

DEPARTMENT OF JUSTICE



DEPARTMENT OF JUSTICE

Assets Forfeiture Fund

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
Investigations	\$159.140	\$155.760	\$163.550
State and Local Assistance	55.522	69.000	72.450
Total Drug Resources by Function	\$214.662	\$224.760	\$236.000
Drug Resources by Decision Unit			
Asset Forfeiture	\$214.662	\$224.760	\$236.000
Total Drug Resources by Function	\$214.662	\$224.760	\$236.000
Drug Resources Personnel Summary			
Total FTEs (direct only)	0	0	0
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$1.625	\$3.727	\$1.408
Drug Resources Percentage	13.2%	6.0%	16.8%

Program Summary

MISSION

The mission of the Assets Forfeiture Fund (AFF) is to enforce Federal laws, and to prevent and reduce crime by disrupting and dismantling criminal organizations through the use of civil and criminal forfeiture. Public Law 102-393, referred to as the *1993 Treasury Appropriations Act*, amended Title 28 U.S.C. 524(c), enacted new authority for the Fund to pay for "overtime, travel, fuel, training, equipment, and other similar costs of state or local law enforcement officers that are incurred in a joint law enforcement operation with a Federal law enforcement agency participating in the Fund." Such cooperative efforts have significant potential to benefit Federal, state, and local law enforcement efforts.

METHODOLOGY

The AFF's state and local assistance is allocated through the Joint Law Enforcement (JLEO) Program Operations Expense. All AFF drug-related investigative funding for the Drug Enforcement Administration (DEA) and the Interagency Crime and Drug Enforcement (OCDETF) are allocated in the following Program Operations Expenses: Investigative Cost Leading to Seizure, Awards Based on Forfeiture, Contract to Identify Assets, Special Contract Services, and Case Related Expenses.

BUDGET SUMMARY

The FY 2013 budget request for the Asset Forfeiture Funds (AFF) is \$236.0 million, an

increase of \$11.2 million over the FY 2012 enacted level.

Asset Forfeiture

Total FY 2013 Request: \$236.0 million
(Reflects \$11.2 million increase over FY 2012 enacted level)

Asset Forfeiture Funds are allocated to DEA and ODCETF to carry out their drug-related activities. The request for DEA and ODCETF investigative activities is \$163.6 million, an increase of \$7.8 million over the FY 2012 enacted level. Additionally, DEA and ODCETF state and local assistance funding is approximately \$72.5 million, an increase of \$3.5 million over the FY 2012 enacted level.

FY 2013 Changes (+\$11.2 million): The Asset Forfeiture Funds request will

continue to support the drug-related investigative activities of the DEA and ODCETF.

PERFORMANCE

This section on the FY 2011 performance of the drug control mission of the AFF within the Department of Justice is based on data from the Attorney General's Management Initiatives – To improve Department-wide Financial Performance and the President's Management Agenda Initiative to Improve Financial Performance. A component of the AFF's mission is to provide support to the Drug Enforcement Administration and the Organized Crime Drug Enforcement Task Force.

Assets Forfeiture Fund		
Selected Measure of Performance	FY 2011 Target	FY 2011 Achieved
» Achieve effective funds control as corroborated by an unqualified opinion on the AFF financial statements	100%	100%

Discussion

The challenges that have an impact on achievement of the AFF goal are complex and dynamic. These challenges are both external and internal and include changes in legislation, technology, and the cooperation of all participating organizations.

Internally, the AFF is working with the participating agencies to enhance financial and property management capabilities. These efforts include coordination with AFF participating agencies on:

- Preemptive identification, mitigation, and resolution of potential audit issues
- Continuation of data integrity and confidence efforts within collection systems

- Enabling portfolio management through advanced ad-hoc reporting capabilities

The AFF is also coordinating, and implementing new systems business rules to accommodate emerging and evolving departmental and Congressional directives, such as proposed new directives to publish public notices on an internet site.

DEPARTMENT OF JUSTICE

Bureau of Prisons

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
Corrections	\$3,194.326	\$3,303.408	\$3,407.957
Treatment	93.321	93.508	109.313
Total Drug Resources by Function	\$3,287.647	\$3,396.916	\$3,517.270
Drug Resources by Decision Unit			
Contract Confinement	\$506.360	\$528.428	\$550.906
Inmate Care and Programs	1,211.354	1,276.012	1,340.286
Institution Security and Administration	1,414.101	1,463.187	1,510.325
Management and Administration	105.562	106.429	103.513
Modernization and Repair	37.400	34.018	37.341
New Construction ¹	12.870	(11.158)	(25.101)
Total Drug Resources by Function	\$3,287.647	\$3,396.916	\$3,517.270

Drug Resources Personnel Summary			
Total FTEs (direct only)	18,172	18,594	18,835
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$6.4	\$6.6	\$6.8
Drug Resources Percentage	51.5%	51.5%	51.4%

¹The Bureau of Prisons is proposing a rescission of its new construction funding totaling \$75 million, of which \$25.1 million is scored as drug-related.

Program Summary

MISSION

The mission of the Bureau of Prisons (BOP) is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

The BOP's mission statement has two parts: the first addresses the obligation to help

protect public safety through the secure and safe confinement of inmates; the second addresses the obligation to help inmates prepare to return to their communities and remain crime free. Preparing inmates for eventual release to the community has been one of BOP's key objectives. The BOP's drug treatment program facilitates the reintegration of inmates into society, consistent with community expectations and standards. Treatment Programs assist inmates in

identifying, confronting, and altering the attitudes, values, and thinking patterns that led to criminal behavior and drug use.

METHODOLOGY

The costs for incarcerating drug-related offenders, and the costs of drug treatment programs are scored as drug-control. Drug Treatment efforts are funded through a distinct program. Corrections costs are based on the percentage of inmates currently incarcerated or projected to be incarcerated for drug convictions.

BUDGET SUMMARY

The FY 2013 drug-related request includes resources of \$3,517.3 million, an increase of \$120.4 million over the FY 2012 enacted level.

Corrections Activities

**Total FY 2013 Request: \$3,407.9 million
(Reflects \$104.5 million increase over FY 2012 enacted level)**

At the end of FY 2011, there were nearly 218,000 inmates for whom BOP provided custodial care. The majority of Federal inmates are in BOP facilities, but others are housed in privately operated facilities, Residential Reentry Centers (halfway houses), and bed space secured through Intergovernmental Agreements with state and local entities.

Salaries and Expenses (S&E) covers the necessary expenditures for the administration, operation, and maintenance of Federal penal and correctional institutions and contract care. The S&E has four decision units:

Inmate Care and Programs

Inmate Care and Programs covers the costs of food, medical supplies, clothing, welfare

services, release clothing, transportation, gratuities, staff salaries, and operational costs of functions directly related to providing inmate care.

Institution Security and Administration

Institution Security and Administration covers costs associated with maintenance of facilities and institution security, which also includes motor pool operations, powerhouse operations, and other administrative functions.

Contract Confinement

Contract Confinement provides for the confinement of sentenced Federal offenders in a government-owned, contractor-operated facility, state, local, and private contract facilities and contract community residential centers.

Management and Administration

Management and Administration covers costs associated with general administration and oversight functions, and provides funding for the central office, six regional offices, and staff training centers.

Buildings and Facilities (B&F) includes new construction as well as modernization and repair costs. The B&F has two decision units:

New Construction

New Construction includes the costs associated with land and building acquisition, new prison construction, and leasing the Oklahoma Airport Trust Facility, which serves as a Bureau-wide transfer and processing center.

Modernization and Repair

Modernization and Repair includes costs associated with rehabilitation,

modernization, and repair of existing Bureau-owned buildings and other structures in order to meet legal requirements and accommodate correctional programs.

FY 2013 Changes (+\$104.5 million):

Program initiatives include enhancements to begin the activation process for two institutions (United States Penitentiary at Yazoo City, Mississippi, and the Federal Correctional Institution at Hazelton, West Virginia) and to acquire 1,000 private contract beds. The budget includes offsets for: a proposed legislative initiative that would allow additional Good Conduct Time for inmates; expanding the compassionate release program; information technology savings; and reorganization of administrative operations. Additionally, BOP is proposing a cancellation of its new construction funding totaling \$75 million, of which \$25.1 million is scored as drug-related.

Treatment Activities

Total FY 2013 Request: \$109.3 million
(Reflects \$15.8 million increase over FY 2012 enacted level)

The Violent Crime Control and Law Enforcement Act of 1994 requires the BOP (subject to the availability of funds) to provide residential substance abuse treatment to all eligible inmates. There is enormous demand for these services in part because of the potential for some non-violent offenders to earn a reduction in sentence following the successful completion of the program. The treatment strategy often begins with drug abuse education and can end with the strong community transition component. The

objective is to reduce the likelihood of inmates relapsing to drug use and criminal activity.

FY 2013 resources will support BOP's drug treatment programs. According to the BOP's Annual Report on Substance Abuse Programs for FY 2010, approximately 40 percent of new inmates entering BOP custody have been diagnosed with a drug use disorder. Accordingly, BOP continues to develop a strong and comprehensive drug abuse treatment strategy consisting of: screening and assessment, drug abuse education, prevention, intervention, non-residential drug abuse treatment services, residential drug abuse treatment programming, and community transitional drug abuse treatment.

Drug Program Screening and Assessment

Upon entering a BOP facility, an inmate's records are assessed to determine whether there is evidence in the pre-sentence investigation that alcohol or other drug use contributed to the commission of the offenses, the inmate received a judicial recommendation to participate in a drug treatment program, or the inmate violated his or her community supervision as a result of alcohol or other drug use. If an inmate's record reveals any of these elements, the inmate must participate in a Drug Abuse Education course available at every BOP institution. In addition, as part of the initial psychological screening, inmates are interviewed about their past drug use to determine their need for BOP drug abuse treatment options.

Drug Abuse Education

Participants in the Drug Abuse Education course receive factual information on the relationship between drug use and crime;

how alcohol and drug usage present consequences that are physical, social, and psychological; how choice is a factor in drug use; and its impact on one's health, family and community. Drug Abuse Education participants are also informed of program options available to them in the Bureau and are encouraged to volunteer for appropriate programs. In FY 2013, the BOP estimates that 30,000 inmates will participate in Drug Abuse Education programming.

