life in prison for interstate stalking resulting in death. At his sentencing, the United States presented evidence not only of Madison’s physical, emotional, and mental abuse of the victim before killing her, but also evidence that he had abused each of his eight previous wives in the same ways.
- ◆ **Violent Crime Case:** In May 2021, William Boothe III was sentenced to 240 months in federal prison for his role in planning and setting up the attempted robbery and home invasion that resulted in the fatal shooting of Jessica Brandon on July 31, 2018. Two of his co-defendants, Tawhyne Patterson and Damon Williams, were put on trial in February 2021.



Strategic Objective 2.3: Combat Violent Crime and Gun Violence

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

Discussion of FY 2021 Results

Actuals: 92%

The Department of Justice successfully resolved 92 percent of its prosecutions of 13,343 federal violent crime defendants in FY 2021. Pursuant to the Department’s violent crime reduction strategy announced in May 2021, each USAO crafted a district-specific violent crime strategy in consultation with federal law enforcement agencies and state, local, Tribal, and territorial partners. The Department has launched new programs, including five firearms trafficking strike forces created to help stem the supply of illegally trafficked firearms from source cities and other communities into five key market regions.

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.

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).

MS-13 Indictment: In 2021, federal grand juries in Nashville, Tennessee; Las Vegas, Nevada; and Alexandria, Virginia indicted over 15 leaders, members, and associates of the transnational criminal organization known as La Mara Salvatrucha, or MS-13. The indictment charged federal racketeering offenses involving over 19 murders, over five attempted murders, drug distribution, robberies, kidnappings, and assaults.

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.



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]

Discussion of FY 2021 Results

Actuals: 4.7%

In FY 2021, USAO saw an increase in National Instant Criminal Background Check System (NICS) uploads, yet remained slightly below the five percent target. USAO attributes this primarily to a decrease in reportable activity as a result of the pandemic and the associated reduction in courtroom activity. That reduction was particularly pronounced during the earlier part of FY 2021, but even in late FY 2021 and beyond, the pandemic continued to adversely impact the volume of reportable activity.

Definition

USAO prohibitor data: USAO 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 Results

Actual: 45%

As part of their crime reduction initiative, 45 percent of the Office of Justice Program's (OJP) crime reduction grantees conducted community engagement activities in FY 2021. The annual result was slightly lower than the Department's FY 2021 target of 58 percent due to the impacts of the COVID-19 pandemic. Specifically, the Byrne Criminal Justice Innovation (BCJI) program grantees were unable to hold as many community outreach activities as expected.

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.

Community and Criminal Justice Partnerships: In FY 2021, the Bureau of Justice Assistance (BJA) hosted listening sessions and six webinars with the field to assess how OJP can support implementation of expanded community violence initiative efforts, research, and strategies. These sessions were a part of the BCJI community-based effort.

Data Validation, Verification, and Limitations

Data are validated and verified with grant managers' programmatic monitoring and electronic controls. This includes a review of all relevant material to determine grant performance, desk reviews of grantee support documentation, telephone contacts, and on-site grant monitoring. Grant managers review and validate performance measure data during on-site visits and desk reviews. The grant manager may contact the grantee to resolve any perceived inconsistent or missing performance measure data. Due to the collection process, there is a data lag for this metric.



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
5

Highlights

- Multinational Operation to Eliminate the Emotet Malware:** DOJ participated in a multinational operation to take down the infrastructure of the malware and botnet known as Emotet. The Emotet malware and botnet infected more than 1.6 million victim computers throughout the United States and caused hundreds of millions of dollars in damage worldwide.
- Darkside Bitcoins Retrieved:** DOJ seized 63.7 bitcoins valued at over \$2.3 million. These funds allegedly represent a significant portion of a May 8, 2021 ransom payment to individuals in a group known as DarkSide, which previously targeted Colonial Pipeline and took critical infrastructure out of operation.



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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. The FBI will use FY 2022 to establish a baseline for this new performance measure.

Definition

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

NetWalker Ransomware Disruption: DOJ carried out an international law enforcement action to disrupt a sophisticated form of ransomware known as NetWalker, which had impacted numerous victims with attacks targeting the healthcare sector during the COVID-19 pandemic. This action includes charges in relation to NetWalker attacks, for which tens of millions of dollars were allegedly obtained, the seizure of approximately \$454,530 in cryptocurrency from ransom payments, and the disablement of a dark web resource used to communicate with NetWalker victims.

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]

Discussion of FY 2021 Results

Actuals: 42.7%

This is a new cyber measure for the Department. However, the FBI did report that over 40 percent of the ransomware incidents reported in FY 2021 were either opened, added to an existing case, resolved, or an investigative action was conducted within 72 hours.

Definition

Opened or added to an existing case: All incidents with a “yes” for the closing disposition. “Yes” indicates that 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new cyber measure for the Department. Though the FBI was benchmarking its performance, it will officially begin reporting on this measure in FY 2022.

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]

Discussion of FY 2021 Results

Actuals: N/A

This a new cyber measure for the Department. JMD OCIO will begin reporting on this measure in FY 2022.

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.

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: Number of threat advisories disseminated to the private sector [FBI]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department of Justice. FBI will begin reporting this measure in FY 2022.

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 the Cybersecurity and Infrastructure Security Agency (CISA) and USIC partners to avoid inundating the private sector. The data is 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 12 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
3

Highlights

- ◆ **Operation Trojan Shield:** The joint FBI/DEA Organized Crime Drug Enforcement Task Force’s (OCDETF) Trojan Shield investigation resulted in approximately 1,100 global arrests, 1,000 search warrants, and the seizure of 10 tons of cocaine, 15 tons of marijuana, 233 kilograms of heroin, 240 guns, 107 vehicles, and the equivalent of \$57 million. The case impact included a complete disruption and dismantlement of multiple transnational drug networks.
- ◆ **DEA Fentanyl Efforts:** In August 2021, DEA launched a nationwide law enforcement effort to address the increase in availability and lethality of fentanyl-laced fake pills. In the following two months, DEA seized approximately 1.8 million fentanyl-laced pills, 712 kilograms of fentanyl powder, and arrested over 800 drug traffickers in the United States. Along with this effort, DEA issued a Public Safety Alert to warn the public of the increased availability of the potentially deadly fake pills and launched the One Pill Can Kill campaign.



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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department of Justice. OCDETF will begin reporting this measure in FY 2022.

Definition

CPOT: An organization is considered linked to a CPOT if evidence exists of a nexus between the primary investigative target and a CPOT target, verified associate, or component of the CPOT organization. A credible link to a CPOT indicates the primary investigative target, if not a CPOT, is not 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 (D&D) target: The target is based on the percentage of FY 2022 CPOT D&Ds to all OCDETF D&Ds. These projections are based on predicted increases in both the overall OCDETF D&D numbers and the CPOT D&D numbers, separately. The projected CPOT D&Ds are then divided into the overall OCDETF D&D projections

OCDETF Operation Narco Polo III: In April 2021, Ismael Zambada-Garcia, son of the Sinaloa cartel leader, pleaded guilty to conspiracy to distribute controlled substances for the purpose of unlawful importation and conspiracy to import controlled substances. This multi-national investigation resulted in scores of arrests and massive seizures of methamphetamine, cocaine, marijuana, heroin, and narcotics.

