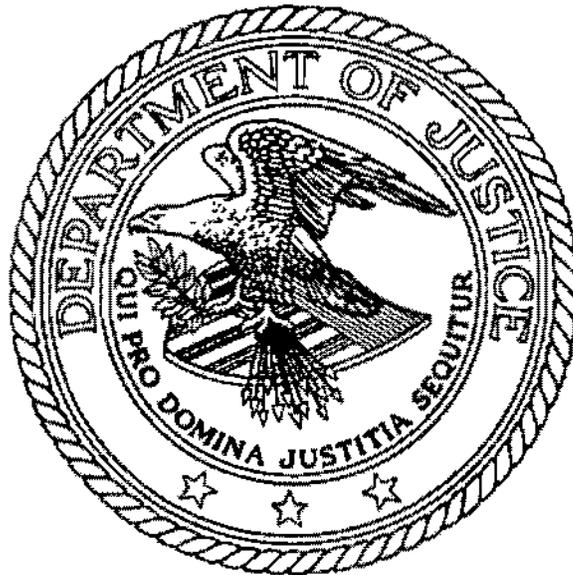


**A History of the U.S. Department of Justice
During the Clinton Administration
1993 - 2001**



Appendix A

**Prepared for the Clinton Administration History Project
Washington, DC
2001**

A HISTORY OF THE U.S. DEPARTMENT OF JUSTICE
DURING THE CLINTON ADMINISTRATION
1993-2001

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I

**The Justice Department
Comprehensive Crime Control Strategy**

A. Effectively Enforcing Federal Criminal Laws

1. Submission by the Executive Office for United States Attorneys

UNITED STATES ATTORNEYS' OFFICES STRENGTHENING FEDERAL LAW ENFORCEMENT

Background

The United States Attorneys serve as the chief law enforcement officers within the nation's 94 federal judicial districts. They are appointed by the President, confirmed by the Senate, and report to the Attorney General through the Deputy Attorney General. Each United States Attorney is responsible for establishing law enforcement priorities within his or her district. Under general executive assistance provided by the Executive Office for United States Attorneys, the United States Attorneys are responsible for: prosecuting criminals for violation of our nation's laws; representing the United States as the chief litigator in civil judicial proceedings; and handling criminal and civil appellate cases before the United States Courts of Appeals. The United States Attorneys also carry out the important role of liaison with federal, state, and local law enforcement officers and members of the community on various crime reduction programs.

There have been dramatic increases in the workload of the United States Attorneys' offices during the last eight years. For example, from fiscal year 1993 to fiscal year 1999, the number of cases filed increased 37%, while the increase in staff in the United States Attorneys' office during the same time period was 11%.

This increase in workload was made possible by greater efficiency and critical increases in federal law enforcement resources proposed by the President and appropriated by Congress for the United States Attorneys over the past eight years. Increases came in a variety of areas, including 125 attorneys in fiscal years 1998 and 1999 to prosecute narcotics crimes and 65 attorneys in fiscal years 1997 and 1998 for enforcement efforts along the Southwest Border. There also were significant increases in fiscal year 1998 resources for victim/witness services across the country and for local prosecutions by the United States Attorney for the District of Columbia in the District of Columbia Superior Court.

By Fiscal Year 1999, the United States Attorneys' offices employed 4,872 full time equivalent (FTE) attorneys and 5,089 FTE support personnel, and the districts varied in size from 8.64 allocated Assistant United States Attorneys (AUSAs) in the District of Guam to 352.58 in the District of Columbia (District and Superior Courts). By Fiscal Year 1999, Assistant United States Attorneys constituted roughly 52% of all Department attorneys and about 66 percent of those Department attorneys with prosecution or litigation responsibilities. Most new Assistant United States Attorneys have prior litigation experience with a prosecuting attorney's office, a

law firm, or another government agency. In addition to their prior legal experience, Assistant United States Attorneys nationwide have an average of nine years' experience in United States Attorneys' offices.

Major Goals

When Janet Reno arrived at the Department of Justice in 1993, she brought together all 93 United States Attorneys with the Department's senior leadership to forge a new partnership. She set forth an agenda to reduce violent crime and make our streets safe, to remove guns from juveniles, to reduce the availability and use of illegal drugs, to prosecute health care fraud and computer crime, to protect our environment and borders, and to pursue civil justice reform. The United States Attorneys worked closely with the Attorney General and this Administration to partner with federal, state, and local law enforcement agencies, academia, and communities to develop successful community law enforcement programs.

Accomplishments

The work of the United States Attorneys is among the most fundamental of any government, and the litany of significant cases since the appointment of United States Attorneys after 1993 is truly impressive, including: the Oklahoma City bombing trials; the Unabomber case; the World Trade Center bombing trial; the Gigante organized crime case; the prosecution of 32 members of a violent narcotics distribution network supervised and managed by members and associates of the Luchese Crime Family, who pled guilty to various cocaine and crack distribution charges; the prosecution of the Mexican organized crime figures responsible for exporting to and distributing within the United States vast quantities of narcotics; the prosecution of Ronald Ocasio, leader of the Bryant Boys, a violent drug trafficking gang that sold massive amounts of crack cocaine and heroin in New York, for racketeering charges including murder, drug trafficking, and weapons possession; the prosecution of a computer hacker who made \$3.7 million worth of unauthorized transfers to his own accounts by gaining access to an internal Citibank computer system; the destruction of a massive securities fraud conspiracy in which 16 defendants pleaded guilty to bilking investors of millions of dollars and causing the collapse of a major Internet service provider; obtaining a \$340 million fine against the Daiwa Bank in New York for defrauding the Federal Reserve Board among other criminal acts; and obtaining a \$10.65 million criminal fine against a pharmaceutical company for defrauding the government, to name just a few. These cases, and countless others, reflect the work that the United States Attorneys' offices have accomplished over the past eight years.

Early in the Administration, the Attorney General's Advisory Committee of United States Attorneys created the Civil Chief's Working Group to advise the Committee on issues confronting civil litigation in the Offices of the United States Attorneys. In March 1998, the Advisory Committee created the Criminal Chief's Working Group which is responsible for advising the Advisory Committee on a host of issues that affect the work of Assistant United States Attorneys who handle criminal investigations and prosecutions. In the fall of 1999, the

Appellate Chiefs Working Group was formed consisting of representatives from each Circuit, as well as the Solicitor General's Office, and the Criminal and Civil Appellate Sections in the Department of Justice.

The following summarizes and reviews the major activities and accomplishments of the United States Attorneys' offices in specific areas of the federal criminal law.

A. Law Enforcement Coordinating Committees

During the past eight years, community partnerships played a vital role in the reduction of crime. Through task forces comprising federal, state, and local law enforcement agents, United States Attorneys have worked to develop partnerships between members of law enforcement and the community. The United States Attorneys took full advantage of the Law Enforcement Coordinating Committees (LECC), which were created in an effort to move past territorial and jurisdictional concerns of federal, state, and local law enforcement entities, open the lines of communication, and make the most efficient use of law enforcement resources. LECC members represent a broad range of multilevel government law enforcement agencies. Throughout their tenure, the United States Attorneys encouraged joint investigations and projects through federal, state, and local task forces and working groups established to enhance efforts in many areas including violent crime, organized crime drug enforcement, and health care fraud. The LECCs also provided much needed training. LECCs have the ability to identify specific training needs. LECC coordinators throughout the country provided training and assistance in Department priority areas such as Community Oriented Policing Services (COPS), Weed and Seed, health care fraud, and the Violence Against Women Act.

B. Helping to Put More Police on the Beat

The Community Oriented Policing Services (COPS) Program was created in 1994 as an initiative to advance community policing and add 100,000 officers to the street. As of the end of September 1999, the COPS program had awarded \$6 billion in grants to 11,300 law enforcement agencies to fund the addition of more than 100,000 officers. Throughout their tenure, the United States Attorneys played an important role in promoting the COPS Program at the local level. Through their respective LECC coordinators, United States Attorneys facilitated community policing training using Innovative Community Policing Grants as the vehicle to bring site-specific training to police departments in their states.

C. Violent Crime

3. The Anti-Violent Crime Initiative

Beginning in Fiscal Year 1994, the Attorney General's Anti-Violent Crime Initiative, a joint undertaking of the United States Attorneys and the Department's Criminal Division, prepared the way for the most efficient combination of federal, state and local

resources to address the particular violent crime problems in each community. The United States Attorneys, along with federal, state and local law enforcement officials and community members, developed violent crime strategies within their respective districts and, in July 1994, began to implement their plans. Additionally, the United States Attorneys participated in the process of educating federal, state and local officials and the public on the Violent Crime Control Act of 1994. Both directly and through their respective Law Enforcement Coordinators, the United States Attorneys were involved in providing training and information to state and local officials, both on substantive criminal provisions of the Act and with respect to grant money.

2. Violent Crime in Indian Country

United States Attorneys, with exclusive jurisdiction over felonies in Indian country, took steps during Fiscal Year 1994 to enhance communication with Native American tribes and to be more responsive to the violent crime problems on reservations. Assistant United States Attorneys, appointed by the United States Attorneys to respond to Native American concerns, became involved in Multi-Disciplinary Teams to better respond to violent crime, including child abuse, and received training on prosecuting violent crimes in Indian country. However, by Fiscal Year 1997, despite the fact that violent crime was declining nationally, serious and violent crime in Indian Country was still significantly rising, particularly gang and juvenile violence. Based on a directive from the President, the Attorney General formed an interdepartmental Executive Committee to address this concern. United States Attorneys responded by holding an unprecedented series of consultations with tribal leaders around the country. These consultations identified a glaring problem of insufficient law enforcement resources in Indian Country. Because law enforcement in Indian Country often fails to meet basic public safety needs, tribal governments expressed a desire to add resources and consolidate law enforcement services. The Initiative joined the Department of Justice with the Department of the Interior to work together to improve public safety in Indian Country. As a result of the recommendations, the entire structure of the Bureau of Indian Affairs' (BIA) law enforcement operation was reorganized. Line authority for BIA law enforcement officers was transferred to BIA's Office of Legal Services in February 1999.

The United States Attorneys responded to these problems by designating Assistant United States Attorneys to serve as tribal liaisons and to work cooperatively with tribal police, prosecutors, and judges to address criminal issues such as juvenile violence. The Federal Bureau of Investigation (FBI) placed more agents in Indian Country and created an Office of Indian Country Investigations within its Violent Crime and Major Offenders Section. Thirty special agents were reassigned to those FBI offices with the greatest need for Indian Country resources. The Office of Indian Country Investigations has facilitated training for more than 170 investigators working to combat gang problems in Indian Country. The United States Attorneys continued their cooperation with the FBI in forming multi-disciplinary teams and in forming FBI Safe Trails Task Forces. The task forces have taken an aggressive stance in combating violent crime in Indian Country and have made a difference in the communities in which they are active.

In Fiscal Year 1999, Congress appropriated \$109 million in grant funds for the Initiative for the first year of a four-year program. The funds provided for new FBI agents to be assigned to Indian Country divisions and additional funds for BIA law enforcement. In February 1999, the Attorney General initiated a review of the issues of common concern to the Department of Justice's law enforcement components. As a part of the review, the Attorney General asked a committee, composed of representatives from the Department's law enforcement and other components, including representatives from the Native American Issues Subcommittee of the Attorney General's Advisory Committee of United States Attorneys, to make recommendations on how the Department could improve its law enforcement efforts in Indian Country. The Committee made recommendations to the Attorney General encompassing the entire criminal justice system.

III. Violence in Public Housing

During Fiscal Years 1996 and 1997, the United States Attorneys worked to implement a joint agreement between the Attorney General and the Secretary of the Department of Housing and Urban Development (HUD) to combat violence in public housing. The agreement resulted in the development of model anti-crime and violence reduction programs in 13 cities including Chicago, Illinois; Detroit, Michigan; New Orleans, Louisiana; San Francisco, California; Philadelphia, Pennsylvania; Washington, D.C.; Atlanta, Georgia; Gary, Indiana; Boston, Massachusetts; Kansas City, Missouri; Greensboro, North Carolina; Newark, New Jersey; and Memphis, Tennessee. The United States Attorneys conducted meetings to bring the participants together to discuss violence and associated problems in local public housing systems and to initiate the development of model programs to address these problems. Representatives of each of the cities involved in the pilot met with housing authorities and local police to develop strong management programs to certify residents and to enforce leasing agreements. In addition, several cities designated attorneys to prosecute all targeted area offenses, including the eviction of tenants who are involved in drug or violent crimes. Other activities have focused on youth violence, particularly youths and guns. Several United States Attorneys' offices established local, state and Federal task forces to combat gang-related crime and narcotics trafficking. The model programs in these cities created ongoing, coordinated mechanisms among local public housing authorities, HUD, and Federal and local law enforcement agencies.

IV. Violence Against Women

The Violence Against Women Act (VAWA), passed as part of the Violent Crime Control Act of 1994, created a new federal offense when an abuser crosses state lines to violate a protection order or to injure, harass, or intimidate a spouse or partner. During Fiscal Year 1998, the United States Attorneys conducted a series of eight video teleconferences to address the emerging issues presented by violations of VAWA. The video teleconferences were designed to discuss enforcement strategies, developing case law, victim safety and management, and the United States Attorneys' participation in community domestic violence efforts. Representatives of 90 United States Attorneys' offices, and representatives from the FBI and the Bureau of

Alcohol, Tobacco and Firearms, participated in the conferences. The United States Attorneys' aggressive education and training initiatives have resulted in a record-breaking number of federal indictments.

5. Violence Against Juveniles

The Violent Crime Control Act of 1994 created a new federal offense allowing incarceration of persons convicted of traveling in interstate or foreign commerce to sexually molest minors. The United States Attorneys have been active throughout the Clinton Administration in using this statute to pursue prosecution of those who harm America's children. In June 1999, laptop computers were distributed to Child Exploitation Points of Contact in 47 United States Attorneys' offices at a training conference held at the National Advocacy Center. The intensive computer training on use of the laptops to prosecute internet crimes against children used a team approach which paired an Assistant United States Attorney with a federal law enforcement agent from each district. The crimes addressed during the training included distribution and possession of child pornography on the Internet and using the Internet to lure children across state lines or traveling interstate to sexually molest children.

6. Firearms Prosecutions

In 1996, "Operation Ceasefire" -- a city-wide strategy to deter firearm violence among youthful offenders -- was established in Boston, Massachusetts. Also known as the Boston Gun Project, at the time that it began, Operation Ceasefire was an innovative program that focused on enforcement, intervention and prevention. The goal of Ceasefire was to communicate warnings to gangs that, if violence occurred, there would be swift, predictable responses with weighty consequences, including federal prosecution with lengthy sentences. This strategy of targeted deterrence was balanced by the offer of meaningful and realistic alternatives. Operation Ceasefire is an extremely successful program resulting in its replication in many other districts across the country.

In February 1997, in Richmond, Virginia, the United States Attorney's office for the Eastern District of Virginia commenced "Project Exile." Under Project Exile, the United States Attorney's office, in conjunction with the Richmond Commonwealth Attorney's Office and Police Department and the Federal Bureau of Alcohol, Tobacco and Firearms (ATF), began to prosecute all felons with guns. The cases were handled on an expedited basis, with the United States Attorney's office taking an aggressive stance on bail and sentencing. One aspect of the project that dramatically increased its impact was the effort to publicize the project. Using funds from various sources, including local businesses, the agencies involved publicized the project's success by purchasing advertising on billboards, television and even painting a bus, all with the message, "An Illegal Gun Gets You 5 Years in Federal Prison." The project resulted in a significant number of guns being taken off the streets and a substantial reduction in homicides by firearms and was also repeated in various forms in other districts across the country.

On March 20, 1999, President Clinton issued a Directive to the Attorney General and the Secretary of the Treasury to build upon the reductions in violent crime of the previous six years. The Attorney General and the Secretary of Treasury were asked to develop an integrated firearms violence reduction strategy that incorporates the proven measures and innovative approaches being used throughout the country, such as Project Exile and Operation Ceasefire. In response to the Directive, United States Attorneys and ATF Special Agents in Charge worked together to implement plans in response to the Attorney General and the Secretary of Treasury's requests. By the end of 2000, each of the 94 federal judicial districts had implemented a plan which was based upon the problem of firearms violence in the district, the legal tools and firearms-related information resources available in the district, and included existing and newly-developed strategies. These plans continued to be refined and retooled throughout Fiscal Year 2000. Each district also established a point of contact for the Integrated Firearms Violence Reduction Strategy. Training was conducted for the points of contact at the Executive Office for United States Attorneys' Office of Legal Education National Advocacy Center in November 1999 and November 2000.

B. International and Domestic Terrorism

During Fiscal Year 1996, at the request of the Attorney General, each United States Attorney designated an experienced Assistant United States Attorney to serve as a point of contact on domestic terrorism and to gather information relating to domestic terrorism activity. These focal points in each district ensured that the Department's goal of effective investigation and prosecution of terrorist acts was pursued. In June 1997, a Federal jury convicted Timothy McVeigh for his role in the April 19, 1995, bombing that devastated the Alfred P. Murrah Federal Building and killed 168 people in Oklahoma City. He was subsequently sentenced to death. In December 1997, a jury convicted his co-defendant, Terry Nichols, who was sentenced to life in prison without parole on June 4, 1998. Also, in January 1998, Theodore Kaczynski pleaded guilty and was subsequently sentenced to life in prison without parole as a result of his responsibility for the Unabomber bombings.

C. Child Support and Recovery Act

The Attorney General very early in the administration expressed particular interest in children's issues. As part of the effort to protect America's children, the United States Attorneys have undertaken the investigation and prosecution of parents who willfully fail to pay support obligations for a child living in another state. During Fiscal Year 1993, the United States Attorneys' offices established procedures and structures to effectively implement the Child Support Recovery Act (CSRA). National training for the contact attorney in each office was held during the year and ideas and suggestions were exchanged, and implementation of the CSRA was underway. During Fiscal Year 1996, the Attorney General convened a Criminal Child Support Enforcement Task Force of Federal, state, and local representatives to foster cooperation among the various agencies responsible for child support enforcement. The United States Attorneys have steadily increased the number of prosecutions against parents who willfully fail

to pay their child support obligations throughout the Clinton Administration.

In February 1997, the Department conducted new training sessions for CSRA coordinators in the United States Attorneys' offices to assist them in prosecuting these cases. The Department also issued new prosecution guidelines for CSRA cases. The Criminal Child Support Enforcement Task Force of Federal, state and local representatives worked to foster cooperation among the different levels of government and the various agencies responsible for child support enforcement.

During Fiscal Year 1998, the United States Attorneys supported the amendment of the CSRA to create felony provisions. On June 24, 1998, the President signed into law a bill amending several key sections of the Act. The amendment created two first-offense felony provisions under which a delinquent child support obligor is now subject to a two-year maximum prison term and a fine. The United States Attorneys developed CSRA pilot programs in ten districts during Fiscal Year 1998. The ten districts participated in a specially focused training program sponsored by the Executive Office for United States Attorneys' Office of Legal Education at the National Advocacy Center. Assistant United States Attorneys, paralegals, and representatives from the FBI and the Department of Health and Human Services shared ideas and discussed the range models for handling cases and working with appropriate state and local agencies to develop cases for prosecution.

In February 2000, the Attorney General announced that in Fiscal Year 1998, \$14.4 billion was collected in child support, and 80 percent increase since 1992. Paternity was established in 1.5 million cases in Fiscal Year 1998, three times the number established in 1992.

D. Narcotics Prosecutions

The United States Attorneys' drug strategy throughout the past Administration was to target and prosecute significant drug traffickers and highly structured drug organizations. A task force approach was utilized throughout the country to benefit from the expertise and criminal intelligence of Federal, state, and local law enforcement officials. In April 1996, the National Methamphetamine Strategy was announced which called for increased law enforcement efforts against clandestine methamphetamine labs and traffickers, new penalties for trafficking, tighter regulatory controls on chemicals used to make methamphetamine, enhanced international cooperation to stop methamphetamine smuggling, and a public awareness campaign. In September 1996, the Attorney General announced a Midwest Methamphetamine Strategy to augment the National Methamphetamine Strategy. The goal of both the National Midwest strategies was to develop a partnership among all levels of law enforcement, educators, treatment professionals, and the community to deter the growth of methamphetamine production and use.

In response to the Attorney General's Midwest strategy, each United States Attorney in the Midwest designated an Assistant United States Attorney to coordinate investigations among Federal, state, and local law enforcement and to share intelligence. Under the strategy, law

enforcement officers are trained to detect precursor chemicals, investigate labs, safely seize methamphetamine-making materials, and understand the pharmacological and psychoactive effects of the drug. Also, communities were educated about the dangers of methamphetamine, and prevention and treatment programs were established.