Non-residential Drug Abuse Treatment

Non-residential treatment is designed to provide maximum flexibility to meet the needs of the offenders, particularly those individuals who have relatively minor or low-level substance abuse impairment. These offenders do not require the intensive level of treatment needed by individuals with moderate-to-severe addictive behavioral problems. Unlike residential programs, inmates are not housed together in a separate unit, but housed in and with the general inmate population. Non-residential drug abuse treatment participants receive cognitive behavior therapy based treatment protocols that focus on thinking errors that lead to drug use; including both cognitive and criminal thinking errors.

A second purpose of non-residential drug abuse treatment is to provide offenders who have a moderate-to-severe drug abuse problem with supportive program opportunities during the time waiting to enter the residential drug abuse treatment program, to support those who require follow-up treatment after completion of the Residential Drug Abuse Program, or to support those who have little time remaining on their sentence and are

preparing to return to the community. In FY 2013, the BOP estimates that it will provide Non-residential Drug Abuse Treatment to 16,000 inmates.

Residential Drug Abuse Treatment Program (RDAP)

RDAP provides intensive drug abuse treatment to inmates diagnosed with a drug use disorder. At present, 63 sites offer the RDAP – 62 at BOP institutions and one contract facility. The programs are staffed by a licensed psychologist (the Drug Program Coordinator) who supervises the treatment staff. The average ratio of drug abuse treatment staff to inmates is 1 to 24. Inmates in the residential program are housed in a treatment unit that is set apart from the general population. Treatment is provided for a minimum of 500 hours over a 9- to 12-month period.

The BOP's RDAP program adheres to a cognitive behavior therapy treatment model. This treatment model targets the major criminal drug-using risk factors, especially anti-social and pro-criminal attitudes, values, beliefs, and behaviors. Using evidence-based practices, the BOP targets these behaviors by reducing anti-social peer associations; promoting positive relationships; increasing self-control, self-management, and problem solving skills; and ending drug use. In FY 2013, the BOP estimates that 19,000 inmates will participate in the Residential Drug Abuse Treatment Program.

Community Transition Drug Abuse Treatment

Community transitional drug abuse treatment (TDAT) is the final component of the BOP's RDAP. In order to successfully complete all components of RDAP, the

inmate must be transferred to a Residential Reentry Center (RRC), also known as a Halfway House, or to Home Detention (HD). While residing in the RRC or HD, RDAP participants are involved in contract community-based drug treatment. This requirement keeps the inmate fully engaged in treatment while still in the custody of the Bureau. In addition, offenders who did not have an opportunity to participate in RDAP may be referred to TDAT by community corrections staff. In FY 2013, 17,000 inmates are projected to participate in this program.

FY 2013 Changes (+15.8 million): The FY 2013 request provides for expansion of BOP's drug abuse treatment program capability, providing residential substance abuse treatment to all eligible inmates.

PERFORMANCE

This section on the FY 2011 performance of BOP's program is based on agency performance documents, and other agency information. The table below includes selected performance measures, targets and achievements.

Bureau of Prisons		
Selected Measures of Performance	FY 2011 Target	FY 2011 Achieved
» Number of inmates participating in Residential Drug Abuse Treatment	18,500	18,527
» Number of inmates participating in Nonresidential Drug Abuse Treatment	15,000	15,211

Discussion

In response to the rapid growth of Federal inmates with a diagnosis of a drug use disorder (approximately 40 percent of inmates entering the Federal prisons), the BOP continues to develop evidence based treatment practices to manage and treat inmates with drug use disorders. The BOP's strategy includes early identification, intervention, and treatment through psychology screening, drug education, nonresidential drug abuse treatment, intensive residential drug abuse treatment, and community transition treatment.

Currently, 62 BOP institutions operate a RDAP. In addition, one private facility under contract with the BOP also provides the RDAP program. In FY 2011, the BOP provided RDAP to 18,527 inmates, and

15,211 inmates participated in the Nonresidential Drug Treatment program.

In FY 2011, the BOP provided RDAP to 100 percent of the Federal inmate population that was eligible for treatment.

BOP will continue to coordinate mental health treatment and drug abuse treatment for offenders with co-occurring disorders. In addition, inmates with behavioral disorders, such as sex offenders, who also have co-occurring substance use disorders will continue to receive transitional community treatment, combining supervision with ongoing drug abuse treatment while residing in Residential Re-entry Centers.

BOP continues its policy on all Psychology Treatment Programs to follow “evidence-based” treatment practices. This policy is working to ensure all Bureau psychology programs are effective in positively changing inmate behavior.

The principal goal of treatment is to equip the inmates with the cognitive, emotional, self-regulation and behavioral skills necessary to choose and maintain a drug-free and crime-free lifestyle following release from prison.

The BOP evaluates major correctional programs that are designed to improve inmate reentry and thereby enhance public safety. The BOP conducted a rigorous 3-year outcome study of the residential drug abuse treatment program beginning in 1991. The results indicated that male participants are 16 percent less likely to recidivate and 15 percent less likely to relapse than similarly situated inmates who did not participate in RDAP. Female inmates are found to be 18 percent less likely to recidivate than inmates who did not participate in treatment. FY 2011 statistical analyses validate this earlier study and conclude that rates of recidivism for the inmates who graduated from the residential drug abuse treatment program are significantly lower than would be expected for similarly situated inmates who did not participate.

DEPARTMENT OF JUSTICE

Criminal Division

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
Prosecution	\$12.310	\$12.310	\$12.570
Total Drug Resources by Function	\$12.310	\$12.310	\$12.570
Drug Resources by Decision Unit			
Narcotic and Dangerous Drug Section	\$12.310	\$12.310	\$12.570
Total Drug Resources by Function	\$12.310	\$12.310	\$12.570

Drug Resources Personnel Summary			
Total FTEs (direct only)	55	55	55
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$0.174	\$0.174	\$0.185
Drug Resources Percentage	7.1%	7.1%	6.7%

Program Summary

MISSION

The Criminal Division (CRM) develops, enforces, and supervises the application of all Federal criminal laws except those specifically assigned to other divisions. The Division, along with the 94 United States Attorney's Offices (USAOs), is responsible for overseeing criminal matters under more than 900 statutes, as well as certain civil litigation. Criminal Division attorneys prosecute many nationally significant cases. In addition to its direct litigation responsibilities, the Division formulates and implements criminal enforcement policy and provides advice and assistance to law enforcement agencies and USAOs. In executing its mission, the Criminal Division dedicates specific resources in support of the *National Drug Control Strategy* that

focus on disrupting domestic drug trafficking and production and strengthening international partnerships.

METHODOLOGY

CRM's drug budget is the funding available for the Division's Narcotic and Dangerous Drug Section (NDDS). NDDS resources are 100 percent dedicated to addressing drug uses and its consequences.

BUDGET SUMMARY

The total drug control request for CRM for FY 2013 is \$12.5 million, which is an increase of \$0.2 million over the FY 2012 enacted level.

Narcotic and Dangerous Drug Section

Total FY 2013 Request: \$12.5 million
(Reflects \$0.2 million increase over FY 2012 enacted level)

The CRM's NDDS will support reducing the supply of illegal drugs in the United States by investigating and prosecuting priority national and international drug trafficking and narcoterrorists groups and by providing sound legal, strategic, and policy guidance in support of that goal. NDDS provides expert guidance on counternarcotics matters in the interagency, intelligence and international communities. NDDS develops innovative law enforcement and prosecutorial strategies to counter the fast-paced efforts of organized international trafficking and narcoterrorists groups. In prosecuting the high level command and control elements of

sophisticated international criminal organizations and narcoterrorists (i.e., the kingpins and Consolidated Priority Organization Targets), NDDS uses the best intelligence available to identify those drug trafficking and narcoterrorist groups that pose the greatest threat, and then utilizes resources to investigate them anywhere in the world and to prosecute them.

FY 2013 Changes (+0.2 million): The increase reflects inflationary adjustments to base.

PERFORMANCE

This section on the FY 2011 performance of the drug control mission of the CRM within the Department of Justice is based on agency GPRA documents and other agency information. The FY 2011 performance information for the CRM drug-related activities are provided below.

Criminal Division		
Selected Measure of Performance	FY 2011 Target	FY 2011 Achieved
» Drug-Related Investigative Matters and Cases Closed (NDDS)	50	41

Discussion

In FY 2011, the Department of Justice's CRM had many successes in investigating and prosecuting narcotic cases. Of the 41 total number of drug-related investigative matters and cases closed in fiscal year 2011, the CRM NDDS concluded 13 successful prosecutions, either through trial or negotiated pleas, and brought 6 new indictments.

Included among these prosecutions was the conviction of Christian Fernando Borda and

Alvaro Alvaran-Velez, who shipped large quantities of cocaine from Colombia and Venezuela to Mexico for further distribution into the United States. After an 8-week jury trial, both defendants were found guilty of conspiring to import ton-quantities of cocaine into the United States.

In the first of two other significant cases, Josue Cuesta Leon, a Colombia and Venezuela-based trafficker, along with his subordinate Jose Fernando Romero,

entered guilty pleas to narco-terror charges stemming from their drug trafficking and weapons activity on behalf of the FARC and AUC. In the second case, Wilson Jesus Torres-Torres and Baudilio Vivero-Cardenas each pleaded guilty to conspiring to transport thousands of kilograms of cocaine from various ports along the coast of Colombia to waiting vessels that would transport the cocaine to the United States and other countries.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
Intelligence	\$199.115	\$210.364	\$205.213
International	386.563	397.320	393.440
Investigations	1,712.584	1,731.594	1,781.350
Prevention	2.085	2.082	2.133
State and Local Assistance	5.600	5.640	5.731
Total Drug Resources by Function¹	\$2,305.947	\$2,347.000	\$2,387.867
Drug Resources by Decision Unit			
Diversion Control Fee Account	\$290.304	\$322.000	\$352,563
Salaries and Expenses	2,015.643	2,025.000	2,050.904
<i>Domestic Enforcement</i>	<i>[1,603.649]</i>	<i>[1,601.658]</i>	<i>[1,637,179]</i>
<i>International Enforcement</i>	<i>[406.394]</i>	<i>[417.702]</i>	<i>[407,994]</i>
<i>State and Local Assistance</i>	<i>[5.600]</i>	<i>[5.640]</i>	<i>[5.731]</i>
Cancellation of Expired Balances	<i>[0.0]</i>	<i>[0.0]</i>	<i>-15,600</i>
Total Drug Resources by Function¹	\$2,305.947	\$2,347.000	\$2,387.867
Drug Resources Personnel Summary			
Total FTEs (direct only)	9,597	9,651	9,606
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$2.3	\$2.4	\$2.4
Drug Resources Percentage	100.0%	100.0%	100.0%

Program Summary

MISSION

The Drug Enforcement Administration's (DEA) mission is to enforce the controlled substances laws and regulations of the United States and bring to those organizations and principal members of organizations involved in the growing, manufacturing, or distribution of controlled substances appearing in or destined for illicit traffic in the United States,; and to

recommend and support non-enforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets.