Definition (Cont.)

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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. DEA will begin reporting this measure in FY 2022.

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 (APQ) for each of those substances in addition to other factors. The APQ 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.

Diversion of Pharmaceutical Controlled Substance Trainings: In 2021, the DCP hosted 10 live four-hour virtual training sessions to educate practitioners about the diversion and abuse of pharmaceutical controlled substances, as well as the DEA regulations pertinent to their practices. Over 20,000 practitioners completed the training sessions.

Data Validation, Verification, and Limitations

PDMP data and subsequent reports provided by PDMP Administrators are standardized by either the state or the National Association of State Controlled Substances Authorities (NASCSA); however, limitations exist as State PDMP administrators have no statutory requirement to provide this data to DEA for the purposes of estimating diversion.



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]

Discussion of FY 2021 Results

Actuals: N/A

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

Definition

Grantee programs: Percentage of select BJA and OJJDP grant programs that provide MAT. BJA and OJJDP are components of OJP.

MAT: Substance Abuse and Mental Health Services 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 (<https://www.samhsa.gov/medication-assisted-treatment>).

Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP): Through COSSAP, BJA expanded opioid use disorder treatment in jails. The program supports communities that are working with experts to design and implement plans for offering MAT in jails and continuing care in their communities. The COSSAP program also created an Evidence-Based Treatment in Custody, where mentor sites, or jails that demonstrated success implementing MAT programs, acted as examples from which other jails could learn.

Data Validation, Verification, and Limitations

Data are validated and verified with grant managers’ programmatic monitoring and electronic controls over the data. This oversight includes a review of all relevant material to determine grant performance, desk reviews of grantee support documentation, telephone contacts, and on-site grant monitoring. Grant managers review and validate performance measure data during on-site visits and desk reviews. The grant manager may contact the grantee to resolve any perceived inconsistent or missing performance measure data. Due to the reporting 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, 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
6

Highlights

- ♦ **Child Exploitation Conviction:** Michael J. McClure was sentenced to 50 years in federal prison for child exploitation enterprise, conspiracy to distribute/possess child pornography, and other charges. McClure was producing child pornography of his daughter, a minor who was less than 10 years old. McClure admitted to engaging in a child exploitation enterprise with others who were working together to victimize multiple minors across the country.
- ♦ **Sex Trafficking Case:** Prince Bixler, 41, of Lexington, Kentucky, was sentenced to 36 years in prison followed by 10 years of probation, and ordered to pay \$333,100 in restitution to three sex trafficking victims. The defendant engaged in illegal conduct from 2013 into 2019, where he threatened multiple potential witnesses who were subpoenaed to testify before a federal grand jury in Lexington.
- ♦ **Missing and Endangered Children:** U.S. Marshals Service contributed to the recovery of 950 missing and endangered children in FY 2021, a 145 percent increase compared to FY 2020.
- ♦ **Elder Justice Enforcement:** DOJ brought over 220 criminal and civil enforcement actions in 46 federal judicial districts related to conduct that targeted or disproportionately impacted older adults, including tech support fraud, romance scams, and telemarketing scams.



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]

Discussion of FY 2021 Results

Actuals: N/A

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

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 persons, Asian Americans, and Pacific Islanders. These are victims served through programs funded under the Victims of Crime Act (VOCA) and those programs targeting human trafficking.

Data Validation, Verification, and Limitations

Data are validated and verified with grant managers' programmatic monitoring and electronic controls over the data. This includes a review of all relevant material to determine grant performance, desk reviews of grantee support documentation, telephone contacts, and on-site grant monitoring. Grant managers review and validate performance measure data during on-site visits and desk reviews. The grant manager may contact the grantee to resolve any perceived inconsistent or missing performance measure data. Due to the collection process, there is a data lag for this metric.

Demographic data is 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 relies 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. EOUSA will create a baseline in FY 2022 by surveying each USAO.

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 the resources of the USAO.

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 Victims of Crime Training & Technical Assistance at ovcttac.gov. Trauma-informed training focuses on recognizing that victims experience trauma from a variety of sources.

Culturally-sensitive: For the purpose of this measure, it is being aware that cultural differences and similarities between people exist without assigning them a value.

Trauma-Informed Practice Webinars: EOUSA's Legal Programs Office hosted a webinar series designed to enhance victim-focused and trauma-informed practices. This week-long virtual seminar in January 2021 included sessions on applying victim-related federal statutes during investigations and prosecutions; addressing restitution, restoration, and remission issues; and providing particular guidance to support Indigenous victims.

Support for Mega Victim Case: EOUSA's Mega Victim Case Assistance Program and Victim Notification System partnered with the USAO for the Eastern District of New York to provide a full range of victim services in a multi-defendant investment fraud prosecution that harmed approximately 15,500 victims.

Data Validation, Verification, and Limitations

EOUSA 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]

Discussion of FY 2021 Results

Actuals: N/A

The Department’s Office on Violence Against Women (OVW) will begin reporting on this measure in FY 2022. Currently, an effort is underway at the Department of Justice to improve the data reporting process in its new Justice Grants system. The data for this measure will be drawn from the grantee reports within the system.

Definition

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

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

OVW Accomplishments: OVW convened virtually during DOJ's annual government-to-government Tribal Consultation on Violence Against American Indian and Alaska Native Women and created 41 awards under a special initiative designed to help tribes mitigate the impact of the COVID-19 pandemic on their ability to address violence against women.

Domestic Violence: OVW expanded its Firearms Technical Assistance Project to help communities across the country reduce domestic violence-related homicides and injuries committed with firearms.

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.



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]

Discussion of FY 2021 Results

Actuals: 42%

In FY 2021, over 40 percent of FBI’s crimes-against-children (CAC) cases addressed abductions, hand-on offenders, sextortion, or enticement. Technological developments and encrypted communications have made the investigation of CAC cases more difficult and complex, as child sex offenders are more likely to employ sophisticated encryption methods, exploit covert communication techniques, and operate on illicit dark web networks. As investigations reveal techniques and technologies used by CAC and human trafficking offenders to operate anonymously, the FBI develops technical tools to identify and locate them.

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.

Crimes-Against-Children Conviction: In June of 2021, Travis Wayne Vavra, a long-haul truck driver who advertised free amusement park passes and cross country trips for boys to explore the United States, was found guilty by a federal jury of one count of transportation of minors with intent to engage in criminal sexual activity and one count of possession of a visual depiction involving the sexual exploitation of a minor.

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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. In FY 2021, the Department’s Civil Division, along with other DOJ components and national law enforcement organizations (i.e., the International Association of Directors of Law Enforcement Standards and Training or IADLEST), explored the most feasible hubs for reaching the largest number of state and law enforcement officers with potential elder justice resources, training and information. We identified state Peace Officer Standards and Training (POST) commissions as the most promising hubs. CIV identified the first tranche of potentially interested state POSTs with whom to explore partnerships.