In Fiscal Year 1997, the Department, in conjunction with the United States Attorneys, initiated an Organized Crime Drug Enforcement Task Force (OCDETF) regional restructuring designed to respond more effectively to current and emerging drug trafficking patterns, to cluster districts with common drug trafficking problems, and to enhance communications and coordination within and among OCDETF regions. Consistent with the Department's Strategic Plan and the National Drug Control Strategy, the OCDETF regional restructuring provided an opportunity to focus greater attention, expertise, and resources on those criminal organizations that are responsible for the greatest volume of drugs and violence in our country. The restructuring reduced the number of OCDETF regions from 13 to 9. The new regions became operational in Fiscal Year 1998.

In response to a Congressional mandate, each United States Attorney developed a local Drug Control Strategic Plan during Fiscal Year 1998 in conjunction with state, local and federal law enforcement agencies. The Drug Control Strategic Plans summarized local drug problems and presented a counter-drug strategy to address identified problems. The Department used this information to promote OCDETF coordination at the regional level and to refine and update the Department's National Strategic Plan.

E. Organized Crime

The roots of crime organizations may date far back in our country's history, but with the availability of modern technology, and the emergence of organizations from all over the world, organized crime operations are becoming ever more sophisticated and far-reaching. According to the FBI, organized crime organizations from Russia, Eastern Europe, Asia, Africa, and many other parts of the world have begun to operate effectively and very dangerously in the United States. Throughout this Administration, the United States Attorneys have worked to eliminate the acts of violence and the many criminal enterprises of the La Cosa Nostra families and their associates.

On May 28, 1999, the Attorney General approved Operation Sudden Stop, a national initiative to address vehicle and cargo theft where there is a likelihood of organized crime involvement. The initiative sponsored by the FBI, contemplated a one-year, phased effort that relied upon each United States Attorney's office to review and prosecute, where appropriate, cases presented as a result of the initiative. The initiative had specific objectives to be accomplished during separate phases which carried over into Fiscal Year 2000. The purpose of the initiative was to approach the criminal activities through the enterprise theory of investigation to ensure the use of all criminal law enforcement tools available.

F. White Collar Crime

1. Health Care Fraud

After the Attorney General designated health care fraud as a top priority, by the end of Fiscal Year 1994, United States Attorneys' offices had increased their number of cases filed from the previous fiscal year by 92 percent with 121 percent increase in the number of defendants charged with health care fraud violations. The United States Attorneys continued each year thereafter to focus on combating this important national problem. In 1996, the President signed the Health Insurance Portability and Accountability Act of 1996, which contained many provisions that strengthen the United States Attorneys' ability to combat health care fraud. Additionally, during Fiscal Year 1997, new health care fraud resources were authorized for the United States Attorneys' offices. The Attorney General also approved new guidelines on multi-district health care fraud cases which enhances cooperation and communication between the United States Attorneys and the Department's Criminal and Civil Divisions in cases which potentially require a multi-district or nationwide strategy. Further, the Attorney General delegated authority to the United States Attorneys and to the Assistant Attorney General for the Criminal Division to issue investigative demands.

To facilitate coordination and communication at the local and state level, each United States Attorney's office now has a criminal and a civil Health Care Fraud Coordinator. Health care fraud working groups have been established at the national, regional and local levels to enable Federal and state prosecutors and investigators from the Federal Bureau of Investigation, the Department of Health and Human Services Office of Inspector General, the Defense Criminal Investigative Service, state Attorneys General and Medicaid Fraud Control Units, and other agencies to discuss enforcement strategies and other useful information. The Department also began working with HHS to establish a national health care fraud data collection program for the reporting of final adverse actions against health care fraud providers.

2. Pension Fraud

In Fiscal Year 1997, the Attorney General and the Secretary of Labor publicly announced the Pension Abuse Initiative to combat abuse in the nation's pension and retirement fund system. The initiative seeks to protect the safety and integrity of funds exceeding \$3.5 million in the private retirement system, directs attention toward the prosecution of criminal abuses of pension plans, the development of regional working groups, and the development of legislation and other means of improving the Federal law enforcement effort against fraud and other crimes involving retirement arrangements. At the request of the Attorney General, the initiative was developed by the Department's Criminal Division and the United States Attorneys by means of an inter-agency working group. The working group is chaired by attorneys from the Organized Crime and Racketeering Section of the Department's Criminal Division, and includes attorneys and investigators from other Department components, the Department of Labor, the FBI, the Securities and Exchange Commission and the Internal Revenue Service. The initiative

was endorsed by the Attorney General's White Collar Crime Council.

3. Environmental Crime

United States Attorneys, in conjunction with the Department's Environment and Natural Resources Division (ENRD), enforce the nation's criminal and civil environmental laws such as the Clean Air Act, the Resource Conservation and Recovery Act, and the Safe Drinking Water Act. The partnership between the United States Attorneys and the ENRD has been strengthened in the investigation and prosecution of environmental crimes. The Environmental Subcommittee of the Attorney General's Advisory Committee of United States Attorneys worked with ENRD during Fiscal Year 1997 to develop a "rivers" enforcement program. As a part of this effort, many of the United States Attorneys whose districts encompass the Mississippi river basin attended a River Initiative conference. At the conference, they met with representatives from other Federal agencies, state governments, and environmental groups to discuss enforcement approaches and successes related to river pollution. The result of the "rivers" enforcement program has been very positive.

On July 15, 1999, the Attorney General, the Secretary of Housing and Urban Development, the United States Attorney for the District of Columbia and the Mayor of the District of Columbia announced the first judicial actions under the Residential Lead-Based Paint Hazard Reduction Act. These first cases secured ground-breaking settlements, including making 4,000 dwelling units in the District of Columbia and Maryland lead-safe. In the latter part of Fiscal Year 1999, the Executive Office of United States Attorneys, working with ENRD, prepared a packet of information about how such enforcement cases under this Act can be investigated and developed, including model pleadings, the applicable statutory and regulatory provisions, and other background materials about lead-poisoning. The lead paint "tool-kit" was distributed to all United States Attorneys' offices.

4. Computer Crime

Over the past several years, the United States Attorneys and the Executive Office for United States Attorneys (EOUSA) have worked closely with the Criminal Division to address the growing problem of fraud in cyberspace. Each United States Attorneys' office designated an Assistant U.S. Attorney as a Computer and Telecommunications Coordinator to serve as an advisor to that office on high-tech issues and serve as liaison with the Criminal Division, and EOUSA's Office of Legal Education worked jointly with the Criminal Division to provide computer crime training for both federal prosecutors and federal agents.

The Internet Fraud Initiative, sponsored by the Attorney General's Council on White Collar Crime, focused on improving enforcement, control and prevention. The Initiative's response to the Internet fraud theft includes: determining the scope of the Internet fraud problem; ensuring that prosecutors and agents have sufficient training and resources to conduct investigations; developing Internet fraud identification and investigation methods and strategies;

fostering and promoting coordination among federal and state law enforcement and regulatory agencies; providing advice and support in Internet fraud prosecutions; and conducting Internet fraud public education and prevention programs.

In December 1997, the Attorney General signed an agreement with seven major industrial countries designed to "detect, prevent and punish" persons who use computers to commit international high tech crimes. The agreement was signed during a meeting in Washington, D.C., by the interior and justice ministers from Britain, Canada, France, Germany, Italy, Japan, Russia and the United States.¹

During Fiscal Year 1999, the Attorney General also approved a new enforcement initiative to protect intellectual property rights. The Intellectual Property Enforcement Initiative is aimed at addressing the burgeoning copyright piracy and trademark counterfeiting crime problem in the United States and around the world, largely due to the explosive growth of the Internet. One of the key components of the Initiative is increasing the number of prosecutions brought in the United States. To focus efforts, seven districts were identified where the intellectual property crime problem is severe. Under the initiative, the Department will train and equip investigators and prosecutors, work with industry to generate appropriate criminal referrals, seek additional reform of domestic laws where needed, and support the government-wide international coordinated effort on bilateral and multilateral discussions and training.

G. Immigration

During Fiscal Year 1995, the United States Attorneys joined with other Department components in an aggressive stance to secure the borders of the United States. The Attorney General's Advisory Committee of United States Attorneys (AGAC) established a subcommittee for Border Law Enforcement. The chair of the subcommittee created a pilot program in the Southern District of California that, in working with expanded United States Border Patrol enforcement and an improved identification program, significantly increased prosecutions for attempted re-entry by aliens previously convicted of felonies and deported. Under the pilot program, such prosecutions increased from 240 in 1994 to 1,236 in 1995. To support the development of this program and efforts by other border districts, the Attorney General directed additional prosecutive resources to border areas through Operation Gatekeeper. Operation Gatekeeper was subsequently followed by Operations Hold the Line (Texas), Safeguard (Arizona) and Hard Line. The number of immigration cases filed increased significantly thereafter during each of the subsequent years. An Anti-Smuggling Initiative was also put into effect in Fiscal Year 1995, with prosecutions under this initiative also increasing significantly thereafter during each year.

In July 1999, the Attorney General asked the United States Attorneys to meet with INS

¹Jerry Seper, "Nations Agree on Crime Initiative." The Washington Times, December 11, 1997, p. A-12.

Regional and/or District Directors and develop unified strategies for the interior enforcement of federal immigration laws. These strategies include local threat assessments and operational plans for the enforcement of immigration laws. The plans are consistent with the INS Interior Enforcement Strategy and seek to accomplish the following objectives: Identify and remove criminal aliens and minimize recidivism; deter, dismantle, and diminish smuggling or trafficking of aliens; respond to community reports and complaints about illegal immigration and build partnerships to solve local problems; minimize immigration benefit fraud and other document abuse; and block and remove employers' access to undocumented workers.

H. Civil Rights Prosecutions

In response to a directive from the Attorney General in June 1996, the United States Attorneys established local task forces to work with the National Church Arson Task Force in investigating and prosecuting those responsible for attacks on houses of worship. Many United States Attorneys also performed significant outreach activities, meeting with church and community leaders to address their concerns, to discuss the law enforcement response, and to provide information about arson prevention. Additionally, a number of United States Attorneys provided testimony concerning the Federal response to church arsons at hearings conducted throughout the South by the United States Commission on Civil Rights. In June 1997, the Attorney General issued a directive resulting in the establishment of the National Church Arson Task Force which was supported by the United States Attorneys through local task forces.

In May 1998, the Attorney General announced the Department's Hate Crimes Initiative. In response to the Attorney General's announcement, the United States Attorneys took steps to ensure that the problem of hate crimes is adequately addressed within their districts. In June 1998, the United States Attorneys prepared summaries of hate crimes activities, which included the steps taken to create or join a local Hate Crimes working group, efforts made to bolster existing Hate Crimes working groups, and a description of the training offered to local law enforcement representatives. In March 1999, the United States Attorneys' Hate Crimes Coordinators began participating in periodic telephone conferences with the members of the Department's Hate Crimes Working Group. These conference calls share best practices and ensure continued exchange of information nationwide.

In December 1998, the Attorney General announced the establishment of Regional Worker Exploitation Task Forces by the Department of Labor and the Department of Justice. In January 1999, to facilitate these regional efforts, the United States Attorneys designated a point of contact in their offices to serve as their representative on the regional worker exploitation task forces.

IX. International Crime

During Fiscal Year 1998, the United States Attorneys, through the Department of Justice, worked closely with the Department of State and the Department of Treasury to develop and implement a comprehensive national strategy to fight international crime and reduce its impact on Americans. In May 1998, the Department assisted in developing the International Crime Control Strategy, an innovative action plan that will provide a coordinated, effective, long-term attack on international crime. The Strategy includes eight broad goals, such as combating smuggling, countering international financial crime, and responding to emerging threats like high-tech and computer-related crime.

State of Affairs Today

During Fiscal Year 1999, United States Attorneys' offices charged 71,560 defendants in 50,779 cases in District Court. Approximately 90% of the defendants charged in District Court were convicted at trial or by guilty plea with 6% of that number having been convicted after a trial. In addition, the United States Attorneys' offices charged an additional 20,522 defendants in United States Magistrate Court continuing a steady increase since Fiscal Year 1996.

By the end of Fiscal Year 1999, priority program prosecution areas included international crime, international and domestic terrorism, violent crime (including firearms prosecutions, violence against women, violence against juveniles, violent crime in Indian country, violent street gangs and violence in public housing), narcotics crime, immigration crime, organized crime, official corruption, labor management offenses, and white collar crime (including health care fraud, major financial institution fraud, and computer crime). Drug use was down by more than 50% from 1979 and violent crime had declined for the sixth year in a row. Indeed, violent crime in 1998 compared to 1992 had decreased by 21 percent.

From 1993 to 1998, the nation's murder arrest rate for juvenile crime dropped 50 percent. Between 1993 and 1998 the juvenile arrest rate for weapons violations dropped by one third. These figures are very encouraging.² Furthermore, Justice Department national statistics show that black youths arrested for violent offenses nationwide have dropped 50 percent during the last six years. Howard Snyder, a researcher with the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, reported, "there has been a huge decline in arrests of black youths. The black communities that are working with kids are doing something right."³ Our programs are working and through comprehensive and coordinated efforts at the federal, state and local level, youth violence is declining.

² Lorraine Adams and David A. Visc, *Violent Crime Rates Down Among Young*, *The Washington Post*, November 24, 1999, at A-8.

³ Ellen Sarokin, *Violent crime by youths decline*, *The Washington Times*, February 15, 2000, at C-2.

During the last eight years, strong federal law enforcement efforts that have been matched by a falling violent crime rate. During this time, the 1994 Crime Bill helped put more police on the streets, the Brady Bill helped keep more than 500,000 guns away from felons and other prohibited persons, and we saw legislation to ban assault weapons. Community law enforcement programs also showed their worth. We are witnessing a change in society's perceptions of the law. Scholars agree that, "lawfulness is becoming the norm, and it's contagious. Citizens are becoming involved in their communities and states and cities are making investments in crime programs."⁴ "Criminals are becoming responsible for their own behavior—they know they are not going to get the benefit of the doubt."⁵ A commitment to tough laws and tough sentencing, coupled with a vision and commitment to build strong community law enforcement, should be applauded for bringing about this change has been the hallmark of both the Attorney General and the United States Attorneys as they have led the federal law enforcement effort on behalf of the President.

Next Steps

Despite the successes described above, our crime fighting efforts are far from over. In a speech before the Symposium on Corporate Community Partnerships for Public Safety in Minneapolis, Attorney General Reno warned of complacency. "In the shadow of our history, we cannot become complacent. We've got to be vigilant in dealing with new crime issues. With every new generation, society must begin anew and teach its members early on that society will hold them 'accountable' for their decisions. Consistency in crime prevention requires that communities start at the beginning and build along the way, never compromising a generation."⁶ Many new challenges remain ahead for federal law enforcement: (1) to continue aggressive firearms enforcement; (2) to support proven and new community-based strategies to reduce violent crime, violent gangs, and juvenile crime on Indian reservations; (3) to increase our cybercrime expertise to prevent and reduce terrorist computer attacks or "hacking" as well as theft of intellectual property and other trade secrets, and to prosecute criminals using computers to carry out their crimes; (4) to allow the United States Attorneys to more effectively represent and defend the interests of the government in lawsuits filed against the United States by increasing defensive civil litigation resources; (5) to further curb child exploitation and pornography, particularly on the Internet; (6) to help secure our borders by prosecuting alien smugglers and others who prey on those desperate for new lives; (7) to shore up our infrastructure by providing computer litigation and fiscal management support; (8) to enhance enforcement of the Child Support Recovery Act of 1992 and the Deadbeat Parents Punishment

⁴ Associated Press, *Serious Crime is Down 10% in the First Half of Year, FBI Reports*, *The New York Times*, November 22, 1999, at A-25. Quote from James Alan Fox, Lipmann Professor of Criminal Justice, Northeastern University.

⁵ Nick Anderson, *Serious Crimes in U.S. Fall 10% in 1st Half of '99*, *The Los Angeles Times*, November 22, 1999, at A-1. Quote from Professor Gerald Caplan, Dean, McGeorge School of Law, Sacramento, California.

⁶ *Minnesota HEALS, Minnesota for Hope, Education, and Law & Safety*, June 1999, Volume 2, Number 2.

Act of 1998 to further address the nationwide problem of child support non-payment; and (9) to continue to increase enforcement and prosecution in our nation's capitol by additional protection for witnesses and expanding this program throughout the nation.

As the United States Attorneys move forward in the 21st Century they will continue to work to make America a just, fair, and safer nation for all.

2. Submission by the Federal Bureau of Investigation

Strengthening Federal Law Enforcement Domestically and Globally

Internationally

Recognizing the need for strengthened international cooperation, Director Freeh led a delegation of high-level diplomatic and federal law enforcement officials to meet with senior officials of 11 European nations on international crime issues in the summer of 1994. Meetings were held with officials of Russia, Germany, the Czech Republic, the Slovak Republic, Hungary, Poland, the Ukraine, Austria, Lithuania, Latvia, and Estonia. On July 4, 1994, Director Freeh announced the historic opening of an FBI Legal Attache Office in Moscow. Subsequently, international leaders and law enforcement officials have focused on ways to strengthen security measures against possible theft of nuclear weapons and nuclear materials from Russia and other former republics of the Soviet Union. They have heightened joint efforts against organized crime, drug trafficking, and terrorism. They have also strongly supported the FBI's efforts to institute standardized training of international police in investigative processes, ethics, leadership, and professionalism.

In April 1995, the International Law Enforcement Academy (ILEA) opened in Budapest, Hungary. Representatives of 27 countries from Central and Eastern Europe, Russia, and the newly independent states of the former Soviet Union had expressed interest in sending students to the facility. Its curriculum, which is modeled after the FBI National Academy Program, also focuses on such areas as organized crime, economic crime, and nuclear nonproliferation. The ILEA hosts 50 students during each eight-week session, and at least five sessions are to be held each year. At the same time, topical seminars and courses are conducted for an additional 50 students. Academy instructors come from the ranks of the FBI and other federal law enforcement agencies. Law enforcement agencies from such countries as Canada, the United Kingdom, Germany, Italy, the Netherlands, Ireland, Hungary, Russia, and Ukraine are teaching partners at the ILEA Budapest. Other European Union countries have also expressed interest in joining the United States in this unprecedented training effort. The focus of this training program is on leadership, personnel and financial management issues, human rights, ethics, the rule of law, management of the investigative process, and the other contemporary law enforcement issues. In addition to the basic eight-week program, the Academy at Budapest has also hosted 746 students from throughout Eastern Europe in 26 crime-specific short courses on organized crime, white-collar crime, automobile theft, and other topics. The success of this cooperative initiative has led to the establishment of additional international law enforcement training academies. ILEA Bangkok, Thailand, has been established along with an ILEA in Gaborone, Botswana. Plans are underway for an ILEA in South Africa.

Today, the FBI maintains 44 Legal Attache Offices worldwide, located in the U.S. embassies in the countries to which they are accredited. During FY 2000, training was provided to approximately 6,981 international students. An estimated 314 international students received

their training at the FBI Academy in Quantico. FBI instructors provided training to the other 6,667 international students either in-country or at other U.S. locations.

CALEA

To prepare the U.S. law enforcement community for both domestic and foreign lawlessness in the 21st century, the Director led the effort to ensure law enforcement's ability to carry out court-authorized electronic surveillance in major investigations affecting public safety and national security due to the advances in telecommunications. This ability was secured when Congress passed the Communications Assistance for Law Enforcement Act in October 1994.

Health Care Fraud & Economic Espionage

In 1996, the 104th Congress passed the Health Insurance Portability and Accountability Act and the Economic Espionage Act. These new statutes enabled the FBI to significantly strengthen its criminal programs in health care fraud and the theft of trade secrets and intellectual property.

In 1997, more than \$1 trillion was spent on health care in the U.S. The Health Care Financing Administration, which administers the Medicare program, estimates that by the year 2007 health care expenditures will exceed \$2 trillion. These expenditures are shared among the various health care insurers--private insurance companies and government-sponsored programs (Medicare and Medicaid), who account for approximately 55% and 45% of all expenditures, respectively.

Fraudulent billings submitted to health care insurers, and medically unnecessary services performed simply to generate billings, are prevalent in every geographical area of the country, and fraud operates on a national scale through corporate-driven schemes and systemic abuse by certain provider types. In order to effectively combat health care fraud, the FBI has developed a national strategy, which includes joint federal and state task forces. This investigative strategy also includes the regular use of sophisticated investigative techniques, such as undercover operations and court-authorized telephone intercepts, as well as the aggressive use of asset forfeiture and money-laundering statutes. In addition, the FBI has implemented national initiatives involving the consolidation of similar cases nationwide and the pursuit of broad investigations on national and multinational health care providers.