METHODOLOGY

All DEA resources are a scored as a part of the National Drug Control Budget.

BUDGET SUMMARY

The FY 2013 budget requests \$2,403.5 million for DEA's Salaries and Expenses (S&E) Account and Diversion Control Fee Account (DCFA), which is an increase of \$46.5 million over the FY 2012 enacted level. The FY 2013 President's Budget includes a cancellation of \$15.6 million in DEA's prior year unobligated expired balances for DEA's S&E Account.

Salaries & Expenses (S&E)

Total FY 2013 Request: \$2,050.9 million
(Reflects \$25.9 million increase from FY 2012 enacted level)

DEA's resources are divided into three strategic focus areas to achieve the maximum impact against the full spectrum of drug trafficking activities. These focus areas are: *Domestic Enforcement, International Enforcement, and State and Local Assistance.*

Domestic Enforcement

Total FY 2013 Request: \$1,637.2 million
(Reflects \$35.5 million increase over FY 2012 enacted level)

The Domestic Enforcement Decision Unit comprises the majority of DEA's investigative and support resources. These resources, in conjunction with DEA's foreign offices, create a seamless intelligence and investigative web to pursue drug trafficking organizations from multi-national and poly-drug conglomerates to independent specialty one-function cells.

DEA continues an aggressive and balanced domestic enforcement program with a multi-jurisdictional approach designed to focus Federal resources on the disruption or dismantlement of drug trafficking organizations that control the illegal drug trade and the seizure of the proceeds and

assets involved in the illegal drug trade. Similar to legitimate businesses, drug trafficking organizations have corporate leaders, employees, chemical suppliers, transporters, financial service providers, communication needs, infrastructure, and assets. The drug trafficking business is therefore subject to market forces.

DEA's *Drug Flow Attack Strategy* focuses on finding and exploiting strategic vulnerabilities in the drug market. DEA's strategy relies heavily on intelligence and investigative capabilities to identify significant domestic drug trafficking organizations and drug facilitators, collect and maintain in-depth information concerning their leadership and operations, and establish priorities and develop targets. This strategy emphasizes the disruption or complete dismantlement of the organizations targeted by DEA domestic field divisions.

FY 2013 Changes (+\$35.5 million): The FY 2013 request includes a total of \$23.7 million in proposed DOJ transfers and program realignments. Specifically included in these transfers is \$8.0 million and 57 positions that will be transferred from the National Drug Intelligence Center (NDIC) to DEA. As directed by the conference report (H. Report 112-284) accompanying the Consolidated and Further Continuing Appropriations Act, 2012 (P.L. 112-55), the Department of Justice anticipates closing NDIC and reassigning necessary functions to DEA in FY 2012. The funding requested in FY 2013 will allow DEA to continue document and media exploitation functions and the production of high-priority Strategic Intelligence products. The FY 2013

request also includes \$25.9 million in base adjustments for the 2013 pay raise, an additional compensable day, employee benefits, facilities, and the operation and the operation and maintenance of radios. For FY 2013, a total of \$14.1 million and 164 FTE are proposed in offsets, to include general administrative efficiencies and program reductions and eliminations. The 164 FTE reductions are associated with permanently eliminating vacant positions that have never been filled (hollow FTE).

International Enforcement

Total FY 2013 Request: \$408.0 million
(Reflects \$9.7 million decrease from FY 2012 enacted level)

The focus of DEA's International Enforcement program is the disruption or dismantlement of drug trafficking organizations identified as the most significant international drug and precursor chemical trafficking organizations, also known as Priority Targets (PTOs). Specifically, DEA Special Agents and Intelligence Analysts assigned to DEA's foreign country offices focus their investigative efforts on PTOs with a direct connection to DOJ's Consolidated Priority Organization Targets (CPOTs), which include the most significant international command and control organizations threatening the United States as identified the Organized Crime Drug Enforcement Task Force (OCDETF).

As the U.S. government's single point of contact for coordinating drug investigations in foreign countries, DEA provides interagency leadership in the effort to disrupt or dismantle drug trafficking organizations. Currently, DEA has 85 offices

in 65 countries; under the policy guidance of the Department of State and U.S. Ambassadors, DEA coordinates all programs involving drug law enforcement in foreign countries. DEA also provides intelligence to assist the interagency community in determining future trends in drug trafficking and evaluating these trends to determine their long-term impact on drug trafficking. DEA works closely with the United Nations, Interpol, and other organizations on matters relating to international drug and chemical control programs.

FY 2013 Changes (-\$9.7 million): The FY 2013 request includes \$9.7 million in offsets related to base adjustments, general administrative efficiencies and program reductions and eliminations.

State & Local Assistance

Total FY 2013 Request: \$5.7 million
(Reflects \$0.1 million increase over FY 2012 enacted level)

DEA has the responsibility to respond to clandestine laboratory training requirements, hazardous waste cleanup, and cannabis eradication/suppression needs of the U.S. law enforcement community. DEA supports state and local law enforcement with methamphetamine-related assistance and training, which allows state and local agencies to better address the methamphetamine threat in their communities and reduce the impact that methamphetamine has on the quality of life for American citizens. By providing training in the techniques of clandestine laboratory drug enforcement, hazardous waste cleanup, and cannabis eradication/suppression, DEA is able to expand drug enforcement across the United States in a very cost-effective manner.

While these programs are administered by DEA, operational costs for the programs are funded by DOJ's Community Oriented Policing Services (COPS) account and the domestic cannabis eradication/suppression program is funded by DOJ's Asset Forfeiture Fund.

FY 2013 Changes (+\$0.1 million): The FY 2013 request includes base adjustments.

Diversion Control

Total FY 2013 Request: \$352.6 million
(Reflects \$30.6 million increase over FY 2012 enacted level)

The Diversion Control Program (DCP) is responsible for enforcing the Controlled Substances Act (CSA) and its regulations pertaining to pharmaceutical controlled substances and listed chemicals. The DCP actively monitors more than 1.5 million individuals and companies that are registered with DEA to handle controlled

substances or listed chemicals through a system of scheduling, quotas, recordkeeping, reporting, and security requirements.

FY 2013 Changes (+\$30.6 million): The FY 2013 request includes base adjustments and \$8.0 million for additional staff positions and \$6.2 million for more state and local Task Force Officers, and administrative contractors for Officers on Tactical Diversion Squads.

PERFORMANCE

This section on the FY 2011 performance of the DEA program is based on agency GPRA documents and other agency information. The table below includes selected performance measures, targets and achievements for the latest year for which data are available.

Drug Enforcement Administration		
Selected Measures of Performance	FY 2011 Target	FY 2011 Achieved
» Number of active International, Domestic, and Diversion Priority Targets linked to CPOT targets disrupted* or dismantled	460	540
Number of active International, Domestic, and Diversion Priority Targets not linked to CPOT targets disrupted* or dismantled	2,400	2,490
Monetary Value of Currency, Property and Drugs Seized (Drug Trafficker Revenue Denied)	\$3 Billion	\$2.89 Billion

* Includes disruptions pending dismantlement

Discussion

The DEA is committed to enforcing the controlled substances laws and regulations of the United States and bringing to the criminal and civil justice system of the U.S., or any other competent jurisdiction, those organizations and principal members of organizations involved in the growing, manufacturing, or distribution of controlled

substances appearing in or destined for illicit traffic in the U.S., including organizations that use drug trafficking proceeds to finance terror; and to recommending and supporting enforcement-related programs aimed at reducing the availability of and demand for illicit controlled substances on the domestic

and international markets. To accomplish its mission, the DEA targets PTOs, which represent the major drug supply and money laundering organizations operating at the international, national, regional, and local levels that have a significant impact upon drug availability in the United States. Specifically, the Priority Targeting Program focuses on dismantling entire drug trafficking networks by targeting their leaders for arrest and prosecution, confiscating the profits that fund continuing drug operations, and eliminating international sources of supply.

As of September 30, 2011, the DEA disrupted or dismantled 3,030 PTOs, which is 5.9 percent above the FY 2011 target of 2,860. This also represents a 12.9 percent increase over FY 2010 actual performance of 2,683 PTOs disrupted or dismantled.

DEA also contributes to disrupting or dismantling PTOs linked to the Attorney General's FY 2011 CPOT list – the “Most Wanted” drug trafficking and money laundering organizations believed to be primarily responsible for the Nation's illicit drug supply. During FY 2011, DEA disrupted or dismantled 540 PTOs linked to CPOT targets.

A vital component of DEA's overall strategy is its Financial Attack Strategy. Under this Strategy, DEA attacks the financial infrastructure of major drug trafficking organizations and members of the financial community who facilitate the laundering of their proceeds. During FY 2011, DEA maintained 21 money laundering investigative groups to support this Financial Attack Strategy. The 2010 National Drug Threat Assessment stated that Mexican drug trafficking organizations

smuggled bulk cash drug proceeds totaling tens of billions of dollars from the U.S. through the Southwest border and into Mexico during 2009. To address this problem, DEA has implemented several initiatives focused on targeting the bulk cash derived from drug proceeds. During FY 2011, DEA's total cash seizures were \$772.7 million. Further, DEA denied total revenue of nearly \$2.9 billion from drug trafficking and money laundering organizations through asset and drug seizures in FY 2011.