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.

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.

Elder Justice Training: DOJ conducted more than 400 elder justice training and outreach events to train state and local prosecutors, law enforcement, and elder justice professionals how to identify, prevent, and combat elder abuse, neglect, and financial exploitation.

Free Virtual Elder Abuse Guide for Law Enforcement (EAGLE) Training: The Elder Justice Initiative (EJI) helped to develop the EAGLE Training, which will allow law enforcement officers in 36 states to receive continuing education training credit for taking the course.

Data Validation, Verification, and Limitations

EJI will verify an memorandum of understanding (MOU) or agreement and 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]

Discussion of FY 2021 Results

Actuals: 95%

In FY 2021, 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 USAO community, particularly in the USAOs for the Northern and Eastern Districts of Oklahoma, which include the geography directly impacted by the McGirt ruling, but also in other USAOs as the Department re-aligned resources to Oklahoma to address the increased caseload.

The Department announced various initiatives to enhance its ability to successfully prosecute crime in Indian country. These relate to information sharing, the FBI Indian Country missing persons webpage, training of law enforcement, and provisions of the Violence Against Women Act focused on Indian Country.

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 USAO, 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
3

Highlights

- ◆ **City of West Monroe, Louisiana Voting Rights Act Settlement:** DOJ reached a settlement to enforce Section 2 of the Voting Rights Act. Working collaboratively to resolve this case, West Monroe will adopt a new method of elections for its Board of Alderman. This new method will provide all West Monroe citizens with an equal opportunity to participate in the political process and elect aldermen of their choice.
- ◆ **Voting-Related Provisions in Jails:** The USMS is updating its intergovernmental agreements and contracts to require jails to provide voting-related educational materials, voter registration forms, and assistance with voting by mail. While USMS has agreements in place in more than 2,000 state or local detention facilities, executing the agreement modifications may take several months; meanwhile, new prisoners will begin the intake process.
- ◆ **St. Louis Polling Place Accessibility:** DOJ reached a settlement under Title II of the Americans with Disabilities Act with the Board of Election Commissioners for the City of St. Louis to ensure that polling places are accessible during elections to individuals with mobility and vision impairments. DOJ identified architectural barriers at St. Louis polling places and also found that the board failed to provide accessible curbside voting and an equal level of privacy while voting compared to voters without disabilities.



Strategic Objective 3.1: Protect the Right to Vote

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

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. The Civil Rights Division (CRT) will begin reporting on this measure in FY 2022.

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.

Updated Election Guidance: In FY 2021, CRT issued guidance documents relating to post-election audits, voting by mail, and redistricting. Other guidance includes a discussion of federal laws that protect voters from intimidation in voting. These guidance documents are made available to states and other entities responsible for administering elections as well as to the general public.

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]

Discussion of FY 2021 Results

Actuals: N/A

CRM did not close any cases involving violence and intimidation against election officials in FY 2021.

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.

Election Threats Task Force: CRM's Public Integrity Section led DOJ's newly formed Election Threats Task Force to create a national organization and prioritization of election threats matters by collecting referrals of intimidation, coordinating responses from and providing training to law enforcement and prosecutors, initiating federal criminal investigations, and conducting outreach with the election community to share information on how to report threats.

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]

Discussion of FY 2021 Results

Actuals: 47%

In FY 2021, nearly 50 percent of the Department’s Bureau of Prisons (BOP) facilities provided structured curriculum on voting rights to releasing individuals.

Definition

BOP’s Community Reentry Affairs Branch coordinated the development of the standardized program curriculum for the Release Orientation Program (ROP) Program Statement. ROP is conducted with all inmates who are 17-20 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.

Inmate Voting Rights Information Distribution: To provide inmates with more information regarding their voting rights, BOP posted information and voting materials on the inmate messaging system for Washington, D.C.; Maine; Vermont; and Puerto Rico. Additionally, a standardized curriculum was developed to include information on voting rights and processes.

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
4

Highlights

- ♦ **Hate Crime Murders:** Gregory A. Bush, 53, of Louisville, Kentucky was sentenced to a life term in state prison for charges in connection with his racially motivated murder of two Black patrons at a Kroger grocery store and his attempted murder of a third in Jeffersontown, Kentucky.
- ♦ ***United States v. Jenkins, et al.*:** In June 2021, Michael Atkinson, Pablo Ceniceros-Deleon, and Daryl Henry were sentenced to terms in prison of 22 years, 20 years, and 11 years for violent crimes against users of the gay dating app Grindr. Beginning in December of 2017, the defendants used Grindr to lure men to an apartment complex in Dallas, where they held the men at gunpoint and forced them to drive to local ATMs to withdraw cash from their accounts..
- ♦ **Title VII and Fighting Discrimination in Employment:** DOJ announced a settlement with Baltimore County, Maryland, resolving claims that the Baltimore County Police Department (BCPD) discriminated against African American applicants for employment. Baltimore County will pay \$2 million in back pay to eligible African Americans who were previously denied employment due to the discrimination identified in the settlement. The BCPD also must hire up to 20 of these previous applicants as entry-level police officers or cadets after the applicants demonstrate that they meet BCPD’s current qualifications.



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]

Discussion of FY 2021 Results

Actuals: 26

This is a new performance measure for the Department. However, CRT has always worked to enforce Title VII and USERRA. In FY 2021, the Division sought to prohibit discriminatory employment practices by initiating 26 investigations.

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: DOJ filed a civil complaint against Prince George County, Virginia, and the Virginia Retirement System to enforce employment rights guaranteed to a member of the Virginia Army National Guard, Major Mark Gunn, under the USERRA. The complaint alleges that Gunn had been a detective with the Prince George County Police Department for 14 years when he was called to active duty by the Virginia Army National Guard. The complaint seeks to have Gunn effectively reinstated to his prior detective position and to recover employment benefits that the County denied him during his period of active duty service from 2016 to 2018.

Data Validation, Verification, and Limitations

CRT captures all litigation data in Interactive Case Management WebTime system. Data in that system is 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. CRT will begin reporting on the measure in FY 2022.

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.”

Title VI Retaliation Matter: 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 an LEP court user and for assisting an advocate who filed a complaint about language access services.

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]

Discussion of FY 2021 Results

Actuals: 27%

In a July 2021 survey, 25 USAOs indicated they coordinate or actively participate in a district-wide alliance against hate.

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.

United States v. Strauss: In September 2021, Nolan Levi Strauss was sentenced to 16 years in federal prison and five years of supervised release for approaching a Black man from behind in a fast food restaurant and stabbing him twice in the neck, cutting his jugular vein. According to court documents and statements made at the sentencing hearing, Strauss did not know the man and had never seen him before, but decided to kill him because he was Black.

Data Validation, Verification, and Limitations

The data for this metric will be conducted 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]

Discussion of FY 2021 Results

Actuals: 96%

In FY 2021, CRT favorably resolved 96 percent of the Department’s criminal cases addressing civil rights violations, including hate 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.

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.