In 1999, 686 individuals were indicted and \$314 million was recovered/restituted. As a recent case example, two osteopathic physicians operated Blue Valley Medical Group and provided medical services to Medicare and Medicaid eligible nursing home residents. The physicians approached seven hospitals with proposals for marketing its services to nursing homes in a hospital's geographic area and then referred its nursing home patients to the hospital. The hospitals paid the physicians for the patient referrals disguising the payments as "consulting

fees." Five of the approached hospitals entered into the "consulting agreements," and the physicians received approximately \$2.2 million in kickbacks. In return, the hospitals received in excess of \$59 million in Medicare and Medicaid reimbursements for treating Blue Valley Medical Group patients. Two former executives of Baptist Medical Center and two physicians of the Blue Valley Medical Group were convicted of Medicare kickbacks and conspiracy after an eight-week jury trial in Kansas City, Kansas. The Baptist Medical Center agreed to pay \$17.5 million and the Bethany Medical Center agreed to pay \$1.2 million to the government to settle the fraud allegations.

President Clinton's signing of the Economic Espionage Act into law in 1996 fundamentally changed espionage jurisdiction by making it a federal felony, which is punishable by 15 years' imprisonment, for anyone to divert or steal a trade secret on behalf of a foreign power. The new statute also makes it a felony, with a 10-year prison term, for an individual to engage in commercial theft of trade secrets in cases not involving foreign powers. In addition, the law provides for criminal forfeiture of proceeds obtained as a result of economic espionage, preserves confidentiality in any prosecution, and provides for extraterritorial jurisdiction.

ANSIR is the FBI's national security awareness program and provides information to the public regarding espionage, counterintelligence, counterterrorism, economic espionage, cyber and physical infrastructure protection, and all national security issues. The program is designed to provide unclassified national security threat and warning information to U.S. corporate directors and executives, law enforcement, and other government agencies. It also focuses on the response capability unique to the FBI's jurisdiction in both law enforcement and counterintelligence investigations.

Currently, information is disseminated nationwide via the "ANSIR-FAX" network. Each of the FBI's 56 field offices has an ANSIR Coordinator and is equipped to provide national security threat and awareness information, on at least a monthly basis, to as many as 500 recipients. ANSIR-FAX is the first initiative by the U.S. Government to provide this type of information to as many as 25,000 individual U.S. corporations that have critical technologies or sensitive economic information that may be targeted by foreign intelligence services or their agents.

An amendment to Title 18, U.S. Code, Section 3071, authorizes the Attorney General to make payments of up to \$500,000 for information on espionage activity which leads to the arrest and conviction of any person(s): 1) ...for commission of an act of espionage against the United States; 2) ...for conspiring or attempting to commit an act of espionage against the United States; or 3) that leads to the prevention or frustration of an act of espionage against the United States.

National Church Arson Task Force

On June 8, 1996, in response to the developing church arson crime problem, President Clinton declared the investigation of fires and other attacks on houses of worship a top priority of

federal law enforcement. As a result, the Secretary of Treasury and the Attorney General established a national task force to coordinate the investigations and prosecutions of those responsible for such attacks.

As a member of the Operations Working Group of the National Church Arson Task Force, the FBI provides extensive investigative support to this effort, as well as automation, management, analytical support, training, press liaison, witness assistance, and community outreach resources. The FBI is responding aggressively to each incident by working jointly with the Bureau of Alcohol, Tobacco and Firearms and with local agencies to investigate each case as a violation of federal arson or civil rights statutes.

Internet-Facilitated Fraud

In May 2000, the FBI, in association with the National White Collar Crime Center, created an Internet Fraud Complaint Center (IFCC) that functions as a central repository for complaints and serves as a mechanism by which the most egregious Internet-facilitated schemes are identified and tracked. IFCC personnel collect, analyze, evaluate, and disseminate complaints to the appropriate law enforcement agency; the FBI is developing a national strategy to address Internet fraud by identifying crime trends, developing investigative techniques, and serving as a resource for training.

As of October 18, 2000, the IFCC has received 16,997 complaints and referred 4,667 to over 11,529 law enforcement agencies throughout the country. Approximately 27% of the complaints received have been referred to an average of 2-3 law enforcement agencies. More than 50 arrests and a number of indictments have resulted from complaints received at the IFCC. The IFCC will begin to coordinate joint takedowns to enhance press coverage of the IFCC's mission and to aid in educating potential victims of Internet fraud.

Types of Internet Fraud identified at IFCC include: Auction Fraud (48.8%), Non-Deliverable (19.2%), Securities Fraud (16.9%), Credit Card Fraud (4.8%), Identity Theft (2.9%), Business Opportunities (2.5%), Professional Services (1.2%), Other (3.7%).

The average monetary loss per complaint is \$800. Almost 72% of the victims reporting Internet fraud to the IFCC are male. Over 76% of the male and female victims are between the ages of 20 and 50. Victim age data includes the following: under 20 (4.1%), 20 to 30 (22.5%), 31 to 40 (27.2%), 41 to 50 (26.6%), 51 to 60 (14.5%), over 60 (5.1%).

Critical Incident Response Group

In May 17, 1994, Director Freeh notified the Attorney General of the formation of the Critical Incident Response Group (CIRG). Headed by an SAC, its mission is "to address crisis situations requiring an emergency response by a diverse group of law enforcement resources."

CIRG facilitates the FBI's rapid response to, and management of, crisis incidents. It was established to integrate tactical and investigative resource expertise to address terrorist activities, hostage taking, barricaded subjects, and other critical incidents that require immediate law enforcement response. CIRG is also capable of deploying investigative specialists to respond to child abduction and exploitation, serial murder, and other high-risk repetitive crimes. In addition, CIRG provides operational assistance and training to the FBI's field divisions, as well as to state and local police agencies.

*National Infrastructure Protection Center
(See also "Bringing terrorists to justice")*

Created in 1998, the National Infrastructure Protection Center (NIPC) is an interagency center housed at FBI Headquarters, that serves as the focal point for the government's effort to warn of and respond to cyber intrusions, both domestic and international.

Each Field Office has a constituted National Infrastructure Protection and Computer Intrusion (NIPCI) Program. Under this program, managed by the NIPC at FBIHQ, "NIPCIP" squads have been created in 16 Field Offices: Washington D.C., New York, San Francisco, Chicago, Dallas, Los Angeles, Atlanta, Charlotte, Boston, Seattle, Baltimore, Houston, Miami, Newark, New Orleans, and San Diego. Other field offices have smaller teams of 1 - 5 agents dedicated to working NIPCIP matters. The 16 NIPCIP squads have regional responsibilities, assisting the smaller teams in other offices when an incident exceeds the smaller team's resources or capabilities. Ultimately, the FBI proposes to create a full squad in each Field Office.

As an interagency center, NIPC depends on the involvement and expertise of many agencies and is staffed with personnel from the FBI, the Office of the Secretary of Defense, Navy, Air Force, Army, Air Force Office of Special Investigations, Defense Criminal Investigative Service, National Security Agency, United States Postal Service, Federal Aviation Administration, General Services Administration, Central Intelligence Agency, Critical Infrastructure Assurance Office, and Sandia National Laboratory. In addition, the Center has had state law enforcement officials detailed on a rotating basis. So far the center has had representatives from the Oregon State Police and the Tuscaloosa County (Alabama) Sheriff's Department. The Center also expects to have representatives from the Department of Health and Human Services, the Department of Energy, the National Aeronautics and Space Administration, the State Department, and the private sector.

3. Submission by the United States Marshals Service

STRENGTHENING FEDERAL LAW ENFORCEMENT DOMESTICALLY AND GLOBALLY

Background

The mission of the United States Marshals Service (USMS) is to protect the federal courts and ensure the effective operation of the judicial system which strengthens federal law enforcement. The three main operational divisions that accomplish this mission are the Judicial Security Division, the Investigative Services Division and the Prisoner Services Division.

In 1983, the Judicial Protective Services Program (JPSP) was established to enhance the level of security provided at courthouses and federal buildings housing court operations. In 1993, the USMS did not have a contemporary threat management program for members of the federal judiciary or other USMS protectees and there was no formal policy concerning the personal protection of Supreme Court justices outside of the Washington, D.C. area.

In 1994, Attorney General Reno directed all law enforcement agencies to concentrate on reducing violent crime in the United States. Part of that initiative called for federal law enforcement agencies to assist state and local law enforcement in suppressing violent crime within their jurisdictions.

The USMS is responsible for the detention and medical care of prisoners involved in the federal criminal justice process. These responsibilities are complicated by the fact that the USMS does not own or operate any detention or medical facilities. Instead, it must develop, maintain, and rely upon a network of more than 1,200 state, local, and private facilities which are utilized through intergovernmental agreements and private contracts. Prisoner transportation is another mission of the USMS. Justice Prisoner and Alien Transportation System (JPATS) is responsible for fulfilling the Department's requirements regarding the handling and transportation of prisoners and aliens.

Major Goals and Guiding Policies

The USMS goals and policies seek to provide security for all federal judicial proceedings; to provide prisoner transportation services and detention programs; to improve and expand the investigative responsibilities which includes the apprehension of federal fugitives both domestically and internationally; to implement prisoner medical care cost containment; to coordinate all security matters relating to the protection and maintenance of protected government witnesses and others, as required.

Review of Major Activities and Accomplishments

The USMS engaged in a major research effort to ascertain exactly what constitutes a foundation for a successful threat management program for the federal judiciary. The USMS developed a Threat Investigations Policy Directive (#99-07), and implemented training of field personnel in contemporary threat management practices. In conjunction with the National Sheriffs' Association (NSA), the USMS provided training to state and local officers so that their jurisdictions might also implement threat management programs for protection of their judiciary. Additionally, the USMS recognized the need for the training of the judiciary themselves, and therefore developed a policy directive (#99-32) for the off-site security of judicial officers.

The USMS and Supreme Court Police analyzed the personal protection needs of members of the U.S. Supreme Court. In a collaborative effort, the USMS and Supreme Court Police established a Memorandum of Understanding specifically identifying the responsibilities of each agency in providing personal protection to the Justices.

The Central Courthouse Management Group (CCMG) has become a recognized and active participant in the courthouse construction program with GSA and the Administrative Office of the United States Courts (AOUSC). CCMG has a diverse staff of professional architects, engineers, security specialists and project managers and has documented the budgetary needs to improve safety and security conditions. The Group researched, developed, and published the three volume set Requirements and Specifications for Special Purpose and Support Space (RSSPSS) manual (USMS Pub. # 64), initiated and implemented the National Security Survey, and played a major role in the development of the Vulnerability Assessment of Federal Facilities, dated June 1995, in the wake of the April 19, 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma. Since 1993, the CCMG has, with limited resources, improved safety and security of prisoner movement through agency-initiated renovations or other security related projects at over 200 locations worldwide. In addition, the staff has been deeply involved from a security perspective with the construction of 31 new U.S. courthouses, and is currently involved with an estimated 30 additional projects that have been funded for site acquisition, design and/or construction.

During 1993, the USMS conducted "Operation Trident" and "Trident II" which were operational for a 6-month period in 55 cities. Deputy U.S. Marshals teamed with state and local law enforcement officers in those cities and made 9,467 felony arrests. Of those, 405 fugitives were wanted for murder, 629 for sex crimes, 1,253 for weapons charges, 2,593 for narcotics violations, and 3,036 for other felonies. At the same time, investigators seized 158 firearms, \$500,000 in cash and each fugitive averaged six prior arrests or convictions.

Over time, the USMS fugitive apprehension mission has evolved from the temporary FIST Operation concept of the 1980s and early 1990s, to permanent multi-agency apprehension task forces. To support the Attorney General's violent crime and anti-drug initiatives, the USMS has established task forces around the United States and territories to address these initiatives.

The USMS currently co-sponsors 65 U.S. Attorney-approved task forces nationally. Since FY 1998, these task forces have closed almost 48,000 federal, state, and local fugitive warrants. Overall, the USMS cleared 182,891 of its warrants (Class 1) of which 82,883 fugitives were violent offenders since 1993. Eighty percent of these fugitives had some level of participation in narcotics violations. Additionally, the USMS closed 189,613 other federal law enforcement agencies felony warrants since FY 1993.

The USMS has the responsibility, delegated by the Attorney General, to locate and apprehend fugitives both within and outside the United States. Mexico is among the countries where the largest number of fugitives from the United States have fled. In 1998, the USMS initiated a pilot project for its first foreign field office in Mexico City. During the first 90 days of this pilot, the USMS was able to close more cases than in the previous 7 years combined. Based on our success in Mexico City, pilot project offices were opened in Kingston, Jamaica, and Santo Domingo, Dominican Republic, during FY 2000. USMS offices in both of these countries equaled or surpassed the level of success previously experienced in Mexico City.

The success of these foreign postings has closed safe havens for fugitives. These foreign offices played a critical role in the success of Operation SORT I, an OCDETF fugitive apprehension initiative conducted during the spring and summer of 2000. Operation SORT I targeted OCDETF/HIDTA fugitives who were wanted in the Florida/Caribbean region.

During the tenure of Attorney General Reno, the USMS concentrated on the apprehension of its "Top Fifteen Most Wanted" fugitives and instituted a new case category called the "Major Case" fugitive. The Major Case Program, an extension of the Fifteen Most Wanted Program, allowed for additional violent fugitives to be targeted nationally. Once designated as a Major Case, the USMS can dedicate additional investigative and technological expertise and equipment to the apprehension effort.

Since FY 1993, the USMS has arrested 41 of the USMS Top Fifteen Most Wanted fugitives, and since FY 1997 has arrested 649 Major Case fugitives. Some of our Major Cases have included serial killer Rafael Resendez-Ramirez and several fugitives wanted for the murder of police officers.

The success of many high profile trials is directly attributed to the testimony provided by credible witnesses. The Witness Security Program (WITSEC), which has been in operation for 30 years, provides security and protection to witnesses who are free to testify without concern from recriminations. WITSEC currently has over 16,200 participants, including over 7,200 primary witnesses.

During the past 8 years, WITSEC has secured testimony in the most significant judicial proceedings of this century. Critical testimony led to convictions in trials involved in domestic and international acts of terrorism, militia groups, espionage, and drug cartel cases. At the request of the Attorney General, WITSEC Inspectors provided protective services to Elian

Gonzalez and his family, while negotiations were under way to return the boy to Cuba.

The USMS has accomplished acquiring more than 16,000 detention beds, stewarded the passage of legislation mandating Medicare rates for prisoner medical services, implemented prisoner suicide prevention and response initiatives, implemented a Cooperative Agreement Program (CAP) for INS, developed new Jail Inspection Standards, and developed a computer model for projecting prisoner population growth.

JPATS has experienced a 55% increase in air and ground movements from Fiscal Year (FY) 1995 to FY 2000, and expects to complete approximately 252,000 prisoner and alien movements in FY 2001. Air movements for the USMS and BOP alone have increased 36% from FY 1995 through FY 2000, and Immigration and Naturalization Service (INS) alien air movements have increased 622% during this same period -- an overall increase of 118%.

State of Affairs Today

The USMS has a formal, highly professional threat management program for the federal judiciary. This judicial security paradigm has been the creative basis of threat management programs for many other law enforcement agencies. Additionally, the USMS has recently begun expanding the envelope of judicial security by researching Internet privacy/security issues, and presenting the relevant information to members of the judiciary. In addition, Supreme Court justices now receive the appropriate level of personal protection at all times. In an age of unpredictable violence against government officials, the importance of this personal security is immeasurable. The Judicial Protective Service Program has distinguished itself as a leader in providing a full range of protective services to the federal judiciary and other government agencies have emulated the standards and approach in providing security services to facilities that house federal court operations.

For the first time in the 211-year history of the USMS, management has at its disposal an accurate, objective and complete set of information related to the security condition of prisoner movement at 353 locations nationwide.

Among the greatest challenges faced by the USMS has been acquisition of adequate detention space and medical services for a prisoner population that experienced unprecedented growth. Between 1993 and the present, the number of prisoners in USMS custody grew from 19,500 to 35,500, or an increase of more than 80 percent. The cost of housing and caring for these prisoners grew from \$270 million in 1993 to \$512 million in 1999.

Nowhere were the resources of the USMS strained more than in the five districts along the Southwest Border. Without even approaching a commensurate increase in personnel, these districts had to absorb the workload generated by a prisoner population that grew from 3,565 in 1993 to 10,537 in 2000 -- an increase of almost 200 percent. Today, the prisoners in the five

Southwest Border Districts account for almost one-third of the total number of prisoners in all 94 Districts combined.

Next Steps/Challenges for the Incoming Administration

The challenges for the incoming Administration in regards to judicial security are to ensure the continued levels of funding necessary for the established and successful programs. Another issue regards the roles and functions of CSOs and whether they should become a part of the federal workforce (a part of the U.S. Marshals Service). This question is based on the notion that protection of the federal judiciary and its facilities is an inherently governmental function.

In order to maintain and improve the effectiveness of the CCMG, the next Administration must support the CCMG's core mission, program initiatives, budget estimates, and policy efforts at all levels of the Executive Branch. The challenge is to provide enough momentum to the CCMG program such that the statistics in future iterations of the National Security Survey reflect the next Administration's commitment to the safety and security of the judiciary, the judicial process and its participants.

On December 6, 2000, the Senate passed H.R. 3048 titled, "Presidential Threat Protection Act of 2000," which goes to the President to be signed into law. Section 6 (a) of H.R. 3048, "Fugitive Apprehension Task Forces," establishes "permanent Fugitive Apprehension Task Forces consisting of federal, state and local law enforcement authorities in designated regions of the U.S., to be directed and coordinated by the USMS, for the purpose of locating and apprehending fugitives." H.R. 3048 also authorizes \$40 million to be appropriated over the next three fiscal years to fulfill the requirements of this new act. The USMS will coordinate with the new Administration and Congress to obtain funding and positions necessary for these task forces.

The early stages of H.R. 3048, contained language which would allow the USMS to issue administrative subpoenas for the purpose of locating and apprehending fugitives. At the eleventh hour the administrative subpoena language was removed due to concerns about some privacy issues. The USMS will revise and resubmit a proposal for the issuance of administrative subpoenas on fugitive cases.

The USMS proposes to expand foreign fugitive field offices to include Canada and Western Europe. This proposed expansion, which will require additional resources (including both funding and positions), will encompass the geographic areas where most of the USMS fugitives (federal, state and local) go to avoid apprehension and to continue their criminal enterprises. The expansion of this program should be an Administration priority.

Over the next four years, the USMS will face problems associated with the continued growth of its prisoner population. By the end of 2005, the USMS could have more than 55,000 prisoners in its custody. The steps to confront in meeting this challenge include: increasing our utilization of privately owned and operated detention facilities; acquiring a comprehensive

national prisoner health care contract; enhancing the prisoner population projection model; acquiring the necessary funding to construct additional BOP detention facilities; enhancing jail inspection capabilities; and, enhancing oversight of private detention contracts.

Currently, problems facing JPATS that severely impact operations are the maintenance of aging aircraft and the exorbitant cost of leasing aircraft on a short-term basis. Long-term, 10-year lease authority for acquisition of aircraft is included in legislation which is pending signature by the President. Without the 10-year lease authority, JPATS would not be in a position to acquire newer, long-term leased aircraft at affordable prices. As current year revenue is depleted, JPATS would begin to reduce missions and/or ground aircraft, since continuing to operate the present aged fleet with the high maintenance required (thus high cost) would be cost prohibitive to JPATS' customers.

B. Supporting Community-Based Law Enforcement

Submission by the
Office of Community Oriented Policing Services (COPS)

Administrative History Project 2000

The Office of Community Oriented Policing Services

Foreword

The following is a report on the Office of Community Oriented Policing Services (COPS), U.S. Department of Justice. Included in this report is information related to the history of COPS, major programs administered by COPS, training provided by COPS and related entities, and the future of COPS. Information for this report was obtained through historical records retained at COPS including legislation, official reports, studies, fact sheets, and memoranda.

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Background

It was six years ago that the Violent Crime Control and Law Enforcement Act of 1994 was signed into law. At that time, concern over a steadily increasing crime rate was at the top of America's social and political agenda.