Another vital component of DEA's overall strategy is its Drug Flow Attack Strategy, which is designed to significantly disrupt the flow of drugs, money, and chemicals between the source zones and the United States by attacking vulnerabilities in the supply, transportation systems, and financial infrastructure of major drug trafficking organizations. This strategy calls for aggressive, well-planned and coordinated enforcement operations in cooperation with host-nation counterparts in global source and transit zones.

Specifically, Operation All-Inclusive, the centerpiece of DEA's Drug Flow Attack Strategy, has caused major disruptions in the flow of drugs, money, and chemicals between source zones and the U.S. by attacking trafficker vulnerabilities in the areas of financial, maritime, land, and air smuggling. From January 2011 through September 2011, DEA conducted the seventh international initiative under Operation All-Inclusive. As of October 13, 2011, this initiative has resulted in the seizure of 91.5 metric tons of cocaine, 503 kilograms of heroin, 530 metric tons of marijuana, 271 metric tons of solid precursors, \$107 million, and 2,771

weapons. Additionally, 1,452 arrests have occurred.

Through a combination of DEA-led operations such as the Drug Flow Attack Strategy, international partnerships with Mexico and Colombia, the Financial Attack Strategy, and foreign and domestic enforcement operations, DEA has significantly weakened a host of major drug trafficking organizations. One indicator of the overall effectiveness of these efforts is the price and purity of drugs. Using DEA's System to Retrieve Information on Drug Evidence (STRIDE) data to analyze all domestic cocaine purchases is useful to show illicit trend information. From January 2007 through March 2011, the price per pure gram of cocaine increased 87.2 percent, from \$101.10 to \$189.24, while the purity decreased 27 percent, from 67 percent to 49 percent. The results for heroin price and purity are also positive. From October 2007 through March 2011, the price per pure gram of heroin increased 61.1 percent, from \$559.33 to \$901.14, while the purity decreased 35 percent, from 41 percent to 26 percent.

The Diversion Control Program (DCP) implements an infrastructure of controls established through the Controlled Substances Act and ancillary regulations. This system balances the protection of public health and safety by preventing the diversion of controlled substances and listed chemicals while ensuring an adequate and uninterrupted supply for legitimate needs. The DCP conducts and facilitates domestic and international investigations; plans and allocates program resources; promulgates regulations; and conducts

liaison with industry as well as Federal, state, and local counterparts. In FY 2011, DEA launched an innovative campaign to address the increased abuse and theft of controlled prescription drugs, through coordinated nationwide prescription drug "Take-Back" days and the expansion of Tactical Diversion Squads.

DEPARTMENT OF JUSTICE

National Drug Intelligence Center

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
Intelligence	\$33.955	\$20.000	\$0.000
Total Drug Resources by Function	\$33.955	\$20.000	\$0.000
Drug Resources by Decision Unit			
Salaries and Expenses	\$33.955	\$20.000	\$0.000
Total Drug Resources by Function	\$33.955	\$20.000	\$0.000
Drug Resources Personnel Summary			
Total FTEs (direct only)	171	154	0
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$0.03	\$0.02	\$0.00
Drug Resources Percentage	100.0%	100.0%	0%

Program Summary

MISSION

The National Drug Intelligence Center's (NDIC) mission was to provide strategic, domestic drug-related intelligence support to the drug control, public health, law enforcement, and intelligence communities of the United States.

PERFORMANCE

This section on the FY 2011 performance of NDIC is based on agency GPRA documents and other agency data. The table below includes performance measures, targets, and achievements for the latest year for which data are available.

METHODOLOGY

All NDIC resources were scored as a part of the National Drug Control Budget.

BUDGET SUMMARY

The Administration proposes to eliminate funding for the lower-priority NDIC. The Administration intends to realign some of those NDIC activities within the Department of Justice's (DOJ's) Drug Enforcement Administration (DEA).

National Drug Intelligence Center		
Selected Measures of Performance	FY 2011 Target	FY 2011 Achieved
Expand NDIC's production of strategic intelligence products on topics such as the Southwest Border, gangs and violence, and other emerging drug related issues, along with producing nine Organized Crime Drug Enforcement Task Force Regional Drug Threat Assessments.	30	17*
Produce the National Drug Threat Assessment, High Intensity Drug Trafficking Areas Drug Market Analyses and other strategic domestic drug intelligence reports, as requested by the Department of Justice, Office of National Drug Control Policy and others.	46	47
Percentage of Document and Media Exploitation (DOMEX) missions that support the Department of Justice's strategic goals and objectives.	90%	100%
Percentage of users that would request DOMEX support in the future and refer DOMEX to others.	90%	100%

*The nine OCDETF Regional Drug Threat Assessments and several other strategic intelligence products scheduled to be published in the 4th Quarter were delayed.

b

DEPARTMENT OF JUSTICE

Office of Justice Programs

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
Prevention	\$20.709	\$5.000	\$32.550
State and Local Assistance	92.155	71.500	99.050
Treatment	113.482	85.500	113.000
Total Drug Resources by Function	\$226.346	\$162.000	\$244.600
Drug Resources by Decision Unit			
Border Prosecutor Initiatives	\$0.000	\$10.000	\$0.000
Byrne Criminal Justice Innovation Program	5.000	15.000	20.000
Drug Courts	37.275	35.000	0.000
Enforcing Underage Drinking Laws	20.709	5.000	0.000
Mentally Ill Offender Act Program	9.940	9.000	0.000
Meth Enforcement and Cleanup	8.283	12.500	12.500
Northern Border Prosecution	2.485	0.000	0.000
OJP Consolidated Tribal Grant	0.000	0.000	65.100
Prescription Drug Monitoring Program	5.798	7.000	7.000
Problem Solving Justice	0.000	0.000	52.000
Regional Information Sharing System	44.910	27.000	27.000
Residential Substance Abuse Treatment	24.850	10.000	21.000
Second Chance Act	41.417	31.500	40.000
Southwest Border Prosecution	25.679	0.000	0.000
Total Drug Resources by Function	\$226.346	\$162.000	\$244.600

Drug Resources Personnel Summary			
Total FTEs (direct only)	67	67	67
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$1.8	\$1.6	\$1.2
Drug Resources Percentage	12.7%	10.4%	20.7%

Program Summary

MISSION

The Justice Assistance Act of 1984 established the Office of Justice Programs (OJP), whose mission is to provide Federal

leadership in developing the Nation's capacity to prevent and control crime, administer justice, and assist crime victims. As such, OJP resources are primarily

targeted to providing assistance to state, local, and tribal governments.

METHODOLOGY

OJP scores as drug control the dedicated specific resources in support of the *National Drug Control Strategy* that focus on breaking the cycle of drug abuse and crime, including drug testing and treatment, provision of graduated sanctions, drug prevention and education, and research and statistics.

BUDGET SUMMARY

The total drug control request for OJP in FY 2013 is \$244.6 million, an increase of \$82.6 million above the FY 2012 enacted level of \$162.0 million.

Border Prosecutor Initiative

Total FY 2013 Request: \$0.0 million
(Reflects \$10.0 million decrease from FY 2012 enacted level)

This program provides funding for local prosecutor offices in the Northern border, and the four Southwest border States of California, New Mexico, Arizona, and Texas for the costs of processing, detaining, and prosecuting drug and other cases referred from Federal arrests or Federal investigations.

FY 2013 Changes (-\$10.0 million): The Budget proposes to eliminate funding for the Border Prosecutor Initiative. As funding levels for some OJP programs decline, it is essential that OJP continue to support robust research and evaluation programs, encourage the continued development of evidence-based programs, and maintain funding for programs vital to our state, local, and tribal partners in the criminal justice system.

Byrne Criminal Justice Innovation Program

Total FY 2013 Request: \$20.0 million
(Reflects \$5.0 million increase over FY 2012 enacted level)

Recent research findings in areas such as community violence prevention and community policing have demonstrated that law enforcement or crime prevention efforts tailored to address particular problems in a defined area often achieve much better results than more general efforts targeting broader areas. Designed as a true interagency approach and integrated into the Administration's Neighborhood Revitalization Initiative, the Byrne Criminal Justice Innovation Program promotes organizational and resource efficiency among its Federal partners while achieving results, including improved community-police cooperation, enhanced intergovernmental communications and coordination, and reductions in serious and violent crime in targeted neighborhoods.

FY 2013 Changes (+\$5.0 million): The Budget proposes an increase of \$5.0 million to support this program. This request for increased funding will ensure that the Byrne Criminal Justice Innovation program has the resources needed to make a real difference in the nation's communities.

Drug Court Program

Total FY 2013 Request: \$0.0 million
Consolidated into the \$52.0 million Problem Solving Justice initiative)

The Drug Court program provides grants and technical assistance to state, local, and tribal governments to support the development, expansion, and enhancement of drug courts. This program also supports evaluations of the effectiveness of drug courts and drug courts strategies, including ongoing efforts to examine how drug courts

are different today, how courts have evolved from the original model and current barriers to compliance with the 10 key components of the drug court model.

FY 2013 Changes (Consolidated into Problem Solving Justice): The Budget proposes to consolidate funding for the Drug Court Program into the new Problem Solving Justice Program, which will assist state, local, and tribal governments in developing and implementing problem solving court strategies to address their jurisdiction's unique needs, including substance abuse and mental health issues. The Problem Solving Justice program will continue to provide grants to support drug courts.

Enforcing Underage Drinking Laws

Total FY 2013 Request: \$0.0 million

(Reflects \$5.0 million decrease from FY 2012 enacted level)

The Enforcing Underage Drinking Laws (EUDL) program supports and enhances efforts by states and local jurisdictions to prohibit the purchase and consumption of alcoholic beverages by minors. Minors are defined as individuals under 21 years of age.

FY 2013 Changes (-\$5.0 million): The Budget proposes a decrease of \$5.0 million. This initiative is supported through the Title V Local Delinquency Prevention Incentive Grants Program, for which OJP is requesting a total of \$40.0 million in FY 2013.