Kroger Shooter Sentenced to Life in Prison: In June 2021, DOJ obtained a life sentence against Gregory A. Bush. Bush drove to a Kroger grocery store in Jeffersontown, KY and attacked three Black individuals because of their race. He had no prior relationship with any of the victims. Bush’s racially motivated shootings resulted in the death of two and irreparable harm to the third.

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 3.3: 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
4

Highlights

- ◆ **Louisville Police Department Investigation:** In 2021, DOJ announced the opening of several investigations into local governments and police departments, including Louisville/Jefferson County Metro Government and Louisville Metro Police Department, City of Minneapolis and Minneapolis Police Department, and Phoenix Police Department.
- ◆ **Georgia Prison Investigation:** DOJ announced in September 2021 that it has opened a statewide civil investigation into the conditions of confinement for prisoners held in Georgia’s prisons.
- ◆ **BWC Program Implementation:** DOJ began successfully implementing Phase 1 of its body-worn camera (BWC) program for law enforcement agents.



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]

Discussion of FY 2021 Results

Actuals: N/A

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.

The ATF has a robust and mandatory continuing education program dedicated to Use of Force training, and USMS established and met its own internal targets for Use of Force training. During the pandemic, the BOP training was initially suspended, but eventually modified based on the COVID matrix to allow staff to train virtually and in person when safe to do so.

Definition

Use of Force training, as developed by each DOJ law enforcement component consistent with the Attorney General’s May 20, 2022, [Department’s Updated Use-of-Force Policy \(justice.gov\)](#), is delivered to each special agent at least once every three years.

Use of Force Training: ATF ensured that all its special agents and task force officers assigned to criminal enforcement groups completed or will complete Use of Force Training in FY 2021.

Hands-On Control Tactics Training: In August 2021, USMS piloted a new agency-wide training that resulted in a significant reduction in Search and Restraint Practical Exam failures from 24 percent to 9 percent. This represents a greater than 50 percent reduction in average failures and yields a higher pass rate for the course participants.

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]

Discussion of FY 2021 Results

Actuals: 75%

In May 2021, Community Relations Service (CRS) conducted a case study to identify the perceived impacts and outcomes of the 2018 Erie Strengthening Police and Community Partnerships (SPCP) program and Erie SPCP Council on police-community relations. In addition, the case study measured the perceptions of collaboration between Erie city officials, the police department, and community leaders. These outcomes and impacts were identified by analyzing data collected from online surveys and during interviews.

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.

Erie, PA Case Study: The study measured participants' perceptions of improved capacities of city and police leadership, SPCP Council members, and SPCP planning group members to prevent and respond to conflicts and documented the outcomes of the program. In response to one survey question, 75 percent of respondents agreed or strongly agreed that the actions of the council successfully addressed the issues, tensions, and conflicts identified during the SPCP program, indicating stronger capacity to address future alleged inequities.

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. 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]

Discussion of FY 2021 Results

Actuals: 1%

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 (BWC). This data was used to establish a one-percent baseline in FY 2021 for the metric.

In FY 2021, 152 ATF agents were trained and equipped with BWCs. This is 90 percent of the agents involved in Phase I of the BWC program, and approximately 5.5 percent of the overall 2,756 ATF Special Agents. The USMS established and met its own internal BWC target for FY 2021.

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.

ATF's BWC Implementation: ATF implemented and funded Phase I of the body-worn camera program. This phase included both training 152 agents, in FY 2021, assigned to the Detroit and Phoenix Field Divisions in the use of the BWC and the Digital Evidence Management (DEM) platform and the deployment of BWCs and accessories to the field.

BWC Interim Program: In 2021, USMS purchased BWCs and established an interim program, which involves 149 designated USMS wearing BWCs for enforcement operations and other missions. The interim program is working to develop and procure the necessary strategic and logistical tools to implement the BWC program agency-wide.

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]

Discussion of FY 2021 Results

Actuals: N/A

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

Definition

The percentage will be produced by aggregating the number of JAG law enforcement grantees who conducted police reform activities within four broad topic areas including accountability; hiring, training and interagency culture; and community trust, partnerships and problem solving using innovation and evidence-based practices.

For this measure, “evidence-based practices” are used to translate evidence into solid practice for the purpose of making improvements.

Data Validation, Verification, and Limitations

Data are validated and verified with grant managers’ programmatic monitoring and electronic controls over the data. This oversight includes a review of all relevant material to determine grant performance, desk reviews of grantee supporting documentation, communication records, and on-site grant monitoring.

Grant managers review and validate performance measure data during on-site visits and desk reviews. The grant manager may contact the grantee to resolve any perceived inconsistent or missing performance measure data. 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
2

Highlights

The Department launched efforts to reestablish and expand the scope of its Office for Access to Justice (ATJ). As a standalone agency, ATJ will address the access-to-justice crisis in the criminal and civil justice system. ATJ’s mission is to help the justice system efficiently deliver outcomes that are fair and accessible to all, irrespective of wealth and status. ATJ is dedicated to improving the federal government’s understanding of and capacity to address the most urgent legal needs of communities across America. ATJ staff works within the DOJ, across federal agencies, and with state, local, and tribal justice system stakeholders to increase access to counsel and legal assistance and to improve the justice delivery systems that serve people who are unable to afford lawyers. ATJ is guided by three principles:

- ◆ Promoting Accessibility — eliminating barriers that prevent people from understanding and exercising their rights.
- ◆ Ensuring Fairness — delivering fair and just outcomes for all parties, including those facing financial and other disadvantages.
- ◆ Increasing Efficiency — delivering fair and just outcomes effectively, without waste or duplication.

To translate these principles into action, ATJ pursues strategies to leverage and better allocate justice resources, and works to:

- ◆ Advance new statutory, policy, and practice changes that support development of quality indigent defense and civil legal aid delivery systems at the state and federal level;
- ◆ Promote less lawyer-intensive and court-intensive solutions to legal problems; and
- ◆ Expand research on innovative strategies to close the gap between the need for, and the availability of, quality legal assistance.



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]

Discussion of FY 2021 Results

Actuals: N/A

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

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).

Data Validation, Verification, and Limitations

Grantee data collected from grantees are validated and verified with grant managers’ programmatic monitoring and electronic controls over the data. This includes a review of all relevant material to determine grant performance, desk reviews of grantee support documentation, telephone contacts, and on-site grant monitoring. Grant managers review and validate performance measure data during on-site visits and desk reviews. The grant manager may contact the grantee to resolve any perceived inconsistent or missing performance measure data. 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]

Discussion of FY 2021 Results

Actuals: N/A

As part of its effort to promote equal access to justice, the Department formally re-established its Office for Access to Justice (ATJ).