The largest component of the 1994 Crime Act contained provisions for billions of dollars in grants to states and local jurisdictions across the country to focus on violent crime. The purpose of the grants was to increase the hiring and deployment of community policing officers and to advance community policing nationwide. To implement this ambitious program, the Attorney General created the Office of Community Oriented Policing Services -- the COPS Office.¹

Since the passage of the 1994 Crime Act, the landscape has changed dramatically. As of the December of 2000, COPS had funded the addition of 109,000 community policing officers. Nearly 70,000 of those officers are already on the street, working with communities to fight crime. Today, departments that employ community policing serve 87% of the country.²

There has also been a major change in crime rates across the country since passage of the 1994 Crime Act. Crime has now decreased for an unprecedented eight straight years and is at its lowest point in over a generation. In addition, studies have also found a marked decrease in the *fear of crime*.³

Along with the addition of community policing officers and the advancement of community policing nationwide, the positive effects of COPS have been demonstrated in a number of areas:

1. COPS has made it easier to do business with the Federal government, by minimizing red tape and placing a premium on customer service
2. More than 12,000 agencies have received grants to implement community policing, and institute a problem-solving approach to fighting crime
3. More than 3,000 agencies have been provided with technology to support community policing, thanks to COPS grants
4. COPS is responsible for the largest investment in law enforcement training and technical assistance in history, and has also funded a substantial investment in research that will be an important asset to community policing in the years to come

¹ United States, Violent Crime Control and Law Enforcement Act of 1994, PL 103-322

Legislative History

In the Fall of 1994, law the most comprehensive piece of Federal crime legislation to date -- the Violent Crime Control and Law Enforcement Act of 1994 (commonly known as the "1994 Crime Act") passed Congress with strong bipartisan support -- passing the House of Representatives 235 to 195 and the Senate 61 to 38. On September 13, 1994, with a groundswell of support from local law enforcement, the Act was signed into law.

The 1994 Crime Act, which is widely viewed as the most comprehensive piece of Federal crime control legislation in history, authorized \$8.8 billion over six years for grants to add an additional 100,000 community policing officers to the streets of America and advance community policing nationwide. ²

The COPS Office began operations on October 1, 1994 and was authorized through the FY 2000. Though two bills to reauthorize COPS -- H.R. 3144 and S. 1760 -- were introduced in 1999, the 106th Congress took up neither. However, the COPS Office was still appropriated over one billion dollars in FY 2001, through the annual Commerce, Justice, State, Judiciary, and Related Agencies Appropriations (CJS) bill.

Major Goals and Guiding Policies

According to the 1994 Crime Act, the COPS Office was created for four purposes:

- I. Substantially increase the number of community policing law enforcement officers;
- II. Increase and improve law enforcement training;
- III. Encourage the development and implementation of innovative programs to permit members of the community assist law enforcement to prevent crime and;
- IV. Encourage the development of new technologies to reorient law enforcement from reacting to crime to preventing crime.³

Grant Awards

The 1994 Crime Act established a number of conditions the Attorney General must follow in awarding and monitoring grants:

- A Local match of at least 25 percent
- A decreasing Federal share for multi-year grants
- No supplanting of local funds
- A maximum Federal share of \$75,000 to hire each new officer
- Equal distribution of grant funding between agencies serving populations under 150,000 and those serving populations over 150,000 ¹

² -United States, Office of Community Oriented Policing Services (2000), Attorney General's Report to Congress, Office of Community Oriented Policing Services; Washington, D.C.

³ -United States, Violent Crime Control and Law Enforcement Act of 1994, PL 103-322

Review of Major Activities and Accomplishments

Revolutionizing the Grant Making Process

The COPS Office was given the flexibility to be innovative and that flexibility allowed smaller law enforcement agencies (52% of all law enforcement agencies employee 10 or fewer officers)⁷ to benefit from COPS grants as much as larger agencies that often have grant writers available to navigate the red tape of most Federal grant processes.

The COPS Office began operations on October 1, 1994 using a one-page application designed to ease the bureaucratic burden. The first COPS grants were awarded less than two weeks later on October 12, 1994. 392 state, municipal, county, and tribal law enforcement agencies received \$200 million in funding to hire more than 2,700 officers under the Phase I hiring initiative. Two other hiring initiatives were critical in COPS' early days: COPS AHEAD (Accelerated Hiring, Education and Deployment and COPS FAST (Funding Accelerated for Small Towns).

In June 1995, COPS replaced COPS AHEAD and COPS FAST with the Universal Hiring Program (UHP). This became the centerpiece of COPS' efforts to increase the number of officer deployed in community policing. Under UHP, COPS awards three-year grants to law enforcement agencies to hire additional sworn law enforcement officers. These officers are part of an overall strategy to address crime, the fear of crime, and related problems through community policing. Today, COPS still utilizes a simple grant application, publishes Grant Owner's Manuals, and assigns grant program specialists to jurisdictions to improve customer responsiveness.

Making Officer Redeployment Effective (MORE)

Another important program that has made a tremendous difference for law enforcement agencies across the country is COPS MORE (Making Officer Redeployment Effective). COPS MORE was designed to expand the time available for community policing by freeing officers from administrative duties and allowing them to spend more time on the street, fighting crime. The program has allowed officers to work more efficiently and effectively, and is also bringing law enforcement agencies into the 21st century in their ability to use technology to fight crime.

Additionally, through the MORE program and other technology programs, COPS has provided over \$1 billion to fund crime fighting technologies in more than 3000 state and local law enforcement agencies. These technology grants help improve police effectiveness and the flow of information among police, local government service providers, and the citizens they serve.

School Violence

COPS has been at the forefront of one of the most pressing national issues by investing over \$350 million to address violence in our schools. Through the COPS in Schools (CIS) program, COPS has funded nearly 3,200 school resource officers (SROs). In addition to funding SROs, the COPS Office, in collaboration with more than thirty local and national leaders in law

enforcement, education, child development, school safety and public health, developed an innovative model for training community policing school resource officers.

In addition since 1998, when the COPS Office first developed and implemented its School Based Partnership grant program, COPS has awarded 275 agencies and more than \$30 million for law enforcement to work in partnership with schools to reduce crime and disorder in and around schools.⁸

Training

More than just hiring officers, COPS has made an unprecedented investment in law enforcement training. As of September 2000, over 128,000 law enforcement personnel and community members have been trained through the COPS-funded Community Policing Consortium and the national network of 28 Regional Community Policing Institutes (RCPI) utilizing the latest in technology as well as adult learning techniques.

The Community Policing Consortium

The Community Policing Consortium pools the expertise of the International Association of Chiefs of Police (IACP), the National Organization of Black Law Enforcement Executives (NOBLE), the National Sheriff's Association (NSA), the Police Executive Research Forum (PERF) and the Police Foundation to provide a broad spectrum of community policing training and technical assistance to the COPS grantees.

Regional Community Policing Institutes

The COPS Office, noting the lack of a coordinated delivery system for innovative training, created a national network of Regional Community Policing Institutes (RCPI). Each RCPI is created by a partnership between a law enforcement agency, an educational institution, and a community group. Each RCPI designs innovative curricula and quality community policing training and technical assistance for law enforcement and community members. The RCPI network is accelerating the growth of community policing throughout the country. The RCPI provide officers and citizens with ongoing, innovative approaches to law enforcement vital to their communities.

Other training projects funded by COPS include the Community Policing/Domestic Violence Training Initiative, Community Policing Connection to the Drug Courts, Community Conflict Resolution and Mediation Project, and the Indian Country Crime Initiative Circle Project.

Police Integrity

COPS has also taken the lead in addressing police ethics and integrity and has continued to create innovative and effective initiatives in this area through the years.

In July 1996, the COPS Office sponsored the National Symposium on Police Integrity in Washington, D.C. The symposium deliberations resulted in a publication "Police Integrity: Public Service with Honor" published in January 1997.

Additionally, President Clinton, Attorney General Reno and other Federal officials participated with 250 civil rights leaders, police and local government leaders to examine multiple facets of police integrity at the COPS coordinated "Strengthening Police -- Community Relationships" Conference. Currently, plans are underway to develop the following integrity products through eighteen of the RCPI's: seven "model practice" documents, eighteen curricula, three training videos, one report, one web site, and two guidebooks.

Evaluation

After years of debate over the effects of community policing, researchers are now finding that community policing may indeed reduce crime. In one recent study (Braga et al. 1999) problem-oriented policing was found to significantly reduce violent crime -- without simply moving crime to the next neighborhood (a problem that had occurred in the past). Researchers have also found problem-oriented policing to be effective in controlling property crimes and disorderly activity, such as burglaries (Eck and Spelman, 1987), street corner drug selling (Hope, 1994) and prostitution (Matthews, 1990). Yet another study (Marvell and Moody, 1996) showed that an increased police presence at the state level reduced homicide, robbery, and burglary. The study also found that crime fell at the local level, as well. In addition, a report on crime prevention commissioned by the National Institute of Justice (Sherman, 1996) concluded that adding more police officers to city police forces is a promising strategy for preventing crime.

A look at trends in crime and victimization prior to the creation of the COPS Office, compared to the years since COPS came into existence, indicates the additional officers on the street have helped reduce crime -- with average murders, robberies, larcenies, and motor vehicle theft per police department all down significantly. An examination of Uniform Crime Reports, for example, finds a substantial decline in index crimes and violent crimes beginning in 1994 -- beyond what would be expected based upon previous trends (Hayeslip, 1999).

Along with the drop in crime, indications are the increase in officers has also had a significant impact on the fear of crime. A study by the Eisenhower Foundation (1999) found the fear of crime steadily increased from 1967, when it reached a high of 47 percent. By 1998, four years after the creation of the COPS program, that figure had dropped to 41 percent. This increase in officers, alone, is unlikely to have been achieved without the COPS program. Analytical support provided by Abt Associates (Hayeslip, 1999) based on statistics from the *Uniform Crime Reports* (UCR) and from *Law Enforcement Management and Statistics* (LEMAS) finds more officers per department from 1995 through 1997 than would have been anticipated, without COPS grants. In addition, since most hiring grants were awarded in 1998 and 1999, the average increase in officers is expected to be even greater in the years to come.

COPS Support

Community policing and the COPS Office receive enthusiastic support from the following national organizations:

County Executives of America, Fraternal Order of Police, International Association of Chiefs of Police, International Brotherhood of Police Officers, International Union of Police Associations, Major Cities Chiefs, National Association of Police Organizations, National Organization of Black Law Enforcement Executives, National Sheriffs' Association, National Troopers Coalition, Police Executive Research Forum, Police Foundation, and the U.S. Conference of Mayors.

Current State of Affairs

Getting Results

COPS has not just funded an additional 109,000 police officers to do routine patrol; COPS has funded 109,000 police officers to do *community policing*. Community policing is proactive, solution-based, and community driven. It occurs when a law enforcement agency and law-abiding citizens work together to do four things: arrest offenders, prevent crime, solve ongoing problems, and improve the overall quality of life.

Indications are that these four things are really happening as law enforcement agencies across the Nation continue to use COPS grants to change the way they do business. A COPS Office survey of its grantees found that from 1994 to 1997, 66 percent of grantee agencies increased their community policing activities after receiving COPS funds. The greatest increases were in problem-oriented policing, training citizens in problem-solving, landlord training programs, and establishing citizen police academies.

A 1996 study sponsored by the COPS Office and the National Institute of Justice (NIJ) found "one striking research finding was that as cooperation between police and citizens in solving neighborhood problems increase, the residents felt more secure in their neighborhoods." Another study (NIJ Research Preview, 1998) found that "among agencies that had implemented community policing for at least one year, 99 percent reported improved cooperation between citizens and police, 80 percent reported reduced citizens' fear of crime, and 62 percent reported fewer crimes against persons."

Innovative Programs in 2000

Value Based Initiative

The Value Based Initiative (VBI) strives to improve the health of communities by helping build meaningful partnerships to succeed. In 2000, COPS invested \$1 million into six local law enforcement agencies in Massachusetts, Illinois, Indiana, Texas, California, and Minnesota which will serve as VBI pilot sites. These six agencies will design programs to improve relationships between residents and officers in order to identify the social issues that diminish the quality of life in communities. The agencies will work to establish links between citizens and

existing community services as well as improve the community's role as a leader in crime reduction efforts.

Justice Based After-School Program

Also in 2000, the COPS Office provided \$2 million under the Justice Based After-School Program (JBAS) pilot grant program to encourage police agencies to work in partnership with community-based organizations to develop high quality after-school programs. The primary goal of the JBAS pilot program is to develop a preventative approach to juvenile crime and victimization -- especially in high-crime neighborhoods -- in order to improve the overall quality of life in these communities. These model programs will become training and technical assistance resources for other law enforcement agencies and communities that wish to implement similar programs in their communities.

Hiring in the Spirit of Service

As the law enforcement profession transitions to the community-oriented approach to public safety, it needs officers with a strong commitment to service so as to carry out the multi-faceted role community policing demands. Community policing necessitates the skills, interests, knowledge, and abilities that come with a career based on the spirit of service. Despite many improvements in law enforcement entrance standards, current models used in law enforcement recruitment and hiring attract applicants drawn to policing not for the spirit of service, but for the spirit of adventure. Hiring in the Spirit of Service requires a paradigm shift to a selection process that attracts service-minded individuals with qualifications consistent with those sought in other service-oriented professions as well as the capacity to meet the physical training demands of the law enforcement profession.

Future of COPS

Meeting the Demand

The COPS Office continues to meet the demand for critical resources, training, and technical assistance to help local law enforcement implement innovative and effective community policing strategies. The 21st Century Policing Initiative was proposed to improve the COPS Office's ability to better meet the needs of local law enforcement in the areas of technology and training.

Despite the success of COPS thus far, the transition to community policing nationwide is not complete. The demand for resources to make community policing a reality is very tangible. In FY 2000, the number of requests for COPS solicitations far outweighed the existing resources. COPS currently has applications for assistance from 2800 communities that could not be awarded with the amount of funding appropriated in FY 2000.

Looking Forward

The Office of Community Oriented Policing Services is a unique agency -- dedicated to adding community policing officers to the streets of the Nation, providing technology to make those

officers more effective, and promoting the philosophy of community policing to all state and local law enforcement agencies. Since the creation of the COPS Office, crime rates have continued to drop each and every year, making headlines across the country. Among the many reasons given for the drop, community policing is consistently cited as a major factor. The COPS Office wants to continue to be the catalyst for building safer a safer America.

³-United States, Violent Crime Control and Law Enforcement Act of 1994, PL 103-322

C. Breaking the Cycle of Crime and Violence

I. Keeping Guns Away from Criminals and Children

Submission by the Federal Bureau of Investigation

Keeping Guns Out of the Hands of Criminals

As a result of the National Instant Criminal Background Checks System (NICS) Program working hand-in-hand with the databases of the National Crime Information Center (NCIC) Hot Files and the Interstate Identification Index (III), today the FBI better prepares law enforcement officials to make a difference in the fight against crime, in their communities, throughout their state, and across our nation.

Historical Background

The Brady Handgun Violence Prevention Act (P.L. 103-259) was signed into law on November 30, 1993. The Act directed the Attorney General to establish a "national instant criminal background check system" that any Federal Firearm Licensee (FFL) may contact, by telephone or by other electronic means in addition to the telephone, for information, to be supplied immediately, on whether receipt of a firearm by a prospective transferee would violate Section 922 of Title 18, United States Code or State Law. In September 1994, the passage of the Crime Bill appropriated \$100 million primarily for the purposes of the Brady Act. Of this, the FBI received \$6 million to begin the establishment of the NICS Program. The FBI worked with a task group of state and local criminal justice officials as well as federal agency representatives to have NICS operational by the November 1998 deadline.

During the period of establishing NICS, the FBI initiated an interim capability that allowed for a waiting period of five days on handgun sales while a background check could be made through federal and state authorities. Complete compliance with the act, however, required the design of a system that encompassed a wider range of criteria. In October 1996, a development contractor began the design of an instant check system, which became operational on November 30, 1998.

Operational Procedures and Policies

Currently, the NICS Operations Center is open 17 hours per day, seven days a week, except on Christmas, with operating hours from 8:00 a.m. to 1:00 a.m. EST. To support the NICS Operations, the FBI contracted with Science Applications International Corporation for management of two call centers, one located in Moundsville, West Virginia, and the other in Uniontown, Pennsylvania. The FFL calls the Call Center and gives the Customer Service Representative (CSR) various descriptive data from Bureau of Alcohol, Tobacco, and Firearms

(BATF) Form 4473 which is completed by the customer. The CSR enters this information into the computer. The system then searches the name to see if there are any potential matches in the following three databases: the NICS Index, NCIC 2000, and III.

The NICS Index contains information on individuals who have been: (1) identified specifically as being prohibited from purchasing a firearm, (2) dishonorably discharged from the United States military, (3) identified as United States citizenship renunciants, or (4) identified as mental defectives/commitments, or controlled substance abusers, or illegal/unlawful aliens. NCIC 2000 contains information on wanted persons, protection orders, deported felons, United States Secret Service Protectives, and foreign fugitives. The III contains criminal history records. If there is a match in one of the three databases, the transaction will receive a delay response. If there is no match, the transaction will then receive a proceed response.

Responses Given

During the first two years of operations, 71.86 percent of all incoming calls from the nearly 53,000 FFLs participating in the NICS Program received an immediate proceed notification within 30 seconds after the information was entered. The FFL could receive a delay response if the customer's name was found to have a possible match when undergoing the NICS check. If the transaction is a delay, it then goes into a delay queue. NICS Legal Instruments Examiners then receive the information to compare it to court and criminal records to determine if the person attempting to purchase the gun is the same individual with the criminal history file. All delayed transactions are processed by the examiners who are FBI employees, with proper security clearances necessary to complete the additional research necessary. A decision is made on approximately 25 out of the 29 delayed transactions within two hours of receipt. Once the final status of the transaction has been determined, the FFL is notified.

NICS Statistical Information

The staff at the NICS Operations Center consists of approximately 500 employees. The NICS staff provides technical and operational support to users, provides customer service to FFLs and state POCs, processes appeals of denied transactions, and prepares management and statistical reports on the operations of NICS. In FY 1999, over 60,000 individuals were denied firearms purchases due to a disqualifying record.

The FBI conducts NICS background checks for all firearms purchases for 27 states and territories, and for long gun purchases only for 11 states. Point of Contact states, 15 in all, conduct checks for all firearm purchases within their respective states.

For the ten months of operations in Fiscal Year (FY) 1999, the Criminal Justice Information Services (CJIS) Division received \$22 million in direct appropriations and \$20 million from the Working Capital Fund to operate the NICS for a total of \$42 million. Based on the prohibitive language established in the Omnibus Consolidated Appropriations Act of 1999,

the FBI discontinued all developmental efforts relating to a user fee billing system. In FY 2000, the first full year of operations, Congress funded NICS through the appropriation of \$70,235,000 from Violent Crime Reduction Program (VCRP) funds which included \$2.5 million of carry over funds for the development of E-Check, an unassisted search. In FY 2001, the Office of Management and Budget (OMB) instructed the FBI to fund the NICS with the collection of user fees despite past Congressional actions, however, Congress subsequently earmarked \$67,735,000 in direct funding to operate NICS. The FBI estimates that the NICS Program for 2001 will require a total of 547 positions and work-years.

Future Issues

The Brady Act prohibits the FBI from establishing a federal firearms registry and, in general, requires the destruction of proceed transactions. By regulation, proceed files are to be destroyed no more than six months after the transfer is allowed to proceed. Pending changes in regulations would lower the retention period to 90 days. This change in regulation would greatly impact the operation of the NICS Program. The FBI would require approximately six to eight months to have the system reprogrammed to meet this new regulation.

The current statute allows the NICS Program three-business-days to reconcile a delay response. If the NICS Program is unable to provide a response before the three-business-days have elapsed, the FFL then may transfer the firearm to the purchaser. There are many cases where the background check cannot be completed within the statutorily-allotted three days, thus resulting in a default proceed. Default proceeds occur due to the lack of arrest dispositions in automated state criminal history records. The FBI must rely on the cooperation of state and local agencies to obtain information needed to determine a purchaser's eligibility, making the resolution of delayed transactions within three business days often beyond the FBI's control.

Proposed legislation requiring background checks at all Gun Shows could also impact the FBI and the NICS Program. The FBI would require additional resources and time to have all non-FFLs registered with the NICS Program in order to have the background checks processed. Another factor for consideration would be the additional staff required to perform these checks.

Major Accomplishments

NICS has been working successfully for more than two years to ensure that guns are kept out of the hands of criminals. Since November 30, 1998, the NICS Program has processed more than 17 million background checks. Each NICS background check includes automated searches of approximately 36 million criminal records contained in the III database of NCIC, which includes over 500,000 records on wanted persons, over 200,000 subjects of protective/restraining orders, and over 1,000,000 records on other prohibited persons contained in the NICS Index. Since its establishment, the NICS has ensured the timely transfer of firearms to individuals who are not specifically prohibited under federal law, while denying transfers to more than 147,800 felons, fugitives, and other prohibited persons.

2. Controlling Trafficking and Use of Illegal Drugs

a. Criminal Division

COMPREHENSIVE STRATEGY FOR DRUG AND VIOLENCE PREVENTION

BACKGROUND

Today, 6.4 percent of Americans use illegal drugs, a figure which is down more than 50 percent from 17.5 percent of the population in 1979. While the drop in percentage of users is encouraging, it belies the depth of the problem in the United States. In fact, 39 percent of teenagers surveyed in 1998 responded that drugs were the biggest problem facing people their age today.