Mentally Ill Offender Act Program

Total FY 2013 Request: \$0.0 million

(Consolidated into the Problem Solving Justice initiative)

The Mentally Ill Offender Act Program provides grants and technical assistance to state, local, and tribal governments to support mental health courts and adult and juvenile collaboration grants programs in accordance with authorization language in both the Omnibus Crime Control and Safe Streets Act of 1968 and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008.

FY 2013 Changes (Consolidated into Problem Solving Justice): The Budget proposes to consolidate the Mentally Ill Offender Act Program into the new Problem Solving Justice Program, which will assist state, local, and tribal governments in developing and implementing problem solving court strategies to address their jurisdiction's unique needs, including substance abuse and mental health issues. The Problem Solving Justice program will continue to address the mentally ill offender issues formerly addressed through the Mentally Ill Offender Act Program.

Methamphetamine Enforcement and Lab Cleanup

Total FY 2013 Request: \$12.5 million

(Reflects no change from FY 2012 enacted level)

The Methamphetamine Enforcement and Lab Cleanup Grants provide assistance to state, local and tribal law enforcement agencies in support of programs designed to combat methamphetamine production and distribution, as well as target "hot spots" characterized by high levels of drug production or distribution. In cooperation

with the Drug Enforcement Administration, funding from this initiative also supports assistance to state and local law enforcement in removing and disposing of hazardous materials generated by clandestine methamphetamine labs, initiating container programs, and providing training, technical assistance and equipment to assist law enforcement agencies in managing hazardous waste. This program is administered by the Community Oriented Policing Services.

FY 2013 Changes (no change): The Budget proposes a continuation of anti-methamphetamine-related activities.

OJP Consolidated Tribal Grants

Total FY 2013 Request: \$65.1 million

(Reflects \$65.1 million over FY 2012 enacted level)

The Budget proposes an increase of \$65.1 million for the Consolidated Tribal Grants, an initiative designed to more flexibly address tribal criminal justice needs at the local level. The initiative will support grants, training, and technical assistance to improve tribal criminal justice outcomes, including drug and alcohol-related matters. This budget request represents 80 percent of total funding for the Consolidated Tribal Grants set-aside in FY 2013.

FY 2013 Changes (+\$65.1 million): The Budget proposes an overall increase of \$81.4 million for this program, of which 80 percent is scored in support of the *National Drug Control Strategy*.

Prescription Drug Monitoring Program

Total FY 2013 Request: \$7.0 million

(Reflects no change from FY 2012 enacted level)

The PDMP program enhances the capacity of regulatory and law enforcement agencies to collect and analyze controlled substance

prescription data, aiming to assist states that want to establish a PDMP. In addition to providing grants to states for PDMP planning, implementation, and enhancement, funding will support the continued training and technical assistance to states; further develop a clearinghouse of best practices and measures of effectiveness for PDMPs; and provide technical support for states to engage in electronic interstate data sharing.

FY 2013 Changes (no change): The request supports a continuation of the collection and analysis of controlled substance prescription data.

Problem Solving Justice

Total FY 2013 Request: \$52.0 million

(Reflects \$8.0 million increase over FY 2012 enacted level for the programs consolidated into the new program)

This program consolidates separate funding streams for the Drug Court Program and Mentally Ill Offender Grants. This consolidation will provide OJP the flexibility to continue providing grants to state, local, and tribal criminal justice agencies to help plan, implement, and improve drug court programs; and assist state, local, and tribal criminal justice agencies in working with mental health, substance abuse, housing, and related systems to decrease recidivism of mentally ill offenders, thus improving public safety and public health.

FY 2013 Changes (+\$8.0 million): The Budget proposes an increase of \$8.0 million over the level of funding previously dedicated to the consolidated programs. This program will assist state, local, and tribal governments in developing and implementing problem solving court

strategies to address their jurisdiction's unique needs.

Regional Information Sharing System

Total FY 2013 Request: \$27.0 million

(Reflects no change from FY 2012 enacted level)

The Regional Information Sharing System (RISS) is the only national criminal intelligence system operated by and for state and local law enforcement agencies. Six regional intelligence centers operate in all 50 states, the District of Columbia, and U.S. territories, with some member agencies in Canada, Australia, and England. These regional centers facilitate information sharing and communications to support member agency investigative and prosecution efforts by providing state-of-the-art investigative support and training, analytical services, specialized equipment, secure information-sharing technology, and secure encrypted e-mail and communications capabilities to over 6,000 municipal, county, state, and Federal law enforcement agencies nationwide.

FY 2013 Changes (no change): RISS will continue to provide investigative support and training, analytical services and secure communications capabilities to participating law enforcement agencies.

Residential Substance Abuse Treatment

Total FY 2013 Request: \$21.0 million

(Reflects \$11.0 million increase over FY 2012 enacted level)

The Residential Substance Abuse Treatment (RSAT) program for state prisoners was established to help states and units of local governments develop, implement, and improve residential substance abuse treatment programs in correctional facilities, and establish and maintain community-based aftercare services for

probationers and parolees. Ultimately, the program goal is to help offenders become drug-free and learn the skills needed to sustain themselves upon return to the community.

FY 2013 Changes (+\$11.0 million): The Budget proposes an increase of \$11.0 million. This increase will assist states and local jurisdictions with improving services for offenders with substance abuse programs and increasing the number of offenders served.

Second Chance Act

Total FY 2013 Request: \$40.0 million

(Reflects +\$8.5 million increase over FY 2012 enacted level)

The Second Chance Act Program builds on the success of OJP's past reentry initiatives by providing grants to establish and expand adult and juvenile offender reentry programs. This program authorizes various grants to government agencies and nonprofit groups to provide employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services that can help reduce re-offending and violations of probation and parole. This budget request represents 50 percent of the total funding requested for Second Chance Act in FY 2013 (\$80.0 million).

FY 2013 Changes (+\$8.5 million): The budget proposes an increase of \$8.5 million for this program, which will support state and local efforts to implement innovative and evidence-based programs that help offenders transition make from prison or jail to the community and reintegrate into society safely and successfully.

PERFORMANCE

This section on OJP's FY 2011 performance is based on information from internal and external sources. The tables below include

performance measures, targets and achievements for the latest year for which data are available.

Drug Courts		
Selected Measures of Performance	FY 2011 Target	FY 2011 Achieved
» Percent of drug court participants who graduate from the drug court program	48%	43%

Discussion

BJA administers the Drug Court program. With more than 2,400 operational drug courts across the U.S., BJA will continue to shift its program emphasis from establishing new drug courts to building and enhancing existing drug court capacity through training and technical assistance, management information system enhancements, evaluations, increased services to drug court clients, and information dissemination.

Drawing on research and graduation trends, the FY 2011 target for the drug court graduation rate was 48 percent in FY 2011; the achieved rate was 43 percent.

For FY 2012, BJA will refine the reporting on graduation rates and provide greater detail regarding client-based information (e.g., moves from area of drug court program, deaths, etc.)

In FY 2011, BJA and the National Institute of Justice (NIJ) conducted a review of recent Drug Court research findings and identified seven evidence-based components of successful drug court programming, which is being used to guide applicants to design more effective program designs. Funding evidence-based approaches enhances the

potential return on investment of Drug Court Discretionary Grant funding.

In FY 2011, NIJ's Multisite Adult Drug Court Evaluation (MADCE), a study of nearly 1,800 drug court participants and comparison probationers was released. The study compared 29 jurisdictions across the U.S., collected data via: three waves of interviews with participants; drug detection tests; administrative records on treatment and recidivism; court observations; interviews with staff and other stakeholders; and budget and other cost information. MADCE found that adult drug courts significantly reduce drug use and criminal offending during and after program participation, and are more cost efficient than traditional case processing and supervision. Drug Court participants reported less drug use (56% vs. 76%) and were less likely to test positive for drug use (29% vs. 46%), when compared to comparable individuals in the control group. In addition, participants reported less criminal activity (40% vs. 53%) and had fewer re-arrests (52% vs. 62%, though the difference is not statistically significant). Overall, the net benefit of drug courts is an average of \$5,680 to \$6,208 per participant.

RSAT		
Selected Measures of Performance	CY 2010 Target	CY 2010 Achieved
» Number of participants in RSAT	25,000*	29,872

* BJA is reporting on a calendar year (CY) basis. The data for CY 2010 data are reported in the table.

Discussion

The RSAT program, administered by BJA and authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322), assists state and local governments in developing and implementing residential substance abuse treatment programs (individual and group treatment activities) in correctional and detention facilities. The RSAT program is provided in residential treatment facilities set apart from the general correctional population; is focused on the inmate's

substance abuse problems; and develops the inmate's cognitive, behavioral, social, vocational, and other skills to manage the substance abuse and related problems.

In 2010, BJA announced plans to provide training and technical assistance (TTA) to RSAT programs and is delivering a range of TTA services to RSAT programs to maximize the use of evidence-based substance abuse treatment and aftercare for inmates in need of such treatment.

PDMP			
Selected Measures of Performance		CY 2010 Target	CY 2010 Actual
»	Number of interstate solicited reports produced	200,000	291,618
»	Number of interstate unsolicited reports produced	1,300	979

Discussion

The Harold Rogers Prescription Drug Monitoring Program (PDMP), administered by BJA, enhances the capacity of regulatory and law enforcement agencies and public health officials to collect and analyze controlled substance prescription drug data and other scheduled chemical products, while allowing for legitimate medical use, through a centralized database administered by an authorized state agency. The program was created by the FY 2002 U.S. Department of Justice Appropriations Act (Public Law 107-77) with the goal to help prevent and detect the diversion and abuse of pharmaceutical controlled substances. Thirty-six states now have operational PDMPs and 12 states and

1 U.S. territory (Guam) have enacted legislation to establish a PDMP but are not fully operational. Under the BJA grant program, 12 awards were made in FY 2011 for states to implement or enhance a PDMP. Since inception of the grant program in FY 2002, grants have been awarded to 47 states and 1 U.S. territory to support their efforts to plan, implement, or enhance a PDMP.