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, 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	
	5

Highlights

- ◆ **FBI Energy Water Conservation Investment Program (FEWCIP):** In FY 2021, FEWCIP awarded \$1.7 million in energy projects, including a significant award to the Terrorist Screening Center to recommission the facility’s data centers. FY 2021 was the fourth year of the FEWCIP, an internal program in which FBI Facility Managers develop conservation projects and compete against other FBI facilities for project funding. The FEWCIP is part of a broader strategy to address significant, high-energy use activities that significantly drive energy consumption at FBI-owned and -operated sites.
- ◆ **United States v. U.S. Minerals, Inc.:** In August 2021, U.S. Minerals, Inc., a corporation accused of exposing employees to elevated levels of arsenic at its Anaconda facility, pleaded guilty to one count of negligent endangerment, a misdemeanor, under the Clean Air Act as charged in a criminal information. In addition, U.S. Minerals agreed to settle a related civil case regarding violations brought by the Department of Labor’s Occupational Safety and Health Administration (OSHA). The government alleged that from July 2015 until February 2019, U.S. Minerals negligently released inorganic arsenic, a hazardous air pollutant, into the air and exposed employees. Exposure to arsenic is known to cause lung and skin diseases, including an increased risk of skin cancer, and may also cause other cancers.



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

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

Discussion of FY 2021 Results

Actuals: N/A

As part of its effort to advance environmental justice throughout the country, the Department required USAO to designate an Environmental Justice Coordinator. USAOs will begin reporting on their progress towards implementing the new requirement in FY 2022.

Definition

Each USAO has designated an individual as an Environmental Justice Coordinator and that individual has received training.

Protecting Tenants from Lead Paint: In 2021, the Western District of NY charged two men by criminal complaint with conspiracy to commit wire fraud and conspiracy to make false statements related to false lead paint disclosures to tenants. Also in 2021, a grand jury indicted a Richmond, Indiana man of criminally violating the Toxic Substances Control Act, by failing to engage in safe lead paint practices, failing to train his workers, and then falsifying documents.

Data Validation, Verification, and Limitations

Data on initial designation will be collected via USAO's Consolidated District Information System (CDIS), 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]

Discussion of FY 2021 Results

Actuals: N/A

CRS did not receive any requests to deliver facilitated dialogues relating to environmental justice in FY 2021.

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.

Environmental Justice Dialogues: CRS has begun building internal capacity and expanding outreach to relevant community groups and other stakeholders to conduct this work beginning in FY 2022 and to evaluate it beginning in FY 2023.

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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. CRT will begin reporting this measure in FY 2022.

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.

Alabama Public Health Investigations: CRT conducted an investigation to examine whether the Alabama Department of Public Health and the Lowndes County Health Department operate their onsite wastewater disposal program and infectious diseases program in a manner that discriminates against Black residents of Lowndes County in violation of the Civil Rights Act of 1964. The investigation also examined whether the health departments' policies and practices have caused Black residents of Lowndes County to have diminished access to adequate sanitation systems and to disproportionately experience adverse health effects from inadequate wastewater treatment.

Data Validation, Verification, and Limitations

CRT captures all litigation data in the Interactive Case Management WebTime (CM) system. Data in that system is 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new measure for the Department. ENRD will use the data from FY 2022 to establish a baseline.

Definition

Environmental enforcement matters: Any DOJ civil affirmative or criminal matters in ENRD’s Case Management System (CMSweb) 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.

United States v. Firestone Polymers, LLC: The Sulfur Firestone facility in Calcasieu Parish is Louisiana’s highest emitter of two types of hazardous air pollutants. The United States and co-plaintiff Louisiana Department of Environmental Quality filed a consent decree to resolve alleged violations of the Clean Air Act and several other federal and state environmental laws at this synthetic rubber manufacturing facility. The settlement held the company accountable for reducing emissions and funded upgraded air monitoring systems for neighboring communities in southwest Louisiana disproportionately affected by air pollution who were facing health risks as a result. The company also agreed to pay a total of \$3.35 million in civil penalties.

Data Validation, Verification, and Limitations

There is no data available at this time. The data source and verification process will be provided in FY 2022.



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

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

Discussion of FY 2021 Results

Actuals: 3.1%

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 2021, DOJ’s facilities collectively reduced energy intensity by 3.1 percent as compared to FY 2020. The primary drivers for DOJ’s overall reduction in FY 2021 compared to FY 2020 are a 4 percent decrease in natural gas consumption and 3.6 percent decrease in purchased electricity consumption across BOP’s facilities.

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

BOP Facility Energy Reduction: In FY 2021, BOP reduced its facility energy intensity by 4.4 percent compared to FY 2020 due to modified operations resulting from COVID-19 and persistent energy reductions at numerous institutions with energy savings performance contracts (ESPCs).

DEA Electricity Consumption Reduction: In FY 2021, the DEA Academy training building reduced its electricity consumption by 36 percent following the installation of high-efficiency boilers, variable speed drives on pumps, and light-emitting diode (LED) lighting upgrades.

Data Validation, Verification, and Limitations

Federal Energy Management Program and the Council on Environmental Quality to collect annual fiscal year data from five bureaus for owned and leased/delegated buildings, and conducts quality assessment and quality control of the submitted data to compile it for the Departmental report.



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	
	2

Highlights

- ◆ **Contesting Conflicts of Interests by Professionals:** The United States Trustee Program (USTP) entered into a settlement agreement with three large law firms representing a pharmaceutical company in its ongoing bankruptcy cases related to the country’s opioid crisis. The law firms failed to adequately disclose a Joint Defense and Common Interest Agreement between the debtor pharmaceutical company and its founding family of owners. Under the settlement agreement, the firms relinquished \$1 million in fees earned in the cases and were required to supplement their prior disclosures, so that the bankruptcy court and other parties could make a determination as to their sufficiency.
- ◆ **U.S. v. Visa/Plaid:** In November 2020, the department’s Antitrust Division (ATR) sued to block Visa Inc.’s proposed acquisition of Plaid Inc., a financial data aggregator that enables consumers to provide their banking information to fintech applications. On January 12, 2021, Visa and Plaid announced that the merger agreement had been terminated, preserving critical competition in the market for online debit.



Strategic Objective 4.1: Reinvigorate Antitrust Enforcement and Consumer Protection

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

Discussion of FY 2021 Results

Actuals: 32

In FY 2021, ATR completed 32 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.

Definition

Investigations: ATR identifies and investigates alleged violations of Section 1 and 2 of the Sherman Act and Section 3 of 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.

United States v. Google Litigation: ATR filed a landmark civil enforcement action against Google. ATR alleges that the company has used a range of anticompetitive tactics to maintain and extend monopolies in markets for search and search advertising to the detriment of American consumers and advertisers.

Online Platform Investigations: ATR is in the midst of largescale investigations into the diverse business practices of the world's largest online platform companies. These investigations each involve potentially anticompetitive business practices spanning many years and many permutations of business models in technologically complex industries. The Division made great progress in these investigations in FY 2021: developing the facts about many different business practices and contractual relationships, cultivating industry and economic experts, amassing legal research to understand the best way to apply precedent to these unique facts, and working collaboratively with a large number of state and foreign jurisdictions who are looking into similar theories of harm.



Strategic Objective 4.1: Reinvigorate Antitrust Enforcement and Consumer Protection

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

Discussion of FY 2021 Results

Actuals: 96%

The Civil Division favorably resolved 96 percent of Consumer Protection Branch cases.