Indeed, drugs are a major factor in the commission of violent crimes, as well as a burden on the Nation's health care system. We must remain vigilant in the fight to keep drugs out of our communities and, most important, away from our children.

Law enforcement strategies designed to target the organizations that traffic in illicit drugs must address a variety of smuggling and production efforts. Cocaine and heroin are produced entirely outside the United States and smuggled into this country, largely over our southern border. Approximately three-quarters of the world supply of cocaine is produced in Colombia. While the majority of worldwide heroin production is located in countries that are virtually immune to United States influence -- particularly Burma (Myanmar) and Afghanistan -- the primary source of heroin sold in the United States is Colombia and Mexico. Although methamphetamine is smuggled into the United States, much is also manufactured in thousands of clandestine laboratories primarily located in California and the Midwest. Not long ago, clandestine laboratory operators treated their recipes for methamphetamine as valuable secrets; now, recipes for making methamphetamine are available on the Internet. In addition, Mexican trafficking groups are now manufacturing large amounts of methamphetamine in "super" labs located in California and Mexico. Most marijuana available in the United States is produced in Mexico and South America and smuggled across the southwest border. However, marijuana continues to be cultivated in the United States, often indoors. Over the past two decades, while the average tetrahydrocannabinol (THC) content of commercial-grade marijuana increased from two to five percent, the increase in THC potency of marijuana cultivated indoors was staggering, rising from 3.2 percent in 1977 to an average 12.8 percent in 1997.

MAJOR GOALS AND GUIDING POLICIES

- *Reduce the availability and abuse of illegal drugs through traditional and innovative enforcement efforts.*

In carrying out its counterdrug goal, the Department seeks to stem the flow of illegal drugs into the United States, especially at the southwest border; disrupt and dismantle the major drug trafficking organizations; and reduce the domestic production of illegal substances. It emphasizes the use of coordinated interagency approaches, such as those of the Special Operations Division (SOD) and the Organized Crime Drug Enforcement Task Forces (OCDETFs), discussed below. It also emphasizes cooperative efforts with foreign governments and continuing efforts to improve the collection, analysis, and dissemination of drug-related intelligence.

- *Protecting U.S. Borders from the Drug Threat*

In the last several years, Department and other law enforcement entities have increased their resources at or near the borders. As part of this enhanced enforcement effort, the INS Border Patrol plays a pivotal role in intercepting illegal substances before they come into the country. The U.S. Customs Service (USCS) and DEA also work to prevent the spread of illegal drugs into the United States.

- *Attack Major Drug Trafficking Criminal Enterprises*

DOJ will continue its efforts to disrupt and dismantle the command and control operations of major drug trafficking criminal enterprises responsible for the supply of illicit drugs in the United States. DOJ will continue the focused initiatives and efforts that target major traffickers, described in the "Major activities and accomplishments" section.

- *Reducing the Production of Illegal Drugs through Enforcement Efforts*

DOJ continues to reduce the production and quantity of illegal drugs, including methamphetamine and marijuana, in the United States. Through the National Methamphetamine Strategy and multi-agency coordinated efforts with other enforcement agencies, DEA will increase the number of clandestine laboratories seized and the prosecutions of rogue chemical companies that supply the precursors to methamphetamine manufacturers.

- *International Drug Law Enforcement*

DOJ cooperates with foreign governments and enlists their support through technical assistance and training to investigate and prosecute major drug traffickers and their

organizations which threaten U.S. interests.

- *Create a Comprehensive Investigative Intelligence Program to Effectively Support Investigations and Prosecutions*

DOJ strengthens its various investigative intelligence programs to expand and foster the collection, analysis, and dissemination of drug-related intelligence to Federal agencies about major national and international drug trafficking organizations.

MAJOR ACTIVITIES AND ACCOMPLISHMENTS

- *Special Operations Division.* The Department's primary drug enforcement goal is to disrupt and dismantle major drug operations, both domestic and foreign, through an integrated, multifaceted approach. A key element of the Department's cooperative approach in combating drug trafficking is the Special Operations Division (SOD), a multi-agency coordinating entity composed of agents, analysts, and prosecutors from DEA, FBI, USCS, the Criminal Division, and the Internal Revenue Service (IRS). SOD coordinates and supports regional and national investigations and prosecutions against the most significant drug trafficking organizations threatening the United States, particularly major transnational organizations. SOD, a model for law enforcement cooperation, generates information that is shared by all. It performs across investigative agency and district jurisdictional boundaries, providing field offices with actionable tips and leads. As a result of SOD activity in 1999, DEA, FBI, and USCS field offices reported 1,392 arrests and more than \$51 million in seized assets against some of the highest level trafficking organizations in the world.

Examples of successful SOD coordinated operations include:

- Operation "Impunity" dismantled an entire trafficking organization through identifying and arresting major cell heads operating inside the United States. Their arrests and those of 90 subordinates disabled all facets of their organization. As a result, 12,434 kilograms of cocaine and more than 2.4 tons of marijuana were seized, along with \$19 million in U.S. currency and another \$7 million in assets.
- Operation "Millennium" targeted major cocaine suppliers shipping vast quantities of cocaine from Colombia through Mexico into the United States. One targeted drug kingpin had been smuggling 30 tons or 500 million dosage units of cocaine into the United States every month. U.S. law enforcement authorities seized more than 13,000 kilograms of cocaine during the last two weeks of August alone.
- Operation "Southwest Express," an OCDETF and HIDTA operation coordinated

through SOD, was designed to dismantle a U.S. transportation and distribution network thought to be supplied by the Sotelo-Lopez drug trafficking organization based in Ciudad Juarez, Mexico. The operation brought a national and strategic perspective to halting drug trafficking activities ranging from street-level distribution to major transportation cells. Drugs were moved by railway, tractor trailer, and other vehicles, often concealed in bundles of used clothing. Federal prosecutors from 10 U.S. Attorneys' offices and 5 Federal law enforcement agencies, in cooperation with more than 20 state and local agencies, brought drug and money laundering charges against 100 people.

- Operation "Mountain Express," targeting brokers of methamphetamine precursor chemicals, which resulted in 150 arrests in ten judicial districts nationwide, seizures of 10 metric tons of pseudoephedrine capable of producing 18,000 pounds of methamphetamine, 83 pounds of finished methamphetamine, two pseudoephedrine extraction laboratories, one methamphetamine laboratory, 136 pounds of processing chemicals, and \$8 million in cash.
- *OCDETF prosecutions.* The Department is responsible for the administration of the OCDETF program, which includes agencies both within the Department and other federal law enforcement agencies. The purpose is to coordinate investigations against drug trafficking organizations which are international, multi-jurisdictional, or which have an identified local impact as well as organized criminal enterprises. It investigates cases along with state and local law enforcement agencies. The OCDETF Executive Office and the National High Intensity Drug Trafficking Area (HIDTA) Director's Office work collaboratively to ensure that HIDTA task forces are generating OCDETF-quality investigations targeting drug trafficking organizations which are international, multi-jurisdictional, or which have an identified local impact.

Successful OCDETF prosecutions of major drug trafficking and money laundering organizations include:

- On April 26, 1999, Juan Bautista Alomia-Torres was sentenced to life in prison following a jury conviction in the Western District of North Carolina. He was prosecuted for his role as the leader of a Colombian drug organization known as "The Line" that smuggled 300-400 kilograms of cocaine into Charlotte, North Carolina, from 1989 to 1997. The organization used ports in Charleston, Wilmington, Houston, New York, Tampa, New Orleans, and Baltimore to import cocaine. It employed a fleet of vehicles rigged with hidden compartments to transport drugs and money. Six co-defendants were sentenced and are serving terms ranging from four to thirteen years. Three others await sentencing, and four are fugitives.
- On June 18, 1999, Eli Tisona, a former Israeli "jet-setter," was sentenced to 235 months in prison and fined \$50,000 for conspiracy and money laundering. In one of

the nation's largest drug money laundering cases, Tisona was convicted on 146 counts of disguising more than \$45 million in Colombian drug cash profits through a family jewelry business. Among the charges were filing false bank statements and making illegal overseas wire transfers. Tisona owned a fish farm in the Colombian drug capital of Cali and was considered one of Israel's biggest mobsters. His daughter, Kineret Kashti, her husband, Yehuda, and a third co-defendant were charged in the same case, but they jumped bond and fled to Israel in December 1997.

- **Operation Rio Blanco:** This multi-district OCDETF investigation, another successful SOD operation, resulted in the arrest of 55 individuals and the seizure of more than 3,000 kilograms of cocaine and over \$15 million in U.S. currency. The principal targets included high-ranking associates of the Arellano Felix organization in Mexico responsible for smuggling substantial quantities of cocaine into the United States.
- **Operation Logan Heights:** On January 6, 1999, as a result of an OCDETF investigation initiated by an FBI Safe Streets Task Force, three members of the Logan Heights street gang pleaded guilty and each were sentenced to prison terms of 200 months or more. They had been indicted along with seven other gang members for violence related to their involvement with the Arellano Felix organization. This organization was one of the most violent criminal organizations involved in drug importation and distribution in the United States, and the Logan Heights gang members were used to murder rival drug traffickers, protect drug shipments, and conduct other violent enforcement activity, all in furtherance of this criminal enterprise. Charged as an overt act in the indictment was the May 1993 murder of Cardinal Juan Posados Ocampo at the Guadalajara Airport.
- **Operation Seventh Ward Posse:** Another violent crime investigation contributed to a dramatic decrease in the number of shootings and the murder rate in New Orleans. On September 20, 1999, five members of the drug trafficking organization known as the Seventh Ward Posse were each sentenced to life in prison following their jury convictions for marketing crack cocaine and murdering and shooting other drug dealers and witnesses. Police records indicate that since these gang members were taken into custody, the community they previously terrorized has experienced a 42% decrease in the number of shootings and a 42.8% decrease in the murder rate.
- **Money laundering and asset forfeiture emphasis.** Both the Departments of Justice and the Treasury are committed to identifying and attacking money laundering through a coordinated national approach targeting specified sectors of the financial system. In 1999, the two agencies, along with federal regulators and the Postal Inspection Service, announced a joint National Money Laundering Strategy. Through this approach, a particular financial sector is targeted to reduce its money laundering potential. Coordinating the use of asset forfeiture in our efforts to combat drug trafficking is also critical. Through the appropriate use of asset

forfeiture, the Department attacks the economic infrastructure of criminal organizations to take the profit out of drug trafficking and deprive the criminals of the ill-gotten gains which are needed to operate and expand their enterprises.

The Departments of Justice and the Treasury have designated the first four *High Intensity Financial Crimes Areas (HIFCAs)* where high concentrations of money laundering and other related financial crimes exist and will coordinate federal, state and local law enforcement resources to identify and target money laundering within the HIFCA, either geographically or as a financial sector.

- *International efforts.* The support and cooperation of foreign governments is vital to efforts against drug trafficking.

- *Training.* The Department provides counterdrug training and technical assistance to foreign investigators, prosecutors, judges, and legislators. DEA, for example, conducted 20 schools, training 974 foreign law enforcement officers. The Criminal Division, through its International Criminal Investigative Training Assistance program and Office of Overseas Prosecutorial Development, also provided significant amounts of training for foreign counterparts. As part of this cooperative approach, the Department shared forfeited assets from drug proceeds with other countries.

- *Operations.* DEA conducts international operations through its 77 offices located in 56 countries, deploying approximately 883 DEA personnel stationed abroad, with a total program cost of nearly \$200 million. DEA's Country Offices work with the host nation's law enforcement agencies to investigate activities of drug traffickers that lead to indictments and prosecutions in the host country, the U.S., or a third country.

- *Bilateral Case Initiative.* The Criminal Division, in coordination with DEA Office of Foreign Operations, SOD, and other agencies, has undertaken an international Bilateral Case Initiative to investigate and prosecute large transnational narcotics traffickers in U.S. courts, using evidence gathered by law enforcement activities of foreign governments working with DEA country teams. Criminal Division litigation attorneys serve as prosecutors for DEA's foreign offices. The Bilateral Case Initiative seeks to ensure that transnational drug traffickers whose actions around the globe create an impact are held accountable under U.S. law wherever possible through prosecution in U.S. courts. It is a multi-faceted approach, requiring coordination with the law enforcement and judicial entities in host countries, a thorough understanding of the constitutional, evidentiary and jurisdictional issues surrounding global evidence sharing, and the long-term commitment of resources for investigation and prosecution of significant international targets in any of the 94 judicial districts in the country where venue may lie.

- *Maritime Drug Smuggling Investigations Program.* The Departments of Justice and Transportation/U.S. Coast Guard (USCG) have worked together to set in place improved procedures that will enhance the prosecution of the maritime drug smuggling cases where United States forces participated in the apprehension of the perpetrators.
- *Increased emphasis on drug intelligence.* No counternarcotics program can be successful unless it is cued by timely, well-coordinated intelligence. The Department has made great strides in ensuring that both the operational elements as well as the policy makers have the best, most up to date and relevant intelligence, regardless of the source.
 - *The National Drug Intelligence Center (NDIC)* has also greatly improved information sharing, particularly across Federal, state, and local law enforcement agencies. NDIC provides strategic analyses of current trends and activities in the counterdrug community. These products are distributed to law enforcement officials throughout the country.
 - *National Drug Threat Assessment.* NDIC released a "National Drug Threat Assessment" in the Fall of 2000, which included information on the subjects of drugs, gang drug activity and drug related violence in the United States and the threat they pose to our society. This assessment synthesized intelligence from federal, state, regional, and local law enforcement agencies and from the Intelligence Community.
 - *The El Paso Intelligence Center (EPIC)* is a multiagency intelligence program designed specifically to act as a clearinghouse for tactical drug-related intelligence. The coordination services provided by EPIC are information-based and draw on the expertise of staff from multiple federal agencies. EPIC continued to assist international and domestic drug trafficking investigations by providing query access to more than 100 million member agency computer records. State and local law enforcement is a primary contributor to and user of EPIC, and all 50 states are associate members. EPIC can run inquiries on persons, vehicles, aircraft, vessels, businesses, addresses, and telephone numbers. It can also post a variety of alerts and lookouts in the national and worldwide lookout systems of member agencies.
- *Interdiction and seizure of illegal narcotics.* Continued heightened presence along the southwest border and improved interdepartmental coordination efforts has contributed to success. In FY 1999, along the southwest border, Immigration and Naturalization Service (INS) Border Patrol agents seized approximately 1.2 million pounds of all drugs (marijuana, cocaine, and heroin), compared to .9 million pounds seized in FY 1998—an increase of 35 percent. Drug cases at the ports-of-entry are transferred to USCS—INS' sister agency in the Federal inspection process for disposition. Along the border between ports-of-entry, such cases are handed over to the DEA. In FY 1999, DEA prevented nearly 90 kilograms of

heroin and 535 kilograms of methamphetamine, from crossing the border.

The Department's accomplishments in removing illegal drugs—including heroin, cocaine, methamphetamine, and other dangerous drugs—were significant. DEA reports 64 million marijuana plants eradicated through its eradication and suppression program during the first three-quarters of calendar year 1999. Efforts related to methamphetamine production and trafficking and the diversion of controlled substances were particularly effective, leading to significant numbers of arrests and clandestine laboratory seizures. DEA initiated nearly 2,900 methamphetamine investigations during the first three quarters of FY 1999. It also seized more than 2,000 clandestine laboratories and arrested close to 7,900 individuals involved in the manufacture, trafficking, or distribution of methamphetamine.

- *The Weed and Seed Strategy:* Operation Weed and Seed is a strategy which aims to prevent, control, and reduce violent crime, drug abuse, and gang activity in targeted high-crime neighborhoods across the country. Weed and Seed sites range in size from several neighborhood blocks to 15 square miles. The strategy involves a two-pronged approach: law enforcement agencies and prosecutors cooperate in "weeding out" criminals who participate in violent crime and drug abuse, attempting to prevent their return to the targeted area; and "seeding" brings human services to the area, encompassing prevention, intervention, treatment, and neighborhood revitalization. A community-orientated policing component bridges weeding and seeding strategies. Officers obtain helpful information from area residents for weeding efforts while they aid residents in obtaining information about community revitalization and seeding resources.
- *Drug Courts:* The OJP Drug Courts Program Office (DCPO) was established to administer the Drug Court Grant Program and to provide financial and technical assistance, training, related programmatic guidance, and leadership. From FY 1995 through FY 1997, the DCPO awarded more than \$45 million to approximately 270 jurisdictions for the planning, implementation, or enhancement of a drug court. Sixty percent of the 52 recipients of planning grants awarded in FY 1995 have implemented a drug court. Since 1989, more than 500 courts have implemented or are planning to implement a drug court to address the problem of substance abuse and crime. Local coalitions of judges, prosecutors, attorneys, treatment professionals, law enforcement officials, and others are using the coercive power of the court to force abstinence and alter behavior with a combination of escalating sanctions, mandatory drug testing, treatment, and strong aftercare programs to teach responsibility and to help offenders reenter the community. Drug courts are one of a few recent criminal justice initiatives that have started at the grassroots level and spread across the nation.

STATE OF AFFAIRS TODAY

Drug abuse and drug trafficking remain among the most serious challenges facing the nation. Foreign-based, sophisticated and well-financed criminal organizations are responsible for bringing

most illegal drugs to the streets of the United States, and the trafficking of these drugs is a significant factor in the crime that occurs in our communities. As a result of extensive and effective law enforcement operations in both the United States and Colombia, many of the notorious drug trafficking cartels, such as those formerly operating out of Medellin and Cali, have been dismantled and all but cease to exist as transnational criminal organizations. Unfortunately, while the cartels of the 1980s and early 1990s have disappeared, they have been replaced by smaller entrepreneurial criminal organizations whose collective trafficking activities equal or exceed those of the cartels.

Federal narcotics investigators and prosecutors face sophisticated international organized crime syndicates from Colombia and Mexico, as well as other countries. These organizations produce high volumes of illegal drugs and use foreign countries as platforms from which to control their empires. These traffickers maintain control of their workers through highly compartmentalized cell structures that separate production, shipment, distribution, money laundering, communications and security. They use corruption and intimidation. These traffickers have at their disposal the most sophisticated vehicles, boats, airplanes, communications equipment, legal representation and weapons that money can buy.

Prosecuting the higher level command and control elements of these organizations -- the kingpins -- requires breaking through their tightly compartmentalized structure to obtain evidence of their wrongdoing. It requires a coordinated national and international approach against an adversary that is equally coordinated and international in scope.

NEXT STEPS/CHALLENGES FOR THE INCOMING ADMINISTRATION

The United States' long experience with confronting and dismantling organized criminal activity has necessitated the development of an aggressive, cohesive, and coordinated strategy to identify, target, arrest, and incapacitate the leadership of these organizations. The Department's role in addressing the drug problem is to continue to attack the leadership of these international criminal organizations. The effectiveness of national and bilateral efforts against drug organizations will depend largely on demonstrable progress in disrupting and dismantling these transnational narco-trafficking organizations. This includes apprehending, prosecuting and convicting major drug traffickers, as well as exercising extradition laws against those defendants facing federal drug trafficking charges in the United States, and exposing and prosecuting individuals and businesses involved in providing critical support networks such as front companies, security, transportation and the like.

Mexican drug trafficking organizations pose a great challenge to law enforcement agencies in the United States. Powerful organized crime syndicates based in Mexico are beginning to dominate the distribution of drugs throughout our country. Recent estimates indicate that approximately 55% of the cocaine available in the United States is transported across the U.S.-Mexico border. Typically, large cocaine shipments are transported from Colombia, via

commercial shipping, fishing and "go-fast" boats and off-loaded in Mexico. The cocaine is transported through Mexico, usually by trucks, where it is warehoused in cities like Guadalajara, Tijuana or Juarez, that are operating bases for the major criminal trafficking organizations. The extremely high volume of vehicular traffic over the U.S./Mexico border allows cocaine loads to be driven across the border and taken to major distribution centers within the U.S., such as Los Angeles, New Jersey, Chicago or Phoenix. Surrogates of the major drug lords wait for instructions, often provided over encrypted communications devices-- --phones, faxes, pagers or computers---telling them where to warehouse smaller loads, who to contact for transportation services, and who to return the eventual profits to.

Although many of the transactions relating to the drug trade take place on U.S. soil, the major organized crime bosses direct each and every detail of their multi-billion dollar business while situated in Mexico. They are responsible not only for the business decisions being made, but ultimately for the devastation that too many American communities have suffered as a result of the influx of cocaine, methamphetamine, heroin and marijuana.