DEPARTMENT OF JUSTICE

Organized Crime Drug Enforcement Task Force

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
Investigations	\$378.783	\$378.447	\$373.602
Prosecution	148.729	149.065	151.191
Total Drug Resources by Function	\$527.512	\$527.512	\$524.793
Drug Resources by Decision Unit			
Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF)	\$11.790	\$11.780	\$11.540
Criminal Division	2.095	2.089	2.118
Drug Enforcement Administration (DEA)	205.019	204.830	203.700
Executive Office for U.S. Attorneys (EOUSA)	146.304	146.171	148.257
Federal Bureau of Investigation (FBI)	141.459	141.330	138.479
OCDETF Fusion Center (OFC)	11.752	11.752	11.304
Threat Response Unit	0.330	0.805	0.816
U.S. Marshals Service (USMS)	8.763	8.755	8.579
Total Drug Resources by Decision Unit	\$527.512	\$527.512	\$524.793
Drug Resources Personnel Summary			
Total FTEs (direct only)	3,277	3,276	3,228
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$0.5	\$0.5	\$0.5
Drug Resources Percentage	100.00%	100.00%	100.00%

Program Summary

MISSION

The Organized Crime Drug Enforcement Task Forces (OCDETF) Program was established as a multi-agency partnership of Federal law enforcement agencies and prosecutors, with assistance from state and local police departments, to identify, dismantle, and disrupt sophisticated national and international drug trafficking and money laundering organizations. OCDETF combines the resources, expertise,

and statutory authorities of member agencies to attack all of the related components of major drug trafficking and money laundering organizations. OCDETF efforts lead to disruptions in the drug market, which result in reductions in the drug supply, as well as bolster law enforcement efforts.

METHODOLOGY

All OCDETF resources are scored as a part of the National Drug Control Budget.

BUDGET SUMMARY

The FY 2013 budget requests \$524.8 million, a decrease of \$2.7 million from the FY 2012 enacted level.

OCDETF focuses on key program priorities in order to effectively and efficiently support its mission. OCDETF's major priority is the Consolidated Priority Organization Target (CPOT) List – a unified agency list of the top drug trafficking and money laundering targets around the world that impact the U.S illicit drug supply. OCDETF Regional Coordination Groups also target and identify Regional Priority Organization Targets (RPOTs), the most significant drug and money laundering organizations threatening the nation. In addition, OCDETF requires that all cases include a financial component to enable the identification and destruction of the financial systems supporting drug organizations.

Investigations

Total FY 2013 Request: \$373.6 million
(Reflects \$4.8 million decrease from FY 2012 enacted level)

Reimbursable resources support investigative activities of the following participating agencies: ATF, DEA, FBI, and the USMS. Also included are the reimbursable resources that support the intelligence activities of OCDETF's member agencies, the OCDETF Fusion Center, and the International Organized Crime Intelligence and Operations Center (IOC-2).

Bureau of Alcohol, Tobacco, Firearms, and Explosives

ATF agents focus on major drug traffickers who have violated laws related to the illegal trafficking and misuse of firearms, arson, and explosives. Firearms often serve as a form of payment for drugs and, together with explosives and arson, are used as tools by drug organizations in order to intimidate, enforce, and retaliate against their own members, rival organizations, or the community in general. Thus, ATF's jurisdiction and expertise contributes to OCDETF's efforts to disrupt and dismantle the most violent drug trafficking organizations. The FY 2013 request will continue to support ATF investigative activities as a member of the OCDETF Program.

Drug Enforcement Administration

DEA is the agency most actively involved in the OCDETF Program with a participation rate in investigations that exceeds 80 percent. Also, DEA is the only Federal agency in OCDETF that has drug enforcement as its sole mission. The agency's vast experience in this field, its knowledge of international drug rings, its relationship with foreign law enforcement entities, and its working relationships with state and local authorities have made the DEA an essential partner. The FY 2013 request will continue to support the personnel and operational costs for DEA's participation in the OCDETF Program.

Federal Bureau of Investigation

FBI brings to OCDETF its expertise in the investigation of traditional organized crime and white collar/financial crimes. The FBI also has developed valuable relationships with foreign and state and local law enforcement. The FBI uses its skills to

gather and analyze intelligence data and to undertake sophisticated electronic surveillance. The FBI contributes to the OCDETF program and to the goal of targeting major drug trafficking organizations and their financial infrastructure. The FY 2013 request will continue to support FBI involvement in OCDETF investigations.

U.S. Marshals Service

USMS is the agency responsible for the apprehension of OCDETF fugitives. Fugitives are typically repeat offenders who flee apprehension only to continue their criminal enterprise elsewhere. Their arrest by the USMS immediately makes the community in which the fugitive was hiding and operating a safer place to live. The FY 2013 request will continue to support USMS involvement in OCDETF investigations.

OCDETF Fusion Center (OFC)

The FY 2013 request will support operations at the OFC, a comprehensive data center containing all drug and related financial intelligence information from the seven OCDETF-member investigative agencies, the Financial Crimes Enforcement Network, and others. The OFC conducts cross-agency integration and analysis of drug and related financial data to create comprehensive intelligence pictures of targeted organizations, including those identified as CPOTs and RPOTs. The OFC is also responsible for passing along actionable leads through the multi-agency Special Operations Division (SOD) to OCDETF participants in the field. These leads ultimately result in the development of better-coordinated, more comprehensive, multi-jurisdictional OCDETF investigations of the most significant drug trafficking and money laundering networks.

International Organized Crime Intelligence and Operations Center (IOC-2) (\$3 million increase from FY 2012 level)

The International Organized Crime Intelligence and Operations Center (IOC-2) was launched on May 29, 2009, in partnership with the OCDETF Fusion Center (OFC) and the Special Operations Division of the Drug Enforcement Administration (SOD). The IOC-2 mission is to significantly disrupt and dismantle those international criminal organizations posing the greatest threat to the United States. IOC-2 was able to leverage the already existing tools of the OFC and SOD, while simultaneously benefiting those organizations by expanding the scope of their missions, collection, and agency participation. IOC-2 brought several new Federal law enforcement agencies into partnership with the OFC and SOD, and significantly enhanced the scope of contribution of current partners. For example, ICE, the U.S. Secret Service (USSS), the Department of State's Diplomatic Security Service (DoS-DS) and the Department of Labor's Inspector General's Office (DoL-IG) all joined the OFC at the time of the creation of IOC-2 and began contributing their investigative data to the OFC's fused data pool. Similarly, the USSS and DoS-DS joined SOD at the time of IOC-2's creation.

The OCDETF Program requests \$3.0 million for operational and administrative costs in support of IOC-2 investigations.

FY 2013 Changes (-\$4.8 million):

OCDETF will continue to provide personnel, administrative and investigative support for task force partners.

Prosecution

FY 2013 Request: \$151.2 million

(Reflects \$2.1 million increase from FY 2012 enacted level)

Reimbursable resources are included for the ninety-four U.S. Attorneys Offices around the country (executed through the Executive Office for U.S. Attorneys) and the Criminal Division of the Department of Justice.

Criminal Division

With the increasing complexity and scope of OCDETF cases, senior attorneys are called upon with greater frequency to assist in the supervision and prosecution of OCDETF cases. OCDETF-funded NDDS/AFMLS attorneys support the Mexican Cartel prosecutions. The FY 2013 request will support attorneys in the Office of Enforcement Operations as it reviews all applications for electronic surveillance and assists agents and attorneys by providing guidance on the justification for and development of such applications.

Threat Response Unit

The FY 2013 request will support the OCDETF Executive Office attorneys detailed to OEO to enhance its support of OCDETF Southwest border-related wiretap applications and requests for approval to employ sensitive investigative techniques; and to the Office of International Affairs (OIA) to support the high priority extraditions related to OCDETF prosecutions of Mexican Cartels.

U.S. Attorneys

Experienced OCDETF attorneys are able to coordinate investigative efforts more efficiently and minimize the risk of legal challenges because of their familiarity with the intricacies of drug trafficking

investigations. Their involvement ensures that the prosecutions are well prepared, comprehensively charged, and expertly handled. The FY 2013 request will support the United States Attorneys' involvement in the development of case strategy for OCDETF investigations and prosecutions.

FY 2013 Changes (+\$2.1 million):

OCDETF proposes to increase their involvement along the Southwest border through investigations, wire-tap applications, and prosecutions.

PERFORMANCE

This section on the FY 2011 performance for OCDETF is based on agency GPRA documents and other agency information. The table includes selected performance measures, targets and achievements for the latest year for which data are available.

OCDETF monitors performance in two program areas: investigations and prosecutions. For investigations, OCDETF tracks the percent of active investigations linked to the Attorney General's CPOT list and the number of CPOT-linked organizations dismantled or disrupted. For prosecutions, OCDETF tracks leadership convictions and financial convictions.

Organized Crime Drug Enforcement Task Force Program		
Selected Measures of Performance	FY 2011 Target	FY 2011 Achieved
» Percent of OCDETF investigations linked to CPOTs	16%	17%
» Percent of convicted defendants linked to CPOT	4%	5%
» Percent of OCDETF investigations resulting in conviction of a leader	76%*	81%*
» Percent of OCDETF investigations resulting in financial convictions	25%*	27%*
» Percent of OCDETF investigations resulting in assets forfeited	80%*	80%*
» Percent of OCDETF investigations resulting in disruption/dismantlement of targeted organization	78%*	86%*
» Number of CPOT-linked Drug Trafficking Organizations Disrupted	185	230
» Number of CPOT-linked Drug Trafficking Organizations Dismantled	104	130

* Data based on information reported in OCDETF Final Reports. Due to the lag in reporting, activity may have occurred in the prior year.

Discussion

The goal of the OCDETF Program is to identify, investigate, and prosecute the most significant drug trafficking and money laundering organizations and related enterprises, and to disrupt and dismantle their operations in order to reduce the drug supply in the United States. By dismantling and disrupting trafficking organizations that are CPOT-linked, OCDETF is focusing enforcement efforts against organizations that include heads of narcotic and/or money laundering organizations, poly-drug traffickers, clandestine manufacturers and producers, and major drug transporters, all of whom are primarily responsible for the domestic drug supply. Additionally, OCDETF's financial investigations focus on eliminating the entire infrastructure of CPOT-linked organizations and permanently removing their profits.