Definition

Consumer Protection Branch cases: Includes cases handled by the Civil Division and jointly handled cases.

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

Settlement with Epsilon: A settlement was reached with Epsilon Data Management, LLC to resolve a criminal charge for knowingly selling millions of Americans' information to perpetrators of elder fraud schemes. Under the terms of the deferred prosecution agreement, Epsilon agreed to pay a total of \$150 million and implement measures to safeguard consumers' data.

Opioid Investigation: A coordinated investigation into numerous prescription opioid manufacturers and distributors secured resolutions totaling more than \$2 billion with Indivior Inc. and its parent company, RB Group, as well as a multi-billion global resolution with Purdue Pharma.

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
4

Highlights

- ◆ **Technical Support Fraud Scheme:** The Civil Division’s Consumer Protection Branch obtained an order of permanent injunction against an individual and five companies in a case against a large-scale technical support fraud scheme alleged to have defrauded hundreds of elderly and vulnerable U.S. victims. The call center workers would falsely diagnose non-existent problems and ask victims to pay hundreds of dollars for unnecessary services and software.
- ◆ **Healthcare Fraud Schemes:** Dr. Michael Ligotti, a physician, was indicted for a healthcare fraud and wire fraud conspiracy that allegedly billed private insurers over \$745 million for medically unnecessary testing and other services for addicted patients who were recruited into fraudulent drug addiction treatment facilities.
- ◆ **Corporate Enforcement:** DOJ resolved a corporate enforcement matter relating to Credit Suisse Group AG and its subsidiary for conspiracy to commit wire fraud and assessed more than \$547 million in penalties, fines, and disgorgement as part of coordinated resolutions with criminal and civil authorities in the U.S. and the United Kingdom.



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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. CRM and USAO will use the data from FY 2022 to establish a baseline.

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.

Significant Prosecutions of Corporate Securities and Commodities

Fraud: In March 2021, DOJ announced the plea of a senior oil trader in connection with a multiyear conspiracy to manipulate benchmark prices for fuel oil. In July 2021, prosecutors convicted the former CFO of a publicly-traded transportation company of securities fraud in connection with an accounting fraud scheme. And in August 2021, prosecutors convicted two former precious metals traders at Merrill Lynch, Deutsche Bank, and Morgan Stanley on fraud charges after a jury trial.

Data Validation, Verification, and Limitations

For EOUSA, the data will be gathered by surveying each USAO; EOUSA has no way to independently verify the data, and will be relying on the accuracy of what is reported. 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. CRM and USAO will use the data from FY 2022 to establish a baseline.

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.

United States v. Amec Foster Wheeler Ltd.: In June 2021, Amec Foster Wheeler Energy Limited, a United Kingdom-based global engineering company, agreed to pay a penalty of more than \$18 million to resolve charges stemming from the company’s involvement in a scheme to pay bribes to foreign officials in Brazil in exchange for an approximately \$190 million contract to design a gas-to-chemicals complex. As part of the agreement to resolve the prosecution, the defendant and its parent company agreed to enhance their compliance programs and to report to the government on the implementation of those programs.

Data Validation, Verification, and Limitations

CRM captures all data in internal systems. Data is validated annually by the respective section chiefs. For EOUSA, the data will be gathered by surveying each USAO. EOUSA has no way to independently verify the data, and will be relying on the accuracy of what is reported.



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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. FBI will use the data from FY 2022 to establish a baseline.

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.

FBI's IC3 Recovery: In FY 2021, the FBI's Internet Crime Complaint Center (IC3) recovered 73 percent of private sector losses available for recovery.

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 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 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.



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]

Discussion of FY 2021 Results

Actuals: 70%

In FY 2021, 70 percent of the FBI's contacts with foreign anti-corruption agencies led to either a mutual sharing of information, assistance, or resulted in a new international corruption case.

Definition

The measure is calculated using the Foreign Anti-corruption Agency Collaboration Rate and the International Corruption Case Initiation Rate.

ICU, through its four squads, Headquarters Unit, and five internationally placed SSAs (four Transnational Anti-Corruption Program advisors, 1 assigned to the International Anti-Corruption Coordination Centre), continues to establish and enhance relationships with foreign partners who focus on corruption and related illicit finance. 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 or information is 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
4

Highlights

- ◆ **Immigration Litigation:** In FY 2021, the Civil Division’s Office of Immigration Litigation (OIL) received 5,176 federal cases involving orders resulting from administrative removal proceedings conducted in immigration courts. 2,845 cases reached final disposition; 87% sustained the result reached in immigration court or Board of Immigration Appeals. The Office also determined that 1,041 cases should be returned to EOIR.
- ◆ **EOIR WebEx Remote Video-Conferencing Capabilities:** EOIR developed and expanded WebEx remote video-conferencing capabilities to restore adjudicatory capacity to the courts during the COVID-19 pandemic. With the WebEx program expanded nationwide, as of September 30, 2021, 2,045 master calendar hearings and 3,592 merits hearings have been scheduled for teleworking immigration judge, with 5,592 cases (99.2 percent) successfully completed.
- ◆ **Dedicated Docket:** On May 28, 2021, EOIR commenced operation of the Dedicated Docket in 11 courts throughout the nation to prioritize the adjudication of cases involving families who arrive between the ports of entry at the southwest border. As of September 20 2021, EOIR received 22,170 Notices To Appear (NTAs) for the Dedicated Docket and a total of 64,671 NTAs for the Dedicated Docket since commencement.



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

Performance Measure: Median case completion time [EOIR]

Discussion of FY 2021 Results

Actuals: 947

The Department's Executive Office for Immigration Review had a median completion time of 947 days.

Definition

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

EOIR Fraud and Immigration Case Completion: In FY 2021, EOIR completed 100 percent of both its employer sanctions cases and its immigration-related document fraud cases. EOIR also completed 95 percent of its total employer sanctions, immigration-related unfair employment practices, and immigration-related document fraud cases within established timeframes.

Data Validation, Verification, and Limitations

Data is collected from the Case Access System for EOIR (CASE), 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 is 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]

Discussion of FY 2021 Results

Actuals: 424

The average number of vacancy days for immigration adjudicator positions was 424 in FY 2021.

Definition

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

Data Validation, Verification, and Limitations

Data is collected through EOIR's Office of the Chief Immigration Judge, in coordination with other agency components that may gather relevant data. Data entered 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. EOIR will begin reporting on this measure in FY 2022.

Definition

The percentage of immigration judges who have received all relevant legal training as referenced in the EOIR annual IJ training plan.

Data Validation, Verification, and Limitations

Data is 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 IJs and opportunities to attend training. With five scheduled on-boarding dates, some of which are close to the end of the FY, for some new IJs it will be impracticable to complete all training within the FY in which they are appointed.

Access EOIR Initiative: In September 2021, EOIR launched "Access EOIR" to increase access to information and raise the level of representation for individuals appearing before the immigration courts, which includes the new Counsel for Children Initiative (CCI) and the refresh of the Model Hearing Program (MHP). The CCI provides legal representation to unaccompanied children who are in immigration proceedings in the eight immigration courts in which government-funded counsel for children will have the greatest impact. The MHP is an educational program for those who practice in EOIR's immigration courts.