For the past two decades - up to recent years - crime groups from Colombia ruled the drug trade with an iron fist, increasing their profit margin by controlling the entire continuum of the cocaine market. Their control ranged from the coca leaf and cocaine base production in Peru, Bolivia, and Colombia, to the cocaine production and processing centers in Colombia, to the wholesale distribution of cocaine on the streets of the United States. The international drug syndicates control both the sources and the flow of drugs into the United States. The vast majority of the cocaine entering the United States continues to come from the source countries of Colombia, Bolivia, and Peru. Virtually all of the heroin produced in Colombia is destined for the U.S. market. In fact, Colombia has over the past five years become the leading source of heroin in the United States. Recent statistical data indicate that approximately 65% of the heroin seized and analyzed by Federal authorities in the United States is of Colombian origin.

DOCUMENTATION

For additional reference, consult:

- Office of National Drug Control Policy, National Drug Control Strategy, 2000 Annual Report: <http://www.whitehousedrugpolicy.gov/policy/ndcs00/index.html>
- The Clinton Administration's Law Enforcement Strategy: Breaking the Cycle of Drugs and Crime: http://www.usdoj.gov/dag/pubdoc/Drug_Final.pdf
- U.S. Department of Justice, Strategic Plan, 2000-2005, goal 1: http://www.usdoj.gov/jmd/mps/strategic2000_2005/goal1.htm
- Office of the Attorney General, Fiscal Year 1999 Annual Accountability Report:

<http://www.usdoj.gov/ag/annualreports/ar99/index.html>

- National Money Laundering Strategy for 2000:
www.usdoj.gov/criminal/afmls/ml2000.pdf
- Office of Justice Programs, Annual Report, Fiscal year 1999:
<http://www.ojp.usdoj.gov/annualreport/>
- Office of Justice Programs, Defining Drug Courts: The Key Components:
<http://www.ojp.usdoj.gov/dcp0/Define/>
- DEA briefing book: <http://www.usdoj.gov/dea/briefingbook/index.html>

b. Submission by the Drug Enforcement Administration

**DRUG ENFORCEMENT ADMINISTRATION (DEA)
ACCOMPLISHMENTS - 1993 through 2000**

Over the past eight years, the DEA has disrupted and /or dismantled many of today's most powerful drug syndicates that control drug trafficking, both domestically and internationally.

DEA operations focus on attacking the command and control functions of organized crime syndicates that manage virtually all of the cocaine, heroin, and methamphetamine trafficking worldwide. With the top leadership of these organizations beyond the reach of U. S. law enforcement, the DEA has directed resources at their organizational structures as well as their transportation and distribution elements. The DEA initiates investigations against the leaders of these drug trafficking syndicates and their surrogates. The DEA strives to initiate major cases to disrupt and dismantle these major drug trafficking organizations. The drug trafficking industry begins in the jungle laboratories of South America and Asia, and ends on the street corners of the United States and other countries. The international aspects of drug trafficking cannot be separated from the domestic because both are interdependent and intertwined. The DEA attacks all levels of drug trafficking simultaneously. As a result, investigative leads are developed along the entire trafficking spectrum which allow the DEA and other investigative agencies to disrupt and dismantle trafficking organizations to the greatest extent possible with the resources available.

Today's international drug trafficking organizations are the wealthiest, most powerful, and most ruthless organized crime organizations drug law enforcement has ever faced. These organizations utilize their unlimited wealth to purchase the most sophisticated electronic equipment available on the market to facilitate their drug trafficking operations. These criminals, through their high-tech telecommunications, can control the operations of their criminal syndicates in the United States, while remaining in their foreign sanctuaries, beyond the reach of American justice. The DEA continues to direct its investigative efforts against all of the major international trafficking organizations at every juncture in their operations--from the cultivation and production of drugs in foreign countries, their passage through the transit zone, and eventual distribution on the streets of America's communities.

The DEA, in cooperation with foreign, federal, state, and local counterparts is taking aggressive action, both internationally and domestically, to combat these organizations and repair the damage they have inflicted on citizens and communities in the United States.

Strengthening federal law enforcement domestically and globally

Whenever possible, the DEA has worked diligently to strengthen the drug enforcement capabilities of all law enforcement agencies domestically and globally. This is especially true in

the areas of intelligence sharing and training. Each officer, foreign or domestic, trained to conduct narcotics investigations contributes to the global drug enforcement effort. The following are some of the DEA's programs to strengthen federal law enforcement globally:

1) Bilateral Investigations: The DEA special agents assist their foreign counterparts by developing sources of information and interviewing witnesses. Agents work undercover and assist in surveillance efforts on cases that involve drug traffic affecting the United States. They provide information about drug traffickers to their counterparts and pursue investigative leads by checking hotel, airport, shipping, and passport records. In addition, when host country authorities need to know the origin of seized illicit drugs, the DEA agents ship them back to DEA facilities in the United States for laboratory analysis. The DEA also seeks U.S. indictments against major foreign traffickers who have committed crimes against American citizens. In a number of cases, international drug trafficking syndicates were severely crippled when the DEA had cartel leaders indicted in the United States for violating U.S. laws and then extradited.

2) Foreign Liaison: The DEA actively participates in several international forums to promote international law enforcement cooperation. One forum is the annual International Drug Enforcement Conference (IDEC) that brings together upper-level drug law enforcement officials from South, Central, and North America, as well as the Caribbean, to share drug-related intelligence and develop operational strategies that can be used against international drug traffickers. The yearly conferences focus on such areas of common concern as the growing sophistication of drug trafficking organizations and money laundering. Liaison activities include: assisting host nation counterparts in drafting effective drug control legislation and regulations and encouraging their adoption; encourage the creation of narcotics enforcement units; assisting in the development of bi-national memorandums of agreement and treaties; and sponsoring multi-national conferences and meetings for the exchange of information, experiences and techniques relating to international drug law enforcement.

3) Institution Building: The DEA tries to help host countries fight the criminals in their midst by working with the people who have the integrity and the courage to pass strong anti-drug laws and build strong law enforcement institutions. The DEA has excellent working relationships with law enforcement in other countries and these partnerships have resulted in tremendous successes across the globe. For example, the DEA works very closely with counter-narcotics agents in Peru, Bolivia, and Thailand. The DEA's cooperative efforts with these countries have helped them develop more self-sufficient, effective drug law enforcement programs.

4) Intelligence Collection: The DEA, respected for its drug intelligence gathering abilities, supports its foreign counterparts' investigations by providing information, such as who controls the drug trade; how drugs are distributed; how the profits are being laundered; and how the entire worldwide drug system operates at the source level, transportation level, wholesale and retail levels. One U.S. federal effort is the Joint Information Coordination Centers program, which provides computer hardware and software, as well as training, to 20 host country nationals overseas, primarily in Central and South America and the Caribbean. This program enables those

countries to establish intelligence-gathering centers of their own and is modeled after the DEA's El Paso Intelligence Center (EPIC).

5) Joint Information Coordination Centers (JICC): The DEA, through EPIC, and the Department of State, through the INL, are the agencies responsible for the implementation and operation of JICCs. Working through its foreign offices, the DEA brings together various counter narcotics agencies of the host country in a single working environment to encourage the sharing of information and intelligence and the coordination of efforts between those agencies. The JICCs also assist the host nation government with the establishment of a single information database that can be readily used for both tactical and strategic analysis and operations.

6) The Linear Approach Program: Established in 1995, the Linear Approach Program is designed as an interagency forum for attacking the narcotics trafficking problem in the Western Hemisphere. The program's foundation rests on three basic tenets: 1) focus law enforcement and intelligence community resources on key targets, 2) foster community collaboration, and 3) enhance host nation capabilities. The objective of the Linear Approach is to disrupt and ultimately dismantle the key organizations in Latin America responsible for producing and shipping illicit drugs to the United States. Fifteen federal agencies comprise the Washington Linear Committee.

7) International Training: The DEA conducts training for host country police agencies at the DEA training facilities in Quantico, Virginia, and on-site in the host countries, as well. The DEA trained almost 17,000 foreign law enforcement officers between 1993 and 1999. The goal of the international training curriculum is to build on the capabilities of drug enforcement officials in other countries. The subject matter covered includes such enforcement techniques as surveillance methods, drug field testing, intelligence collection, as well as law enforcement management principles and skills. In addition, the international training section of the DEA offers counter-narcotics training at three International Law Enforcement Academies: one in Budapest, Hungary which opened in April 1995; a second, operated by the DEA in cooperation with the Royal Thai Police in Bangkok, Thailand which opened in July 1999; and a third, dedicated to counter-narcotics training, in Latin America.

8) Expansion of DEA Presence Worldwide: Between 1993 and 2001, the DEA increased the number of its Special Agent workforce 32 percent from 3,488 to 4,601. Also, the number of Intelligence Analysts increased from 419 to 687 and the number of Diversion Investigators increased from 445 to 523. The DEA opened 12 overseas offices, bringing the total number to 77 DEA offices in 57 countries. DEA has offices in the source countries of Bolivia, Burma, Colombia, Mexico, Pakistan, Peru, and Thailand. Domestically, the number of DEA Field Divisions and Resident Offices increased from 125 in 1993 to 138 in 2000.

The following are some of the domestic programs in which the DEA either manages or participates in to strengthen federal law enforcement domestically:

1) Southwest Border Initiative: The Southwest Border Initiative (SWBI), in operation since 1994, is a cooperative effort by the DEA and other federal law enforcement agencies to combat the substantial threat posed by Mexico-based trafficking groups operating along the Southwest Border. These groups are transporting multi-ton shipments of cocaine, heroin, methamphetamine, and marijuana into the United States.

2) Special Operations Division: The Special Operations Division (SOD) attacks organizations by targeting the communication systems of their command and control centers. Working in concert, the DEA, the FBI, U.S. Customs Service, and U.S. Attorneys offices around the country conduct wiretaps that ultimately identify all levels of the Mexico- or Colombia-based organizations. This strategy allows the DEA to track the seamless continuum of drug traffic as it gradually flows from Colombia or Mexico to the streets of the United States where it is distributed. Considered the most successful multi-agency enforcement center ever, SOD supports domestic and global investigations with real-time intelligence. It has been instrumental in nearly every major U.S. drug investigation between 1993 and 2001.

3) The DEA State and Local Task Force Programs: The DEA State and Local Task Force Program provides a federal presence in sparsely populated areas where the DEA would not otherwise be represented. Combining federal leverage and the specialists available to the DEA with state and local officers' investigative talents and detailed knowledge of their jurisdiction leads to highly effective drug law enforcement investigations. The DEA State and Local Task Force program involves 150 program-funded and 53 provisional task forces with authorized strengths of 1, 137 DEA Special Agents and 2,423 task force officers.

4) High Intensity Drug Trafficking Area (HIDTA): The High Intensity Drug Trafficking Areas program (HIDTA) was authorized by the Anti-Drug Abuse Act of 1988 and is administered by the Office of National Drug Control Policy. The HIDTA mission is to reduce drug trafficking in the most critical areas of the country, thereby reducing its impact in other areas. This is accomplished by institutionalizing teamwork among local, state, and federal efforts; synchronizing investments in strategy-based systems; and focusing on outcomes. Since the original designation of five HIDTAs in 1990, the program has expanded to 31 areas of the country, including five partnerships along the southwest border. The DEA participates in 45 HIDTA Task Forces nationwide. The DEA provides both Special Agent and Intelligence Analyst support to the HIDTA program.

5) Organized Crime Drug Enforcement Task Force (OCDETF) Investigations: In 1982, the Organized Crime Drug Enforcement Task Forces (OCDETF) program was initiated to combine federal, state, and local law enforcement efforts into a comprehensive attack against organized crime and drug traffickers. Aspects of the program have served as models for every major law enforcement initiative in recent years, such as HIDTAs, Weed and Seed, and the Anti-Violence Initiative. The success of OCDETF has been highly attributed to fostering collaboration among federal, state, and local law enforcement and effectively using prosecution attorneys at the early

stages of investigations. Since the inception of OCDETF, DEA has participated in over 80 percent of all OCDETF investigations since the program's inception in 1982.

6) Mobile Enforcement Teams: The Mobile Enforcement Team (MET) program was created by the DEA in early 1995, as a response to the overwhelming problem of drug-related violent crime that plagues neighborhoods and communities throughout the United States. The challenges facing law enforcement today are daunting. The increasing sophistication of drug-trafficking organizations and the availability of automatic weapons make drug law enforcement more difficult and dangerous than ever before. Unfortunately, police departments must face these challenges with smaller budgets and fewer police officers. The MET program helps local law enforcement entities attack the violent drug organizations in their neighborhoods and restores a safer environment for the residents of these communities.

As of August 2000, the DEA had received 378 requests for MET deployments nationwide. Pursuant to these requests, a total of 265 deployments have been completed. These deployments have made a significant impact in neighborhoods across the United States. In areas where the DEA has deployed METs, assaults have been reduced by 15 percent, homicides by 16 percent, and robberies by 14 percent. METs have also contributed to the overall national decrease in violent crime; from 1993 to 1999 the number of violent crimes committed in the United States dropped by 26 percent.

7) Regional Enforcement Teams: In 1998, the DEA has established Regional Enforcement Teams (RET) to meet the challenge of emerging drug crime trends by employing an intense concentration of investigative resources to target organized crime syndicates that have established regional command and control centers and warehousing/transshipment points in small, non-traditional locations across the United States.

8) The Computer Forensics Program: In 1994, the Computer Forensics Program (CFP) unit was established in the DEA's Office of Investigative Technology. CFP is the application of computer technology and specialized seizure and evidence handling techniques to retrieve information from computer systems for investigative or intelligence purposes. Like many other business people, drug traffickers rely on computers and electronic pocket organizers to store information, such as bank account numbers, names and addresses of associates, databases of assets and financial activity, sales and other business records; grid coordinates of clandestine landing strips; recipes for methamphetamine manufacture, and e-mail and other correspondence. Law enforcement routinely encounters and seizes home computers, laptops, computer networks, pocket organizers, and magnetic media in every conceivable size and format. These items, when seized, are forwarded to the CFP for duplication and extraction of information in such a way as to preserve the integrity of the evidence in a court-admissible manner. Other technical services available from the CFP include password removal, recovery of erased files, search of disk drives or diskettes for specific names or phrases, removal of viruses, in-place computer duplication, and expert witness testimony.

9) Worldwide Installation of Information Systems and Internet Exploitation Technology: The DEA is now installing upgraded trusted information systems—the Merlin and Firebird systems—in all the DEA offices worldwide to enable agents and analysts to share information and communicate in real-time. The Firebird network is now deployed to over 80% of the DEA's workforce covering the United States and the Western Hemisphere. Firebird will be fully deployed in 2003. Merlin is the DEA's classified worldwide platform and is currently being deployed in the United States and the Western Hemisphere. Also, in 2000, the DEA implemented an ambitious program to monitor trafficker use of technology and prevent the exploitation of the Internet for the illicit drug trade. Last, the DEA completed the deployment in 2000 of its T2S2 system, the most technologically advanced computer driven wiretap intercept program.

10) Laboratories: Laboratory support is one of the critical functions provided to the DEA special agents and other law enforcement officers and officials. This support covers a variety of forensic disciplines and functions including: the analysis of drugs, field assistance at clandestine laboratory seizures, and crime scene investigations by forensic chemists. Specialists perform latent fingerprint identification and photographic development; evaluate digital evidence such as computers, diskettes, electronic organizers, and cameras; and develop, monitor, and process hazardous waste cleanups and disposals. This support also includes the presentation of expert testimony that is essential for the successful prosecution and conviction of drug traffickers.

Additionally, the laboratory system provides support for intelligence activities through the Heroin, Cocaine and Methamphetamine Signature Programs to determine the origin of the controlled substance and to highlight foreign drug distribution patterns. Intelligence activities are also supported through the Domestic Monitor Program, which helps monitor domestic drug distribution patterns and price/purity data at the retail level. In Fiscal Year (FY) 1996, the DEA laboratory system received 47,739 suspected controlled substance exhibits for analysis. In FY1997 and FY1998, the number of exhibits increased to 52,626 and 61,751 respectively. In FY1996, the DEA laboratory system processed 3,588 fingerprint and 113,640 photographic exhibits. In FY1997 and FY1998, the number of exhibits increased to 4,212 and 4,447 fingerprint and 197,498 and 275,477 photographic exhibits. The number of controlled substances, fingerprint and photographic exhibits has continued to increase during the first half of FY1999.

11) Creation of the Justice Training Center: The Justice Training Center in Quantico, Virginia, officially opened in 2000 which under one roof offers the most advanced drug enforcement and intelligence techniques, as well as police integrity instruction to federal, state, local, and international officials.

12) Domestic Training Initiatives:

a. Academy for Drug and Criminal Intelligence: The DEA is working with the FBI in developing a program to provide intelligence training for state, local, federal, and foreign law

enforcement agencies to meet the expanding need to provide analytical training to a wide range of users. The Academy for Drug and Criminal Intelligence (ADCI) is based at the DEA's new Justice Training Center (JTC) at Quantico and ultimately will assist those who work with both drug and criminal intelligence to become more familiar with existing and developing analytical techniques. The ADCI had its genesis in the DEA's desire to develop a framework to provide a wide range of drug intelligence courses to law enforcement officers. While conceptually still evolving, the ADCI will consist of over 50 courses, ranging from basic intelligence concepts to the masters degree level.

b. State and Local Training: From 1993 through 2000, the DEA has trained more than 200,000 state and local law enforcement officers. The following are examples of the training programs the DEA provides for its state and local counterparts:

1. Division Training Program (DTC): State and local law enforcement officials may obtain training from the DEA in their own geographical area through this program. Each of DEA's twenty-one (21) Division Offices has a Training Officer that conducts the following schools from funds administered by the Office of Training: Basic Narcotics and Dangerous Drugs Law Enforcement School, The Advanced Narcotics and Dangerous Drugs Law Enforcement School, and Task Force Orientation. The DTC program also provides a number of smaller training classes, such as Drug Identification, Undercover Operations, Risk Management, Search and Seizure, Raid Training, and others.

2. Drug Unit Commander Academy: The Drug Unit Commander Academy is a two-week state and local school designed for Commanders of State, Local, and Federal drug enforcement units. The program provides training in areas such as tactical aspects of drug enforcement, mobile enforcement teams, confidential source management, clandestine laboratory operations, undercover operations and much more. The DEA currently conducts two academies a year and pays all costs associated with the training. The schools are held at the DEA Justice Training Center. Each Special Agent in Charge may nominate two people from their division to attend each academy.

c. Clandestine Laboratory Training: Currently, one of the most critical specialized training courses offered by the DEA is Clandestine Laboratory (clan lab) training. Investigating clan labs is extremely dangerous, as they contain hazards that are life-threatening and unpredictable. The chemicals typically found in clan labs may be explosive, flammable, or toxic and they may emit poisonous gasses that are both odorless and invisible. In 1995, the DEA began providing training to state and local police officials. The training, which is required by the Code of Federal Regulations, is vital to both DEA special agent's and state and local personnel involved in clandestine laboratory operations. The DEA offers three clan lab courses that address the specific needs of federal, state, and local agencies. During training, officers are taught the procedural differences between traditional drug investigations and clan lab investigations. They are also informed of the hazards that they are likely to encounter in clan labs and how to handle these hazards. Hands-on training is an important part of the courses. Trainees have the

opportunity to assemble, investigate, and dismantle mock laboratories; these mock-ups are often designed to mimic highly volatile methamphetamine labs. During training, participants also become familiar with the nearly \$2,000 worth of personal protective equipment that must be worn when dismantling a clan lab. As of September 1999, the DEA's clan lab training program had certified 5,191 officials from the DEA and state and local agencies.

Investigative Accomplishments

The following are some of the major drug trafficking organizations that were disrupted or dismantled as a result of the DEA domestic and global enforcement efforts over the past eight years:

Collapse of the Cali Cartel

The Cali Cartel grew from a small criminal organization known as *Los Chemas*, founded in the early 1970s by Gilberto Rodriguez-Orejuela and Jose Santacruz-Londono. The *Los Chemas* expanded their criminal enterprise from counterfeiting and kidnapping to smuggling cocaine base from Peru and Bolivia to Colombia for conversion to cocaine HCL. The group evolved into a loose association of five major independent drug trafficking organizations called the Cali Cartel. From these roots, the Cali cartel grew into the most powerful international drug trafficking organization in history, responsible for smuggling hundreds of tons into the United States annually.