OCDETF dismantled 130 CPOT-linked organizations in FY 2011, exceeding the target; this represents an 8 percent increase over the 120 that were dismantled in FY 2010, the highest number reported prior to FY 2011. OCDETF disrupted 230 CPOT-linked

organizations in FY 2011, exceeding its target for disruptions. This is 7 percent greater than the 214 reported at the end of FY 2010. The total of 360 CPOT-linked organizations that were either dismantled or disrupted during FY 2011 is almost 8 percent higher than the 334 dismantled or disrupted in FY 2010, which was a record year. This achievement exceeded OCDETF's goal for disruptions and dismantlements.

In addition to making important gains against CPOT-linked organizations in FY 2011, OCDETF agencies continued to achieve significant successes against the CPOTs. Over the course of the last year, six CPOT targets were dismantled and six CPOT targets were disrupted. It is estimated that the CPOTs dismantled affected the capability of importing and distributing 100,000 tablets of MDMA per month into the United States and distributing MDMA, cocaine, marijuana, hash, and methamphetamine around the world; distributing 40 kilograms of heroin to the New York area on a monthly basis; and

moving cocaine valued in excess of \$4 billion into the United States since 2004.

pounds of marijuana and \$3.8 million in other assets.

Law enforcement activity targeting these CPOTs involved complex and coordinated intelligence driven investigations, with exceptional cooperation between U.S. law enforcement agencies and international partners. During FY 2011, 17 percent of active OCDETF investigations were linked to CPOT targets.

Eighty-six percent of OCDETF investigations have resulted in the disruption or dismantlement of the targeted organizations. Moreover, assets seized from OCDETF investigations totaled more than \$421 million in FY 2011. Five percent of convicted defendants in OCDETF investigations were linked to a CPOT. Eighty-one percent of OCDETF investigations resulted in the conviction of a leader, 27 percent in finance-related convictions, and 80 percent in the forfeiture of assets.

In FY 2011, more than 300 Federal, state, local and foreign law enforcement agencies contributed investigative and prosecutorial resources to “Project Delirium” through OCDETF which aimed to disrupt the operations of Mexican drug cartels in the United States and Mexico. Overall, Project Delirium operations have resulted in the arrest of 1,985 individuals and the seizure of approximately \$62 million in U.S. currency, approximately 2,773 pounds of methamphetamine, 2,722 kilograms of cocaine, 1,005 pounds of heroin, 14,818

DEPARTMENT OF JUSTICE

United States Attorneys

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
Prosecution	\$82.180	\$79.490	\$80.610
Total Drug Resources by Function	\$82.180	\$79.490	\$80.610
Drug Resources by Decision Unit			
Criminal Decision Unit	\$82.180	\$79.490	\$80.610
Total Drug Resources by Function	\$82.180	\$79.490	\$80.610
Drug Resources Personnel Summary			
Total FTEs (direct only)	500	486	493
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$1.930	\$1.960	\$1.974
Drug Resources Percentage	4.3%	4.1%	4.1%

Program Summary

MISSION

The Nation's 94 United States Attorney Offices (USAOs) are vital participants in supporting the *National Drug Control Strategy* and participate in several components of that *Strategy*. The USAOs work in conjunction with law enforcement to disrupt domestic and international drug trafficking and narcotics production through comprehensive investigations and prosecutions of criminal organizations. A core mission of each of the USAOs is to prosecute violations of Federal drug trafficking, controlled substances, money laundering, and related Federal laws in order to deter continued illicit drug distribution and use in the United States. This mission includes utilizing the grand jury process to investigate and uncover the criminal conduct at issue, and subsequent

presentation of the evidence in court as part of prosecution of individuals and organizations who violate Federal law. USAOs also work to dismantle criminal drug organizations through asset forfeiture, thereby depriving drug traffickers of the proceeds from their illegal activities.

In addition to this traditional prosecutorial role, efforts to discourage illegal drug use and to prevent recidivism by convicted drug offenders also form important parts of the drug control mission of the United States Attorneys' Offices. Each USAO is encouraged to become involved in reentry programs that may help prevent future crime, including drug crimes. Re-entry programs, such as re-entry courts, typically include access to drug treatment and support for recovery. Prosecutors and

USAO staff also participate in community outreach through initiatives such as the Byrne Criminal Justice Innovation program and Project Safe Neighborhoods, which educate communities about the hazards of drug abuse.

METHODOLOGY

The Executive Office of the United States Attorneys does not have a specific appropriation for drug control activities. The United States Attorney's drug budget is derived by calculating the costs of attorney and non-attorney full-time equivalents (FTE) dedicated to non-OCDETF drug prosecutions. This data is captured at the end of the fiscal year; once the total cost is determined, an inflation rate is applied to the out-years.

BUDGET SUMMARY

The FY 2013 drug control request for the United States Attorneys is \$80.6 million, which is an increase of \$1.1 million over the FY 2012 enacted level. The resources will be used to support prosecution of violations of controlled substances, money laundering, and drug trafficking.

Criminal Decision Unit

Total FY 2013 Request: \$80.6 million
(Reflects \$1.1 million increase over FY 2012 enacted level)

The USAOs work in conjunction with law enforcement to disrupt domestic and international drug trafficking and narcotics production through comprehensive investigations and prosecutions of criminal organizations. A core mission of each of the USAOs is to prosecute violations of Federal drug trafficking, controlled substance, money laundering, and related Federal laws in order to deter continued illicit drug

distribution and use in the United States. This mission includes utilizing the grand jury process to investigate and uncover the criminal conduct at issue, and subsequent presentation of the evidence in court as part of prosecution of individuals and organizations who violate Federal law.

FY 2013 Changes (+\$1.1 million): The increase will continue to support drug-related prosecutorial activities.

PERFORMANCE

This section is on the FY 2011 performance of the drug control mission of the USAOs within the Department of Justice, based on agency GPRA documents and other agency information. The FY 2011 performance information for the USAOs drug related involvement is provided below.

U.S. Attorneys		
Selected Measures of Performance	FY 2011 Target	FY 2011 Achieved
» Conviction Rate for drug related defendants	NA	91.2%
» Percentage of defendants sentenced to prison	NA	89%

Note: The Executive Office of the United States Attorneys (EOUSA) reports actuals achieved.

Discussion

USAOs investigate and prosecute the vast majority of criminal cases brought by the Federal government to include drug related topics. USAOs receive most of their criminal referrals, or “matters,” from Federal investigative agencies, including the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the United States Immigration and Customs Enforcement (ICE), the United States Secret Service, and the United States Postal Inspection Service. The EOUSA supports the *National Drug Control Strategy* through investigations and prosecutions, which contribute to reducing the threat, trafficking, use, and related violence of illegal drugs.

Three recent successful prosecutions demonstrate the work of the United States Attorneys during FY 2011:

(1) La Familia Mexican Drug Cartel – Chicago Cell Head (Northern District of Illinois): A significant accomplishment during FY 2011 included the August 2, 2011 sentencing of Jose Gonzalez-Zavala, the former head of the Chicago distribution network of a Mexican drug-trafficking cartel, to 40 years imprisonment for his role in orchestrating a conspiracy to distribute

more than 420 kilograms of cocaine. From 2008 until his arrest in June 2009, Gonzalez-Zavala directed the operations of the Chicago distribution cell of a drug-trafficking cartel known as La Familia Michoacana. Gonzalez-Zavala was 1 of more than 20 defendants charged in connection with narcotics trafficking by the La Familia Michoacana organization in the Chicagoland area. To date, 15 of those defendants have pleaded guilty for their roles in the organization. The investigation, which began in 2007, was part of Project Coronado, a multi-agency narcotics trafficking investigation, which focused on La Familia’s distribution network throughout the United States.

(2) Independence Missouri Prescription Drug Plea (Western District of Missouri):

On February 17, 2011, an Independence, Missouri physician who admitted that he participated in a conspiracy to distribute illegally over 83,000 OxyContin and oxycodone pills from July 2006 to January 2010 plead guilty. During the course of the conspiracy, the defendants caused OxyContin and oxycodone prescriptions to be issued for individuals with no legitimate medical need. Those prescriptions were later filled at pharmacies and paid by health care benefit programs. The estimated sales

of the pills totaled \$952,520. The physician, Bruce Layne Baker, was paid by his co-conspirators approximately \$50 to \$100 for each illegal prescription. To date, eight defendants have pleaded guilty for their role in connection with the conspiracy.

(3) Operation Knock-Out (Central District of California):

On January 6, 2011, George Manuel Flores, leader of the Varrio Hawaiian Gardens street gang, was sentenced to 30 years in prison. Flores admitted that, as leader of the gang, he was responsible for the distribution of more than 30 kilograms of heroin, more than 4.5 kilograms of crack cocaine, more than 1.5 kilograms of pure methamphetamine, and more than 100 kilograms of marijuana. Flores was 1 of 212 defendants charged as a part of Operation Knockout, including the lead defendant in the 57-defendant racketeering conspiracy case that was the centerpiece of Operation Knockout. During the course of the investigation, authorities seized approximately 33 pounds of methamphetamine and approximately 125 firearms. Many of the remaining defendants have pleaded guilty, some being sentenced to sentences as long as 25 years imprisonment.

DEPARTMENT OF JUSTICE

United States Marshals Service

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
International	\$1.054	\$1.101	\$1.099
Investigations	104.314	108.984	108.827
Prosecution	132.352	138.795	140.902
Total Drug Resources by Function	\$237.720	\$248.880	\$250.828
Drug Resources by Decision Unit			
Fugitive Apprehension	\$105.368	\$110.085	\$109.926
Judicial and Courthouse Security	86.064	89.594	91.812
Prisoner Security and Transportation	46.288	49.201	49.090
Total Drug Resources by Function	\$237.720	\$248.880	\$250.828
Drug Resources Personnel Summary			
Total FTEs (direct only)	1,139	1,139	1,139
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$1.1	\$1.2	\$1.2
Drug Resources Percentage	22.1%	21.2%	21.1%

Program Summary

MISSION

The U.S. Marshals Service (USMS) is the enforcement arm of the Federal courts and works in concert with other Federal agencies including the Drug Enforcement Administration; the Federal Bureau of Investigation; U.S. Immigration and Customs Enforcement; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Internal Revenue Service; and the U.S. Coast Guard. The USMS also works in cooperation with the Department of Justice's Criminal Division, Tax Division, and the 94 U.S. Attorney's Offices, as well as with state and local law enforcement.