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

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

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. EOIR will begin reporting on this measure in FY 2022.

Definition

ICOR is an online tool available 24 hours a day, 7 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.

EOIR WebEx Remote Video-Conferencing Capabilities: EOIR developed and expanded WebEx remote video-conferencing capabilities to restore adjudicatory capacity to the courts during the COVID-19 pandemic. With the WebEx program expanded nationwide, as of September 20, 2021, 2,045 master calendar hearings and 3,592 merits hearings have been scheduled for Remote Hearings with 5,592 cases (99.2 percent) successfully completed.

Data Validation, Verification, and Limitations

Data is 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
3

Highlights

- ◆ **BOP Program Expansion:** In FY 2021, BOP offered more than 80 First Step Act (FSA) programs and added a complement of new professional staff to increase the capacity of its existing evidence-based programs. More than 71,000 inmates were enrolled in such programs at the end of FY 2021.
- ◆ **BOP COVID-19 Vaccination:** BOP provided over 235,000 COVID-19 vaccinations to more than 127,000 staff and inmates. BOP worked closely with the CDC to receive direct shipments of the COVID-19 vaccine, received training from CDC on vaccinations, updated the BOP COVID-19 Pandemic Plan.



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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. BOP will use the data from FY 2022 to establish a baseline.

Definition

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

BOP Hiring Initiative: In September 2021, OPM approved BOP's request to offer 25 percent retention to all staff at BOP's Thomson, IL location. Additionally, in 2021, the BOP embarked on a hiring initiative that resulted in hiring approximately 2,000 new staff.

Data Validation, Verification, and Limitations

BOP's HRMD reports the position filled rates— positions filled divided by positions authorized. 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 the National Finance Center data.

The number of authorized correctional officer positions is collected from the Administration Division and/or Position Management Reports. The data from each system is 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]

Discussion of FY 2021 Results

Actuals: N/A

Inmates are assigned to 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. Additionally, in January 2022, the federal regulation was published establishing the ways in which time credits may be earned. As part of this calculation, the number of productive activities was greatly expanded, and inmates may also participate in FSA activities that are not structured programs. BOP monitors participation in structured and unstructured FSA programs and activities for capacity planning and to ensure program offerings address the needs of the inmate population.

Definition

The percentage of inmates who have successfully completed an FSA Evidence-Based Recidivism Reduction (EBBR) program or Productive Activity (PA) during their term of incarceration or are enrolled or participating in an FSA EBBR or PA each month.

Creditable Activity Expansion: The number of activities creditable under FSA were expanded by BOP. The Bureau offers structured programming opportunities, EBBRs and PAs (listed in the FSA Programs Guide), as well as unstructured activities such as fitness and leisure programs, maintaining family connections, and Bible studies. The Bureau currently offers 38 EBBRs and 51 PAs.

Data Validation, Verification, and Limitations

EBBR and PAs 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 12 months or more remaining on their sentence, and every 90 days for inmates with less than 12 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]

Discussion of FY 2021 Results

Actuals: N/A

This is a new performance measure for the Department. The Bureau of Prisons will begin reporting its results for FY 2022.

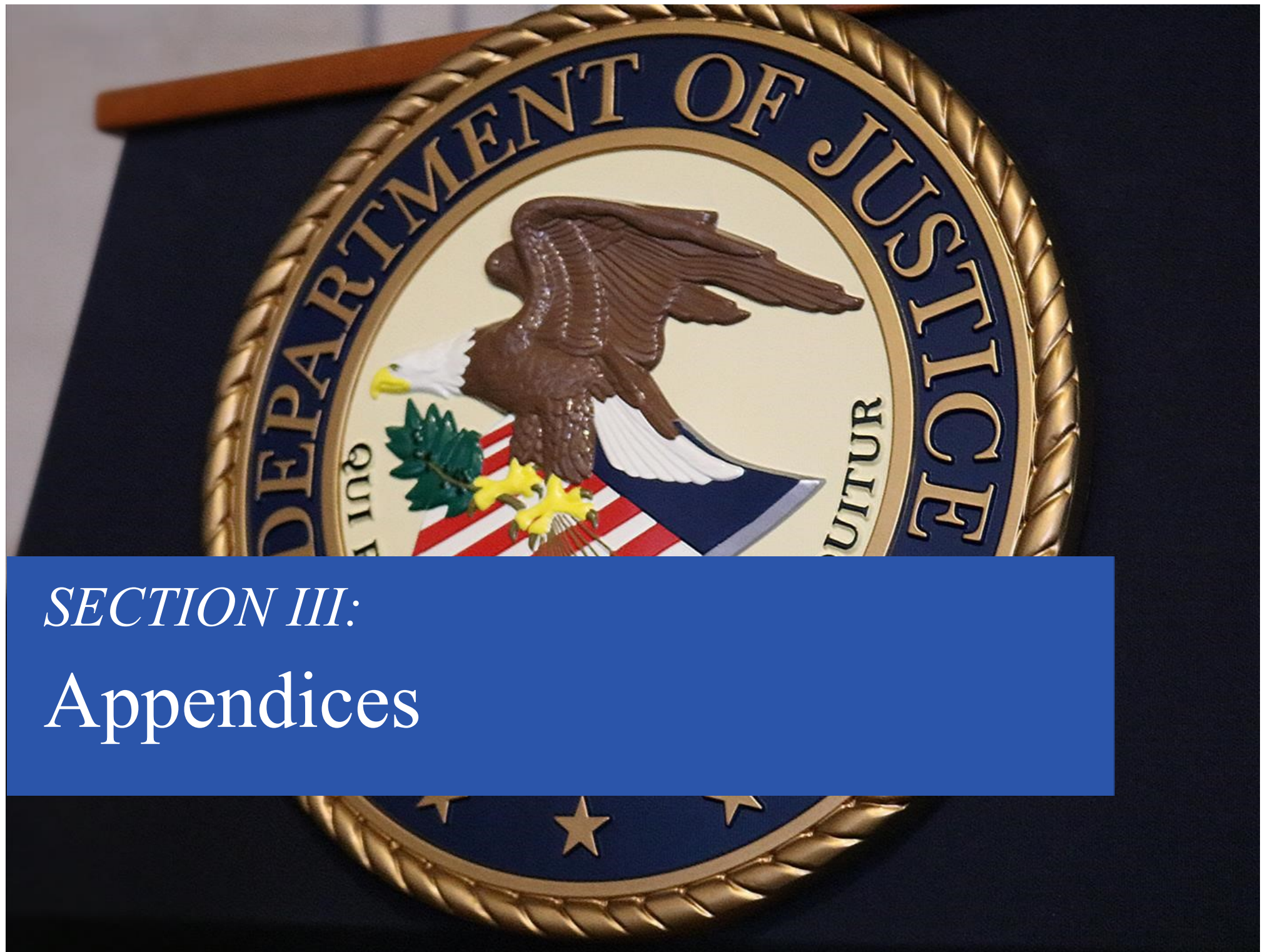
Definition

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 easily 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: Image Details