The DEA worked closely and relentlessly with the Colombian National Police (CNP) to disrupt the Cali organization and bring its leaders to justice. Between June 1995, and September 1996, following years of investigation, the six most powerful leaders of the Cali Cartel were arrested. Former DEA Administrator Thomas Constantine described the Cali cartel as "perhaps the most significant criminal entity the world has ever seen." The arrests included: Gilberto Rodriguez-Orejuela, Miguel Rodriguez-Orejuela, Jose Santacruz-Londono, Helmer "Pacho" Herrera-Buitrago, Victor Patino Fomeque, and Henry Loaiza Ceballas. Overall, the Cali cartel was responsible for 80% of the world's cocaine with annual profits estimated at \$8 billion.

Operation Tiger Trap

In August 1994, the DEA and the Royal Thai Police initiated an investigation of the Shan United Army led by Chang Ch'i-fu, aka KHUN SA. The SUA 20,000 man army was responsible for the production of most of the opium and refined heroin emanating from the remote Thai/Burma border area and was the principal heroin trafficking network in the Golden Triangle for decades. KHUN SA's organization allegedly imported more than five metric tons of heroin into the United States. Through sustained, concentrated enforcement operations KHUN SA was unable to get his heroin to his distributor in Bangkok. When KHUN SA lost his ability to make money, he

was unable to finance his army's operations and the entire Shan United Army was forced to surrender to the Burmese government in January 1996.

Operation Dinero

Operation Dinero, a joint DEA/IRS (Internal Revenue Service) operation, began in 1992. In this investigation, the U.S. Government successfully operated a financial institution in Anguilla for the purpose of targeting the financial networks of international drug organizations. In addition, a number of undercover corporations were established in different jurisdictions as multi-service "front" businesses designed to supply money laundering services such as loans, cashier's checks, wire transfers, and peso exchanges, or to establish holding companies or shell corporations for the trafficking groups. Believing these services were legitimate, the Cali organization engaged the bank to sell three paintings, a Picasso, a Rubens, and a Reynolds. These paintings, estimated to have a combined value of \$15 million, were seized by the DEA and IRS in 1994.

The operation resulted in 116 arrests in the United States, Spain, Italy, and Canada and the seizure of nine tons of cocaine, and the seizure of more than \$90 million in cash and other property. The two-year joint enforcement operation was coordinated by the DEA, IRS, INS, FBI, and international law enforcement counterparts in the United Kingdom, Canada, Italy, and Spain.

Operation Zorro I and Zorro II

Both of these investigations were multi-jurisdictional/multi-agency operations involving the DEA, FBI, Customs, and numerous state and local law enforcement agencies. The investigations targeted Colombian traffickers who were utilizing Mexican transportation groups to smuggle drugs into the United States for distribution in Los Angeles, New York, Miami and other major cities. The investigations ended in 1996. Operations Zorro I and Zorro II resulted in the apprehension of 391 individuals and the seizure of 6.5 tons of cocaine, 5.7 tons of marijuana, and \$31.8 million in cash.

Operation Limelight / Impunity I / Impunity II

These investigations were multi-jurisdictional/multi-agency operations involving the DEA, FBI, Customs, IRS, and numerous state and local law enforcement agencies. The investigations targeted the Amado Carrillo-Fuentes drug transportation organization. This organization delivered drugs to Colombian and Mexican distribution cells in Texas, California, Illinois, New York, Ohio, Mississippi, and Tennessee. Operation Limelight began in October 1996, and Operation Impunity II concluded in March, 2000. These investigations resulted in the arrest of 223 individuals, and the seizure of 21.5 tons of cocaine, 11.3 tons of marijuana, and \$36.9 million in cash.

Operation Back-Track

The DEA's Office of Diversion Control initiated a Special Enforcement Program named Operation Back-Track in February 1997. This investigation targets rouge operated chemical companies and other independent operators that distribute enormous quantities of precursor chemicals, specifically, pseudoephedrine, ephedrine, phenylpropanolamine (PPA) and their drug products, which are being diverted for the illicit manufacture of methamphetamine. Operation Backtrack focuses on the identification, tracking, disruption and elimination of chemical sources, routes, transportation, and distribution networks that supply the production of clandestinely manufactured drugs. A total of 57 investigations have been conducted under this program. Enforcement activities through Operation Backtrack strategy has prevented 9,183 pounds (based on a 60% yield) of pure methamphetamine from being produced. This massive amount of methamphetamine would have had potentially devastating effects on the streets of America.

Operation META

The influence of the Mexico-based methamphetamine-trafficking organizations in the United States has increased dramatically in recent years. This trend was illustrated by Operation META, a large-scale investigation that targeted a major U.S. meth-trafficking organization that was supplied by the Amezcua-Contreras organization from Mexico. Operation META concluded in December 1997, and resulted in the arrest of 121 members of the trafficking ring and the seizure of 133 pounds of methamphetamine, 1,765 pounds of marijuana, and 1,100 kilograms of cocaine. During the META raids, agents discovered and dismantled three methamphetamine labs that were each capable of producing more than 300 pounds of methamphetamine at a time. Operation META seizures were especially important because they alerted the law enforcement community to the growing methamphetamine problem in the United States.

Operation Millennium

In October 1999, DEA and the Colombian National Police arrested 30 drug traffickers and money launderers in Bogota, Medellin, and Cali, Colombia. This Colombian-based transportation consortium was believed to be responsible for supplying between approximately 20,000 kilograms of cocaine per month to the United States and Europe. Those arrested included Fabio Ochoa-Vasquez and Alejandro Bernal-Madrigal, former members of the original Medellin cartel. At the time of their arrest, they were considered to be the most powerful international traffickers of cocaine in the world.

Operation Juno

Operation Juno was an international money laundering investigation that resulted in the indictment and arrest of over 55 individuals, including 5 Colombians in December 1999. The Colombians were responsible for laundering millions of dollars in drug proceeds through U.S. and international banks back to Colombia via the black market peso exchange. Approximately

\$26 million in drug proceeds were targeted for seizure, with \$10 million seized during the investigation, and the balance seized in 59 accounts at 34 U.S. banks, and 282 accounts at 52 foreign banks. Over 3,600 kilograms of cocaine were also seized during the investigation.

Operation Tar Pit

In March 2000, the DEA concluded Operation Tar Pit, which targeted a Mexico-based black tar heroin trafficking organization. In June 1998, a San Diego Division investigation revealed that a trafficking organization, based in Nayarit, Mexico, was the source of much of the high-purity black tar heroin being trafficked in the San Diego area had established cells in several other U.S. cities. The investigation was linked to numerous heroin overdose deaths in the small town (population of 5,000) of Chimayo, New Mexico. Between 1995 and 1998, approximately 85 deaths were attributed to high-purity, black tar heroin. In October 1999, the DEA, in coordination with the FBI, arrested approximately 33 individuals in connection with this investigation. On March 22, 2000, the DEA subsequently arrested an additional 17 individuals connected to the Chimayo cell. Agents seized approximately 41 pounds of heroin during the course of the investigation.

Operation Green Air

On April 13, 2000, the DEA concluded a major marijuana trafficking investigation called Operation Green Air. This case was significant and unique because it successfully halted the marijuana trafficking activities of an organization that used a commercial shipment company, FedEx, as its exclusive method of transportation. While it is common for traffickers to secretly ship illegal drugs via commercial packaging services, whole organizations that relied entirely on this method had not been encountered prior to Operation Green Air. After learning of this group's activities, the DEA began an 18-month investigation that was coordinated by the Special Operations Division. Operation Green Air concluded with the arrests of over 100 individuals, including 25 FedEx employees, and the seizure of 34,000 pounds of marijuana and \$4.2 million in currency and assets. In addition, it effectively dismantled the target organization, which had shipped at least 121 tons of marijuana valued at \$145 million over the past two years. FedEx cooperated fully with the DEA during this investigation, and its support greatly facilitated the operation and contributed to its success. The DEA also collaborated with the U.S. Customs Service, the U.S. Attorney's Offices, the Internal Revenue Service, and state and local law enforcement on this case.

Operation Mountain Express

A major DEA investigation, known as Operation Mountain Express, culminated in August 2000. As part of this nationwide operation, federal agents arrested more than 140 individuals in eight cities and took enforcement actions in at least 35 others. Operation Mountain Express resulted in the seizure of \$8 million, 10 metric tons of pseudoephedrine tablets (capable of producing

approximately 18,000 pounds of methamphetamine), 83 pounds of finished methamphetamine, two pseudoephedrine extraction laboratories, one methamphetamine laboratory and 136 pounds of chemical solvents and reagents. The DEA Special Agents and Diversion Investigators also served administrative orders to revoke the registrant status of over 20 major pseudoephedrine distributors in 9 states. Attorney General Janet Reno said, "the operation should have a significant impact on methamphetamine trafficking in the U.S. by limiting the availability of pseudoephedrine and deterring other registrants who might be considering the illicit diversion of chemicals and pharmaceuticals."

Operation Journey

On August 26, 2000, the DEA, the U.S. Customs Service, and the Joint Interagency Task Force-East (JIATF-East) concluded "Operation Journey." This was a two-year, multi-national initiative against a Colombian drug transportation organization that used commercial vessels to haul multi-ton loads of cocaine to 12 countries, most of them in North America and Europe. The investigation, which involved authorities from 12 nations and three continents, resulted in the arrest of 40 individuals, including the alleged leader of the maritime drug transportation organization, Ivan De La Vega, and several of his subordinates. Since its inception, Operation Journey has resulted in the seizure of more than 16 metric tons of cocaine from this Colombian organization. The location of these seizures ranged from the Netherlands to Venezuela. The operation also resulted in the seizure of commercial shipping vessels, go-fast vessels, and communications equipment.

Operation Red Tide

On November 22, 2000, the DEA, FBI, IRS, Customs, and the Netherlands authorities concluded Operation Red Tide. This was an 18-month investigation of a multi-ethnic, transnational MDMA (ecstasy) and cocaine distribution organization. More than 22 individuals in four U.S. cities and in four European countries were arrested. Operation Red Tide was strongly supported by several state and local law enforcement agencies. Enforcement action took place in the following cities: Los Angeles, California; Boston, Massachusetts; Las Vegas, Nevada; Phoenix, Arizona; Anchorage, Alaska; Salt Lake City, Utah; London, England; Frankfurt, Germany; Milan, Italy; and Amsterdam, the Netherlands.

According to DEA Administrator Donnie R. Marshall, "Operation Red Tide is a textbook example of the new multi-agency, multi-national law enforcement cooperation needed to thwart organized crime in the 21st century. Even though drug trafficking organizations are increasingly sophisticated and multi-national, they are becoming no match for the kind of law enforcement coalitions we have forged." To date, 3,127 pounds of ecstasy tablets linked to the syndicate have been seized in the U.S., and elsewhere around the globe.

3. Juvenile Crime

Submission by the Office of Justice Programs (OJJDP)

Preventing and Responding to Juvenile Crime and Victimization

Background

In 1993, the Nation was grappling with escalating rates of juvenile crime and violence. Some experts were projecting a doubling of juvenile arrests for violent crimes by 2010.¹ Indeed, the juvenile violent crime arrest rate had increased more than 60 percent between 1988 and 1994.² Recognizing the seriousness of the problem and the threat it posed, not only to society, but to the juvenile justice system itself, the U.S. Department of Justice (DOJ) called for a change in national priorities and an unprecedented commitment by public and private agencies, institutions, organizations, and individuals to reverse these alarming national trends. The Office of Juvenile Justice and Delinquency Prevention (OJJDP), the DOJ office that provides national leadership, coordination, and resources to prevent and respond to juvenile offending and child victimization, responded to the call for action.

Major Goals and Guiding Policies

As an essential first step, in 1993, OJJDP developed and published what has become its guiding policy, the *Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*. The Comprehensive Strategy sets forth a data-driven, research-based comprehensive approach for addressing the problems of juvenile crime and victimization and for achieving OJJDP's overall program goals. OJJDP's Comprehensive Strategy is discussed in more detail under the heading "Review of Major Activities and Accomplishments," below.

The Department of Justice and OJJDP also played a leading role in developing the 1996 National Juvenile Justice Action Plan, which grew out of the Comprehensive Strategy. This Action Plan is the product of the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention. It provides eight objectives designed to reduce juvenile violence and describes ways to meet these objectives. The Action Plan is a guide to ongoing, practical, and effective action by the Coordinating Council's nine Federal agency members, nine citizen

¹H. Snyder, M. Sickmund, and E. Poe-Yamagata, *Juvenile Offenders and Victims: 1996 Update on Violence* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 1996).

²Office of Juvenile Justice and Delinquency Prevention, *OJJDP Annual Report 1998* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 1999).

practitioner members, and by States and local communities. Together, the Action Plan and the Comprehensive Strategy constitute a sound strategy for translating innovation and research findings to improved community and justice system infrastructure.

In addition to the overarching framework outlined in the Comprehensive Strategy, OJJDP has identified four goals as the major elements of a sound policy to ensure public safety and security while establishing effective juvenile justice and delinquency prevention programs. Achieving these goals, which are discussed below, is vital to protecting the long-term safety of the public from juvenile delinquency and violence.

3. OJJDP's first goal is to promote delinquency prevention and early intervention efforts that reduce the flow of juvenile offenders into the juvenile justice system, the numbers of serious and violent offenders, and the development of chronic delinquent careers. While removing serious and violent juvenile offenders from the street meets an immediate need of protecting the public, long-term solutions lie primarily in taking aggressive steps to stop delinquency before it starts or becomes a pattern of behavior.
4. OJJDP's second goal is to improve the juvenile justice system and the response of the system to juvenile delinquents, status offenders, and dependent, neglected, and abused children.
5. OJJDP's third goal is to support initiatives in the area of corrections, detention, and community-based alternatives to preserve the public safety in a manner that serves the appropriate development and best use of secure detention and corrections options, while at the same time fostering the use of community-based programs for juvenile offenders.
6. OJJDP's fourth goal is to support law enforcement, public safety, and other justice agency efforts to prevent juvenile delinquency, intervene in the development of chronic delinquent careers, and collaborate with the juvenile justice system to meet the needs of dependent, neglected, and abused children.

OJJDP's goals and policies were also affected during the 1990's by the exponential growth in knowledge and understanding of the complex nature of juvenile crime and the relationship of important social, psychological, and familial conditions. The results of years of youth violence and juvenile victimization research recommended a more balanced, integrative approach to combating youth violence and crime. As a result, comprehensive, community-based initiatives began to emerge as a key national strategy for addressing juvenile crime and victimization problems. Policymakers began to embrace a balanced approach and incorporate sanctions, offender accountability, and treatment and prevention components into a continuum of services for children and youth

Since 1994, over 885 communities across the Nation have received Title V Community Prevention Grants from OJJDP and, in the best interests of children and families, have worked

diligently to mobilize community members, conduct rigorous community assessments, and develop and implement strategic prevention plans. (Congress established Title V—Incentive Grants for Local Delinquency Prevention Programs, referred to as the Community Prevention Grants Program, in the 1992 amendments to the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended.) The program has provided the framework, tools, and funding necessary for communities to effectively mobilize resources, assess needs, and address local juvenile crime problems. There is clear evidence that these efforts have resulted in a “shifting landscape” and changes in community norms. These changes include more broad-based participation in integrated prevention efforts that strengthen a community’s sense of common purpose in fostering healthy youth development. In addition, systems change and increased capacity for addressing the needs of youth are reflected in reductions of both gaps in and duplication of services for children and families, enhanced communication among key community agencies, and improved resource sharing.

Review of Major Activities and Accomplishments

Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders

As mentioned above, in 1993, OJJDP published its *Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*. It was based on the belief that tougher laws or sanctions, by themselves, could not stem the tide of serious and violent juvenile crime. By this time, a consensus had been reached that communities needed to adopt their own strategic plans to combat youth crime—plans that were based on data identifying community problems, program needs, and available resources, and that were focused on achieving specific outcomes. To help communities in this effort, OJJDP developed its Comprehensive Strategy, which is based on six key principles: (1) strengthening families as their children’s first and primary teacher, (2) supporting core social institutions and community organizations, (3) promoting delinquency prevention, (4) intervening immediately and effectively when delinquent behavior first occurs, (5) establishing a system of graduated sanctions and services in the juvenile justice system—including aftercare, and (6) identifying and controlling the small group of serious, violent, and chronic juvenile offenders who, the research shows, account for the great majority of serious and violent juvenile crime.

The Comprehensive Strategy Training and Technical Assistance Initiative was subsequently developed to assist States and local communities in preventing at-risk youth from becoming serious, violent, and chronic juvenile offenders and in crafting a practical response to those who do. Since 1995, OJJDP has used numerous resource tools to deliver effective training and technical assistance in the Comprehensive Strategy Initiative. The most prominent of these tools is the *Guide for Implementing the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*, which was developed in partnership with consultant experts in the fields of prevention and graduated sanctions and has served as the blueprint for a competitive national program providing training and technical assistance to 42 local communities in 8 States in the development of local strategic plans based on the Comprehensive Strategy. This

comprehensive strategic planning process involves a systematic method that utilizes data and research-based best practices and programs to fill identified gaps in services to children and families. The product of this planning effort is a 5-year strategic community plan supported by all the stakeholders (including the State) and the incorporation of the comprehensive, strategic planning process within these communities. OJJDP has recently mobilized its resources to further develop the capacity to respond to the significant volume of inquiries from other States and local entities that want to adopt the Comprehensive Strategy. To that end, OJJDP is currently working in an additional 10 States to assist and promote the development of the comprehensive, strategic planning process.

The lessons learned from the Federal, State, and local partnerships developed through the Comprehensive Strategy Training and Technical Assistance Initiative are currently enhancing the development of a more cost-effective "continuum of care" for juveniles and their families, and garnering community support to establish a seamless system of programs and services designed to prevent, reduce, and control juvenile delinquency and improve the quality of life in communities across the Nation.

Gangs

The proliferation of gang-related crime and violence over the past two decades prompted OJJDP to develop a comprehensive, coordinated response to America's gang problem. In 1994, OJJDP took a major step forward in implementing Part D of Title II of the JJDPA, "Gang-Free Schools and Communities; Community-Based Gang Intervention" with the announcement of its Comprehensive Response to America's Youth Gang Problem. The Comprehensive Response is a five-component initiative that includes the National Youth Gang Center, the demonstration and testing of OJJDP's Comprehensive Gang Model, training and technical assistance to communities implementing this Model, evaluation of the demonstration sites implementing the Model, and an information dissemination component conducted by the Juvenile Justice Clearinghouse. The implementation and testing of the Comprehensive Model is the centerpiece of the initiative. Since the Comprehensive Response was launched, major progress has been made in addressing America's youth gang problem, including the accomplishments described below.

The National Youth Gang Center has established itself as the leading source for information on youth gang activity in America. NYGC has conducted five annual surveys of law enforcement agencies on youth gangs and held two national symposia on gangs. The Center provides technical assistance to communities across the country, develops numerous publications on gang-related issues, and develops electronic resources such as a comprehensive Web site (www.iir.com/nygc) and a youth gang discussion list that is open to juvenile and criminal justice professionals and others.

The demonstration sites implementing OJJDP's Comprehensive Gang Model (Mesa and Tucson, AZ; Riverside, CA; Bloomington, IL; and San Antonio, TX) recently concluded their

fourth year of program implementation with Federal support. Two program sites, Mesa and Riverside, received an additional year of Federal support to enhance their strong implementation and allow for additional data collection on the effects of the program.

A national evaluation of the five Comprehensive Gang Model sites has been conducted to identify lessons learned with the Model. Although process or implementation findings are still being developed, preliminary outcomes indicate a reduction in criminal offending, including crimes against persons and property, and a reduction in drug selling and drug usage by youth targeted by the program.

Training and technical assistance have been provided to each of the five demonstration sites and lessons learned from these sites have been highlighted or featured in many other training events nationwide. Training and technical assistance on the OJJDP Comprehensive Gang Model and on various gang topics have also been provided to other communities around the country.

Since 1995, OJJDP, through the Juvenile Justice Clearinghouse, has distributed more than 600,000 copies of gang-related publications to the juvenile justice field and communities. OJJDP has produced 21 gang-focused publications that highlight relevant gang issues or lessons learned from OJJDP demonstration sites, and others are forthcoming. The Juvenile Justice Clearinghouse also developed specialized gang-related Web resources and information packages.

In addition to these activities, OJJDP also provided support to hundreds of communities through training, technical assistance, information on gang issues and strategies, and funding support. In 1998, OJJDP launched its Rural Gang Initiative (RGI) in response to feedback from the field about the need for an approach tailored to rural communities. RGI was also developed in response to findings from the 1997 National Youth Gang Survey, which found that the number of gangs and gang members in rural areas was growing. The four communities selected to participate in RGI are Glenn County, CA; Mt. Vernon, IL; Elk City, OK; and Cowlitz County, WA. Multidisciplinary steering committees in each of the communities have begun the process of developing a strategic plan to address the problems identified, using the OJJDP Comprehensive Gang Model.