USMS' drug interdiction efforts center on capturing fugitives who have a nexus to the most serious drug trafficking and money laundering organizations, and those primarily responsible for the Nation's drug supply. In order to contribute to the Administration's mandate to reduce the drug supply, the USMS focuses its fugitive apprehension resources on coordinated, nationwide investigations, targeting the entire infrastructure of major drug trafficking. The USMS also directly contributes to the Attorney General's drug supply reduction strategy by maintaining

the security of all in-custody prisoners with serious drug-related charges.

METHODOLOGY

The USMS does not have a specific appropriation for drug interaction activities, however, the Salaries and Expenses (S&E) appropriation is allocated to: 1) judicial and courthouse security to carry out the USMS judicial security mission; 2) task forces to carry out the USMS fugitive apprehension mission; and 3) district offices to carry out the USMS prisoner security and transportation mission. USMS resource estimates for drug control are based on the drug-related workload as of FY 2011 year-end. For Judicial and Courthouse Security as well as Prisoner Security and Transportation, 20 percent of in-custody prisoners have a drug-related charge. For Fugitive Apprehension, 28 percent of warrants cleared are drug-related. These percentages are applied to S&E appropriation to formulate drug-related resources. S&E resources include employee payroll, rent, and operating expenses.

BUDGET SUMMARY

The total drug control request for the USMS for FY 2013 is \$250.8 million, a net increase of \$1.9 million over the FY 2012 enacted level.

Judicial and Courthouse Security

Total FY 2013 Request: \$91.8 million
(Reflects \$2.2 million increase over FY 2012 enacted level)

Judicial and Courthouse Security encompasses personnel security (security protective detail for a judge or prosecutor), building security (security equipment to monitor and protect a Federal courthouse facility) includes maintaining security of prisoners in custody during court

proceedings. Deputy Marshals are assigned to 94 judicial districts (93 Federal districts and the Superior Court for the District of Columbia) to protect the Federal judicial system which handles a variety of cases including drug trafficking. The USMS determines the level of security required for high-threat situations by assessing the threat level, developing security plans based on risks and threat levels, and assigning the commensurate security resources required to maintain a safe environment.

FY 2013 Changes (+\$2.2 million): The requested increase will support security to ensure that judicial and courthouse proceedings properly.

Fugitive Apprehension

Total FY 2013 Request: \$109.9 million
(Reflects \$0.2 million decrease from FY 2012 enacted level)

Fugitive Apprehension includes domestic and international fugitive investigations, technical operations, criminal intelligence analysis, fugitive extraditions and deportations, sex offender investigations, and the seizure of assets. The USMS is authorized to locate and apprehend Federal, state, and local fugitives both within and outside the U.S. under 28 USC 566(e)(1)(B). The USMS has a long history of providing assistance and expertise to other law enforcement agencies in support of fugitive investigations. The broad scope and responsibilities of the USMS concerning the location and apprehension of Federal, state, local, and foreign fugitives is detailed in a series of Federal laws, rules, regulations, Department of Justice policies, Office of Legal Counsel opinions, and memoranda of understanding with other Federal law enforcement agencies.

FY 2013 Changes (-\$0.2 million): USMS will continue to support all aspects associated with the apprehension of fugitives.

agency GPRA documents and other agency information. The FY 2011 performance measures for the USMS drug related involvement are shown in the table below.

Prisoner Security & Transportation

Total FY 2013 Request: \$49.2 million

(Reflects \$0.1 million decrease from FY 2012 enacted level)

Prisoner Security and Transportation includes processing prisoners in the cellblock, securing the cellblock area, transporting prisoners by ground or air, and inspecting jails used to house Federal detainees. As each prisoner is placed into USMS custody, a Deputy Marshal is required to “process” that prisoner. Processing consists of interviewing the prisoner to gather personal, arrest, prosecution, and medical information; fingerprinting and photographing the prisoner; preparing an inventory of any received prisoner property; and entering/placing the data and records into automated tracking systems. The cellblock is the secured area for holding prisoners in the courthouse before and after appearance in a court proceeding. Deputy Marshals follow strict safety protocols in the cellblocks to ensure the safety of USMS employees and members of the judicial process.

FY 2013 Changes (-\$0.1 million): USMS will continue to support the security and transportation of prisoners in USMS custody.

PERFORMANCE

This section on the FY 2011 performance of the drug control mission of the USMS within the Department of Justice is based on

U.S. Marshals Service		
Selected Measures of Performance	FY 2011 Target	FY 2011 Achieved
» Number of prisoners with drug-related charges who escaped from USMS custody outside of the courtroom.	0	0
» Percent of primary Federal drug fugitives apprehended or cleared.	56%	62%

Discussion

The Prisoner Security and Transportation decision unit has the following measure “Number of prisoner escapes from USMS custody outside of the courtroom.” For drug-related performance, the USMS is reporting on the number of prisoners with drug-related charges. The FY 2011 target was to allow no escapes. The USMS met this performance target.

The Fugitive Apprehension decision unit has the following outcome: “Percent of primary Federal felony fugitives apprehended or cleared.” For drug-related performance, the USMS reports on the number of primary Federal drug fugitives apprehended or cleared. The USMS takes the number of primary drug fugitives apprehended or cleared (15,643 at the end of FY 2011) and divides it by the number of drug fugitives wanted at the start of the fiscal year (25,346 at the start of FY 2011). The FY 2011 target of 56 percent was achieved with 62 percent apprehended or cleared.

DEPARTMENT OF JUSTICE

United States Marshals Service Federal Prisoner Detention

Resource Summary

	Budget Authority (in Millions)		
	FY 2011 Final	FY 2012 Enacted	FY 2013 Request
Drug Resources by Function			
Corrections	\$533.000	\$580.000	\$604.000
Total Drug Resources by Function	\$533.000	\$580.000	\$604.000
Drug Resources by Decision Unit			
Detention Services	\$533.000	\$580.000	\$604.000
Total Drug Resources by Function	\$533.000	\$580.000	\$604.000
Drug Resources Personnel Summary			
Total FTEs (direct only)	0	0	0
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$1.5	\$1.6	\$1.7
Drug Resources Percentage	35.2%	36.7%	36.2%

Program Summary

MISSION

The Federal Prisoner Detention (FPD) appropriation (formerly the Office of the Federal Detention Trustee) is responsible for the costs associated with the care of Federal detainees in the custody of United States Marshals Service (USMS). The USMS ensures the safe, secure and humane confinement of persons in its custody while allowing unimpeded prisoner transportation. The FPD appropriation funds the care of Federal detainees in private, state, and local facilities, which includes housing, subsistence, transportation, and medical care.

METHODOLOGY

The FPD appropriation does not include specific resources dedicated to housing the drug prisoner population. The primary drivers of detention expenditures are the number of prisoners booked by the USMS, the length of time those prisoners are held in detention, and the cost. A Detention Population Forecasting Model is used to take a statistical approach for predicting detention needs using factors such as population, demographic trends, number and type of criminal cases processed, average processing time per type of case, and authorized/ requested positions of the Federal law enforcement, U.S. Attorneys, U.S. District court judges, and immigration judges. The methodology to determine the cost associated with the drug prisoner

population is to use the average daily population (ADP) for drug offenses multiplied by the per diem rate (cost per day to house) multiplied by the number of days in the year. Projections for out-year costs are based on projected future bookings by offense and the time offenders are expected to be held in detention at the projected per diem rates.

BUDGET SUMMARY

The FY 2013 request for the FPD is \$604.0 million, which is an increase of \$24.0 million over the FY 2012 enacted level.

Detention Services

Total FY 2013 Request: \$604.0 million
(Reflects +\$24.0 million increase over FY 2012 enacted level)

FPD resources are expended from the time a prisoner is brought into USMS custody through termination of the criminal proceeding and/or commitment to BOP.

FY 2013 Changes (+\$24.0 million): The FY 2013 increase supports services for Federal detainees in custody.

PERFORMANCE

This section on the FY 2011 performance of the drug control mission of the USMS FPD account within the Department of Justice is based on agency GPRA documents and other agency information. The FY 2011 performance information for FPD drug related involvement is provided below.

Federal Prisoner Detention ^{1/}		
Selected Measures of Performance	FY 2011 Target	FY 2011 Achieved
» Per Day Jail Costs (non-federal) ^{2/}	\$71.54	\$72.88

Notes:

1/ For the purposes of this document, the FPD account and OFDT are interchangeable.

2/ The per Day Jail Costs reflect the average daily costs for the total detainee population including detainees convicted of drug offenses.

Discussion:

USMS continues to explore new approaches to address diminishing detention capacity in an environment of an increasing detention population resulting from aggressive immigration, drugs

trafficking, and other law enforcement initiatives.

For FY 2011, the FPD population convicted of drug offenses was 21,907, which constituted 34.7 percent of the total

detainee population of 63,112. The detainee population is dependent upon the number of persons arrested by the Federal law enforcement agencies coupled with the length of time defendants are detained pending adjudication, release, or subsequent transfer to the Bureau of Prisons following conviction and sentencing. Currently, the challenges facing law enforcement officials at the Southwest border (SWB) directly affect the detention population overseen by FPD. In FY 2013, anticipated law enforcement initiatives on the SWB addressing drug and weapons trafficking are expected to increase the average time-in detention, thereby increasing the detainee population.

A key objective of USMS is to reduce prisoner processing time via eDesignate, an enterprise technology solution that automates the sentence to commitment business process by transferring data and documents electronically. All 94 Judicial Districts use eDesignate, which reduces post-sentencing time in detention during the sentence-to-commitment process. Moreover, USMS supports the *National Drug Control Strategy* in continuing to support alternatives to incarceration through to pretrial detention, such as electronic monitoring, halfway house placement, and drug testing and treatment.

USMS continues to look for efficiencies and cost avoidance in detention through process and infrastructure improvements funded by the FPD account. These improvements will address the requirements of affected partner agencies.