- Cover Photo: View of the U.S. Capitol and the Robert F. Kennedy Building from Pennsylvania Avenue, NW and 10th Street, NW.
- Overview Photo: Engraving of a blindfolded Lady of Justice on a vase.
- About DOJ Photo: Various images displaying how the Office of Justice Programs helps create safe, just, and engaged communities.
- Performance Information by Goals Photo: Facade of the Robert F. Kennedy Main Justice Department building as seen from 10th Street NW in Washington, DC.
- Goal 1 Photo: Corner entrance to the Robert F. Kennedy Main Justice Department building with the inscription “Justice in the life and conduct of the state is possible only as first it resides in the hearts and souls of the citizens.”
- Goal 2 Photo: The entranceways and loggias leading to the building’s Great Court feature the master craftwork of a true pioneer in mosaic tile. John Joseph Earley carefully selected white quartz, blue and yellow ceramics, black and red vitreous enamel and gold for the Justice Department mosaics.
- Goal 3 Photo: With its multi-lipped bowl, this fountain in the center of The Great Court creates a circular screen of water, which falls into a lower basin.
- Goal 4 Photo: The Great Hall of the Department of Justice, located on the second floor of the building. The two-story Great Hall features Art Deco light fixtures, aluminum trims and railings, a terra-cotta tile floor, and the stately Spirit of Justice and Majesty of Law statues.
- Goal 5 Photo: Situated on the fifth floor, Louis Bouche’s mural series, *Activities of the Department of Justice*, illustrates how the principles of law and justice are upheld by the Department. The series shows both the social benefits of the Department’s functions and the negative aspects of society that require the involvement of the Department.
- Appendices Photo: The Department of Justice seal on a podium with the motto “qui pro domina justitia sequitur,” or “who prosecutes on behalf of justice.”

Appendix B: Abbreviations and Acronyms

A		CARES Act	Coronavirus Aid, Relief, and Economic Security Act
AECA	Arms Export Control Act	CASE	Case Access System (EOIR)
APP	Annual Performance Plan	CDCS	Consolidated Debt Collection System
APQ	Aggregate Production Quota	CDIS	Consolidated District Information System
APR	Annual Performance Report	CES	Counterintelligence and Export Control Section
ATR	Antitrust Division	CFIUS	Committee on Foreign Investment in the United States
ATF	Bureau of Alcohol, Tobacco, Firearms, and Explosives	CFO	Chief Financial Officer
ATJ	Office for Access to Justice	CI	Counterintelligence
AUSA	Assistant United States Attorney	CID	Criminal Investigative Division (FBI)
B		CISA	Cybersecurity and Infrastructure Security Agency
BCJI	Byrne Criminal Justice Innovation	CIV	Civil Division
BCPD	Baltimore County Police Department	CM	Interactive Case Management WebTime System (CRT)
BJA	Bureau of Justice Assistance	COSSAP	Comprehensive Opioid, Stimulant, and Substance Abuse Program
BOP	Federal Bureau of Prisons	COVID-19	Coronavirus Pandemic
BWC	Body Worn Camera	CPOT	Consolidated Priority Organization Targets
C		CRM	Criminal Division
CAC	Crimes Against Children	CRS	Community Relations Services

Appendix B: Abbreviations and Acronyms

CRT	Civil Rights Division	EJI	Elder Justice Initiative
CT	Counterterrorism	ENRD	Environmental and Natural Resources Division
CTS	Counterterrorism Section (NSD)	EO	Executive Order
CyD	Cyber Division (FBI)	EOIR	Executive Office for Immigration Review
D		EOUSA	Executive Office for United States Attorneys
DEA	Drug Enforcement Administration	F	
DEIA	Diversity, Equity, Inclusion, and Accessibility	FBI	Federal Bureau of Investigation
DEM	Digital Evidence Management	FCC	Federal Communications Commission
DHS	Department of Homeland Security	FEVS	Federal Employee Viewpoint Survey
DI	Directorate of Intelligence (FBI)	FIRS	Foreign Investment Review Section
DIDP	Diversity and Inclusion Dialogue Program	FOIA	Freedom of Information Act
DOJ	Department of Justice	FSA	First Step Act
DT	Domestic Terrorism	FY	Fiscal Year
DVE	Domestic Violent Extremists	G	
E		GSA	General Services Administration
ECRA	Export Control Reform Act	GPRA	Government Performance and Results Act Modernization Act of 2010
EIDL	Economic Injury Disaster Loans		

Appendix B: Abbreviations and Acronyms

H		KPI	Key Performance Indicator
HR	Human Resources	L	
HUMINT	Human Intelligence	LE	Law Enforcement
I		LEP	Limited English Proficiency
ICOR	Immigration Court Online Resource (EOIR)	LGBTQI+	Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Community
ICTS	Information and Communications Technology and Services (NSD)	M	
ICU	International Corruption Unit	MAT	Medication Assisted Treatment
IDEA	Integrated Digital Experience Act	MOU	Memorandum of Understanding
IEEPA	International Emergency Economics Powers Act	N	
IIR	Intelligence Information Report	N/A	Not Applicable
IJ	Immigration Judge	NASCSA	National Association of State Controlled Substances Authorities
J		NFC	National Finance Center
JAG	Justice Assistance Grant	NICS	National Instant Criminal Background Check System
JMD	Justice Management Division	NSD	National Security Division
JSOC	Joint Special Operations Command	NTA	Notice to Appear
K			

Appendix B: Abbreviations and Acronyms

O		R	
OCDETF	Organized Crime Drug Enforcement Task Forces	ROP	Release Orientation Program
OCIO	Office of the Chief Information Officer	S	
OIP	Office of Information Policy	SAMHSA	Substance Abuse and Mental Health Services Administration
OJJDP	Office of Juvenile Justice and Delinquency Prevention	SPCP	Strengthening Police and Community Partnership (CRS)
OJP	Office of Justice Programs	SSA	Supervisory Special Agent
OLE	Office of Legal Education (EOUSA)	T	
OPM	Office of Personnel Management	TBD	To Be Determined
OPR	Office of Professional Responsibility	Team Telecom	Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector
OVW	Office on Violence Against Women	U	
P		UI	Unemployment Insurance
PDMP	Prescription Drug Monitoring Program (DEA)	UJS	Unified Judicial System
PIO	Performance Improvement Officer	US	United States
POST	Peace Officers Standards and Training	USAO	United States Attorney's Office
PPP	Paycheck Protection Program	USERRA	Uniformed Services Employment and Reemployment Rights Act
PRF	Provider Relief Fund	USG	United States Government

Appendix B: Abbreviations and Acronyms

USIC	United States Intelligence Community
USMS	United States Marshals Service
USTP	United States Trustee Program
USWDS	U.S. Web Design
V	
VAWA	Violence Against Women Act
VOCA	Victims of Crimes Act

Appendix C: Component Websites

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

Appendix C: Component Websites

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