OJJDP has also supported the OJJDP Comprehensive Gang Model in five of its SafeFutures program sites. These sites are currently completing their fourth year of program operation.

OJJDP's Comprehensive Response to America's Youth Gang Problem, the Rural Gang Initiative, and other antigang efforts have yielded significant lessons and promising results since 1994. While there is more to be learned and more to be achieved, OJJDP's future gang programming will build on what has been accomplished through the comprehensive gang program.

Alcohol and Drugs

In 1998, OJJDP embarked on a multilevel initiative that focuses on the reduction of alcohol use by juveniles through the enforcement of laws designed to prohibit distribution of alcohol to minors and consumption of alcohol by minors. This multilevel initiative includes funding for programs at the State and local levels, provision of technical assistance, and collaboration with other Federal agencies such as the National Highway Traffic Safety Administration and the National Institute on Alcohol Abuse and Alcoholism. Combating underage drinking has also become a priority of the Coordinating Council on Juvenile Justice and Delinquency Prevention.

Enforcing the Underage Drinking Laws Program

Congress appropriated \$25 million to OJJDP in fiscal year (FY) 1998 to support and enhance efforts by States, in cooperation with local jurisdictions, to prohibit the sale of alcoholic beverages to or the consumption of alcoholic beverages by minors. OJJDP moved quickly to implement the Enforcing the Underage Drinking Laws (EUDL) program, awarding \$18,360,000 in block grants, \$5 million in discretionary funds, and \$1,640,000 for training and technical assistance. FY's 1999 and 2000 followed with \$25 million program funding each year.

The EUDL program is helping all 50 States and the District of Columbia develop comprehensive and coordinated initiatives to enforce State laws that prohibit the sale of alcoholic beverages to minors and to prevent the purchase or consumption of alcoholic beverages by minors (defined as individuals under 21 years of age). Each State and the District of Columbia receive a block grant of \$360,000 to develop programs to improve the enforcement of underage drinking laws. States are using these funds to support activities in 1 or more of the 3 areas outlined in the legislation: enforcement (35 States), public education activities (29 States), and innovative programs (33 States). The EUDL program also provides discretionary grants to select States to enhance their efforts to combat underage drinking through local government partnerships.

The EUDL program also supports the Underage Drinking Enforcement Training Center at the Pacific Institute for Research and Evaluation, which provides training, technical assistance, written resources, data analysis services, and other support for States, communities, and OJJDP. The center partners with Mothers Against Drunk Drivers, the American Indian Development Association, the National Crime Prevention Council, the Police Executive Research Forum, and the National Liquor Law Enforcement Association to bring a diverse perspective and expertise to their technical assistance activities.

Other Projects To Prevent and Reduce Alcohol Use by Juveniles

The National Institute on Alcohol Abuse and Alcoholism, through the Governors' Spouses Initiative, supports "Leadership to Keep Children Alcohol Free." This multiyear, public-private partnership to prevent the use of alcohol by children is also funded by the Robert Wood Johnson Foundation. OJJDP is supporting the second phase of the project, which will explore all aspects of underage drinking and identify programs and activities from around the country that have shown promise or success in reducing underage drinking. OJJDP's support will also facilitate the enhancement of public information materials.

The Police Executive Research Forum, under a grant from OJJDP, has developed a comprehensive Juvenile Driving Under the Influence (DUI) Enforcement Program to help police executives tackle the problems of underage drinking and juvenile impaired driving. The program goes beyond the traditional police response to DUI by linking enforcement efforts with public education, prosecution, adjudication, and treatment. OJJDP and the National Highway Traffic Safety Administration have joined together to publish a four-part guide, *Strategies for Success: Combating Juvenile DUI*, which describes the program and presents instructions and resources for developing a local, systemwide response to juvenile impaired driving.

On October 11, 2000, the Coordinating Council on Juvenile Justice and Delinquency Prevention focused on youth and alcohol, reviewing work across Federal agencies to prevent underage drinking and its consequences. One outcome of this meeting will be a Council update of "Enforcing Underage Drinking Laws: A Compendium of Resources," an online description of resources available for State and local programs.

Drug-Free Communities Support Program

OJJDP's work to combat the problem of drug abuse includes administration, pursuant to an interagency agreement with the Office of National Drug Control Policy, of the Drug-Free Communities Support Program, which was created under the Drug-Free Communities Act of 1997. The Drug-Free Communities Support Program competitively awards grants of up to \$100,000 to community anti-drug coalitions dedicated to implementing multisector, multistrategy approaches to enhance coordination efforts and the delivery of services that seek to reduce substance abuse among youth. Since 1998, OJJDP has awarded \$58 million to 307 rural, urban, suburban, and tribal communities nationwide. To assess the effectiveness of the program, a national evaluation is being conducted to measure outcomes, impacts, processes, and identify factors that contribute to positive outcomes.

Drug Continuum Activities

In addition to administering the Drug-Free Communities Support Program, OJJDP has adopted a three-pronged approach for providing support to communities to reduce substance

abuse. This approach includes drug continuum activities that entail supporting demonstration efforts, providing technical assistance, and funding research initiatives.

Demonstration efforts. These include the Chicago Youth Outreach Worker Program in the Chicago Public Schools, in which youth outreach workers make direct contact with at-risk youth in selected community areas to educate youth about the dangers of substance abuse and to ensure that identified students who have completed SMART do not become repeat offenders. Other demonstrations are the Community Anti-Drug Abuse Technical Assistance Voucher Project of the National Center for Neighborhood Enterprise, which awards vouchers to grassroots organizations to purchase technical assistance and training to effectively address the problem of juvenile drug abuse; the National Anti-Drug Abuse/Violence Campaign of the Congress of National Black Churches, which supports a national awareness and mobilization strategy addressing the problems of juvenile drug abuse, violence, and hate crime in targeted communities; No Hope in Dope, Operation Hope, which prevents, reduces, or delays the onset of substance abuse in elementary, intermediate, and high school students in Hawaii; and the Race Against Drugs, National Child Safety Council, which educates youth about drug abuse and empowers the motor sports industry, communities, schools, and law enforcement to play a role in keeping their neighborhoods and schools drug free. OJJDP is also planning to issue a solicitation for a Drug Prevention Initiative, which will encourage the promotion of multiple approaches to educating and motivating adolescents to pursue healthy lifestyles, fostering interpersonal and decisionmaking skills that will help them choose alternatives to high-risk behaviors.

Training, technical assistance, and capacity-building programs. Through the University of Colorado, technical assistance and training is being provided to 140 sites, including some 280 middle schools, for communities seeking to address drug prevention by implementing the Life Skills Training (LST) program. This research-based, effective curriculum addresses children of middle school age. The assistance consists of 3 years of training workshops for LST instructors, curriculum materials for students, and technical assistance in the form of telephone consultations and site visits. It is estimated that this program will impact over 125,000 middle school students over a 3-year period. In another OJJDP-supported program, the Training and Technical Assistance for Implementation of Substance Abuse Testing Within the Juvenile Justice System program, the American Probation and Parole Association has developed printed materials and procedures to assist States and juvenile justice agencies in developing or enhancing programs to test youth for illicit substance use.

Research and statistical programs. OJJDP supports an important research program, Assessing Alcohol, Drug, and Mental Health Disorders, being carried out by Northwestern University, which supplements an ongoing National Institute of Mental Health study assessing alcohol, drug, and mental health disorders among juveniles in detention in Cook County, Illinois. Diffusion of State Risk and Protective Factor Focused Prevention, Social Development Research Group, University of Washington School of Social Work, is an OJJDP-supported 5-year study of the public health approach to prevention, focusing on risk and protective factors for substance abuse at the state and community levels. The National Evaluation of the Drug-Free Communities

Support Program, conducted by Caliber Associates, Inc., is funded to measure outcomes and the impact of efforts, document the processes, and identify factors that contribute to positive outcomes. A new OJJDP program, Monitoring and Understanding the "Whys" Behind Juvenile Crime Trends, is exploring how to better understand the reasons for changes in juvenile crime trends.

School Crime and Safety

The 1997-98 school year served as a dramatic wake-up call to the fact that guns do come to school and some students use them to kill. School communities across the country—from Oregon to Virginia, from Arkansas to Pennsylvania, from Mississippi to Kentucky—have been forced to face the results of school violence.

On June 13, 1998, after the loss of life and injuries at Thurston High School in Springfield, Oregon, President Clinton directed the U.S. Departments of Education and Justice to develop an early warning guide to help "adults reach out to troubled children quickly and effectively." *Early Warning, Timely Response: A Guide to Safe Schools*, which was sent to every school in the Nation, provides schools and communities with information on how to identify the early warning signs of and take action steps to prevent and respond to, school violence. *Safeguarding Our Children: An Action Guide: Implementing Early Warning, Timely Response* (April 2000) provides information for schools on how to develop and carry out a violence prevention and response plan that can be customized to fit each school's particular strengths.

Following the shooting at West Paducah High School in December 1997, President Clinton directed the Departments of Education and Justice to prepare the first annual report on school safety. The report included an analysis of all existing national school crime data and an overview of State and local crime reporting; examples of schools and strategies that are successfully reducing school violence, drug use, and classroom disruption; actions that parents can take to combat school crime; and resources available to schools and communities to help create safe, disciplined, and drug-free schools. The *Annual Report on School Safety* was updated in 1999 and again in 2000.

President Clinton, First Lady Hillary Rodham Clinton, and Vice President Gore hosted the October 15, 1998, White House Conference on School Safety: Causes and Prevention of Youth Violence. The conference brought together students, parents, teachers, law enforcement, and other experts to build on the existing body of knowledge about young people and aggressive or violent behavior and to share best practices and explore new solutions.

Safe Schools/Healthy Students Initiative

Safe Schools/Healthy Students is a unique grant program, jointly administered by the Departments of Education, Health and Human Services, and Justice. The initiative is helping urban, rural, suburban, and tribal school districts design and implement communitywide

programs that include comprehensive education, mental health, social, law enforcement, and juvenile justice services for youth. The goal is to help students develop the skills and emotional resilience necessary to promote positive mental health and engage in prosocial behavior, thereby preventing violent behavior and alcohol and drug use and ensuring that all students learn in safe, disciplined, and drug-free environments. The Safe Schools/Healthy Students Action Center works to assist Federal Safe Schools/Healthy Students and School Action grantees to fully attain their goals of interagency collaboration and adoption of evidence-based practices to reduce school violence and substance abuse, and to promote healthy development and resiliency. The Safe Schools/Healthy Students National Evaluation is being conducted by the Research Triangle Institute in North Carolina. It will carefully document both the process and the outcome of the Safe Schools/Healthy Students Initiative and will describe the activities conducted in the 77 Safe Schools/Healthy Students sites. The Department of Labor has recently joined the collaboration.

Other OJJDP-Funded School Safety Programs and Resources

In 1997, OJJDP funded the creation of the Hamilton Fish National Institute on School and Community Violence at George Washington University in Washington, DC, to test the effectiveness of violence prevention methods and to develop more effective school-based strategies. As part of the Institute, a consortium of seven universities was formed. Each university in the consortium works directly with a local school system to implement and test school-wide interventions that promote safety by reducing fighting and bullying, truancy, and drug use and enhancing positive student interaction. OJJDP also is managing the National Evaluation of the Truancy Reduction Demonstration Program, in partnership with the U.S. Department of Education and the Executive Office for Weed and Seed. The evaluation will assess the effect of a variety of truancy reduction projects, determine how community collaboration can impact truancy and lead to systemic reform, and assist OJJDP to develop a truancy reduction program model for community use. Another program, the National Resource Center for Safe Schools, works with schools, communities, and State and local education agencies to create safe learning environments and prevent school violence. Creating a safe school requires that schools, families, communities, students, businesses, law enforcement agencies, and the media work together to build and sustain an environment conducive to learning; to prevent, identify, and respond to risks to school safety; and to intervene immediately and responsibly should incidents of violence occur. The National Resource Center for Safe Schools is operated by the Northwest Regional Educational Laboratory and was established with funding from the U.S. Department of Education and OJJDP.

Child Protection Division

In 2000, OJJDP established the Child Protection Division (CPD) to administer programs related to crimes against children and children's exposure to violence. CPD provides leadership and funding to promote effective policies and procedures to address the problems of missing and exploited children, children who have been abused or neglected, and children exposed to domestic or community violence. CPD program activities include overseeing research; providing

information, training, and technical assistance on programs to prevent and respond to child victims, witnesses, and their families; developing and demonstrating effective child protection initiatives; and supporting the National Center for Missing and Exploited Children. OJJDP provides \$65 million annually to CPD programs.

The Child Protection Division includes the following projects: Child Abuse Prosecution Training and Technical Assistance; the Child Advocacy Center National Training Academy; Child Development-Community Policing (CD-CP); Court Appointed Special Advocates (CASA); Internet Crimes Against Children Task Force Program; the Missing and Exploited Children Training and Technical Assistance Program; the Model Courts Initiative; the National Center for Children Exposed to Violence; the National Center on Child Fatality Review; the National Children's Alliance; the National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children (NISMA); Parental Abductions Prosecution Training and Technical Assistance; Parents Anonymous: Strengthening At-Risk Families All Across America; Parent-to-Parent Mentoring Project (Project HOPE); Prenatal and Early Childhood Nurse Home Visitation Program; Regional Children's Advocacy Centers; Safe Kids/Safe Streets-Community Approaches to Reducing Abuse and Neglect and Preventing Delinquency; Safe Return Program; Safe Start Initiative; and School Resource Officer Training and Support.

Training and Technical Assistance

The Office of Juvenile Justice and Delinquency Prevention provides training and technical assistance to thousands of juvenile justice practitioners, policymakers, and interested citizens each year. The Office funds more than 50 projects annually to assist judges, law enforcement officials, facility administrators, State agency staff, and community-based agencies and organizations as they seek solutions to the serious issues that surround juvenile crime.

OJJDP's training and technical assistance programs include local, State, regional, and national training on specific issues; onsite problem solving through support of local jurisdictional teams; planning; evaluation; and program development. Assistance is available on all issues addressed in the JJDP Act, including prevention, detention, corrections, treatment, disproportionate minority confinement, challenge programs, gender-specific services, and State plan development.

OJJDP has established several comprehensive training and technical assistance initiatives in support of the Office's mission. These initiatives assist OJJDP in providing direction, coordination, resources, and leadership to State and local jurisdictions in developing and implementing juvenile justice and delinquency prevention programs that help States achieve compliance with the requirements of the JJDP Act and in coordinating Federal juvenile delinquency and missing and exploited children programs. Four of these initiatives are highlighted below.

1. The Formula Grants and State Challenge Grants Programs provide a variety of training and technical assistance opportunities that focus on planning program implementation, evaluation, juvenile facility structure and programs, conditions of confinement, compliance monitoring, alternatives to incarceration, disproportionate minority confinement, comprehensive prevention strategies, restorative justice, gender-specific programs, mental health, diversion and early intervention, community oriented policing, corrections, and graduated sanctions.
2. The Title V-Community Prevention Grants Program provides training and technical assistance in community team orientation, community assessment, and community delinquency prevention plan development.
3. The Juvenile Accountability Incentive Block Grants (JAIBG) program focuses training and technical assistance on 12 topics related to improving youth accountability, such as juvenile drug and gun courts, drug-testing policies and procedures, the need to hire more judges and prosecutors, among others.
4. The OJJDP National Training and Technical Assistance Center supports the use of best practices in addressing juvenile delinquency and victimization through the delivery of high quality training and technical assistance tailored to meet the specific needs of diverse jurisdictions and populations within the United States.

Under the auspices of OJJDP, these initiatives have developed training packages, translated research into practice, and provided training and technical assistance in a variety of areas pertinent to juvenile justice and delinquency prevention. Together, they have come a long way in improving the knowledge and resources available to juvenile justice policymakers and practitioners.

Research, Statistics, and Evaluation

The Office of Juvenile Justice and Delinquency Prevention promotes science-based research, rigorous and informative evaluations of demonstration programs, and meaningful statistics. Major strides have been made since the early 1990's in our understanding of the extent and nature of juvenile delinquency and at-risk behavior, the roots and causes of this conduct, and—most important—what works to prevent and reduce it. As a result of these efforts, we now have the most comprehensive picture ever regarding the state of juvenile crime and crimes against children in the United States.

Research

OJJDP has sponsored three longitudinal studies of inner-city youth (collectively called the Program of Research on the Causes and Correlates of Delinquency) to improve understanding of serious delinquency, violence, and drug use by examining how individual

juveniles develop within the context of family, school, peers, and community. Knowledge has been advanced in many important directions, including the link between child maltreatment and delinquency and the distinct developmental pathways to delinquent behavior

OJJDP statistics and findings of the Causes and Correlates study indicate that although the number of serious and violent juvenile offenders tends to be small, these juveniles account for a disproportionate amount of crime in our communities. In 1995, OJJDP assembled 22 distinguished researchers to create the Study Group on Serious and Violent Juvenile (SVJ) Offenders. Major findings include that the majority of SVJ offenders tend to have multiple problems such as substance abuse and mental health difficulties, and that SVJ offenders are disproportionately victims of violence. On average, more than 7 years elapsed between the earliest minor problem behaviors and the first court appearance for an offense. Nevertheless, there are effective treatments for delinquent juveniles. Those with the most success for juveniles in the community focused on enhancing interpersonal skills, provided individual counseling, and encouraged a commitment to changing behavior.

One major finding of the SVJ Study Group—that most chronic juvenile offenders begin their criminal careers prior to age 12—led to the development of the Study Group on Very Young Offenders, a panel of 39 researchers to examine what is known about the prevalence and frequency of very young offending under age 13 (child delinquents). Findings include that, for very young offenders, the most important risk factors are likely to be individual (e.g., birth complications, hyperactivity, impulsivity) and family-related (e.g., parental substance abuse, poor child-rearing practices). Protective factors that can buffer or offset the impact of risk factors include prosocial behavior during the preschool years and good cognitive performance. Ultimately, those with many risk factors and few protective factors are at highest risk of becoming serious, violent, and chronic offenders. The Study Group also noted that primary prevention and early intervention efforts should be emphasized.

Statistics

Launched in 1990, the purpose of the Juvenile Justice Statistics and Systems Development Program is to improve national, State, and local statistics on juveniles as victims and offenders. Through the efforts of the Statistics and Systems Development Program, OJJDP has provided significant, empirical evidence to frame current juvenile justice debates, through the collection and dissemination of information used by academics, practitioners, policymakers, the media, and the public. Products of this program include the Juvenile Offenders and Victims Report Series, the OJJDP Statistical Briefing Book, and Easy Access statistical software packages.

The National Juvenile Court Data Archive collects, stores, and analyzes data about young people referred to U.S. courts for delinquency and status offenses. Today, over 1,900 jurisdictions, representing over 70 percent of the U.S. juvenile population, voluntarily provide data to the National Juvenile Court Data Archive.

The National Juvenile Justice Data Analysis Project was established in 1998 to address a specific, important gap in the juvenile justice community: the need for current, quality information on a broad spectrum of issues. This project makes use of existing data sets, such as the National Longitudinal Survey of Youth.

Conducted for the first time in 1997, the Census of Juveniles in Residential Placement collects detailed information on juveniles who are in juvenile residential placement facilities as a result of contact with the juvenile justice system.

Still in the planning and testing stages are three other statistical projects: the Juvenile Residential Facility Census, the Survey of Youth in Residential Placement, and the Juvenile Probation Survey.

Evaluation

OJJDP sponsors a variety of community-based initiatives that have multiple components, presenting special challenges when measuring the impact of interventions and specific programs. OJJDP has taken on this challenge and is working with States and communities to improve evaluation and information collection efforts through the Juvenile Justice Evaluation Center by providing training, technical assistance, and other resources to States to enhance their ability to evaluate juvenile justice programs. This assistance is provided in the form of regional training, onsite assistance, and Web-based resources.

In addition to its statistical work, OJJDP's Juvenile Justice Statistics and Systems Development Program has also conducted trainings and seminars for local juvenile justice leaders on using the rational decisionmaking model (RDM) as a design tool for information-based decisionmaking. The project has identified several sites around the country that are already effectively using information to make key juvenile justice decisions, such as the disposition of juvenile offenders.

State of Affairs Today

The latest available data³ on U.S. juvenile crime and victimization provide a view of statistics in relation to those of recent years. In 1999, the Nation experienced its fifth consecutive year of an unprecedented drop in the rate of juvenile arrests for a violent offense, that is, murder, forcible rape, robbery, or aggravated assault. These offenses constitute the Federal Bureau of Investigation's Violent Crime Index offenses. The rate of juvenile arrests for these offenses in 1999 was at its lowest level since 1988—36 percent below the peak year of 1994 (compare 339 arrests per 100,000 youth in 1999 versus 512 in 1994 and 327 in 1988).

³H.N. Snyder, *Juvenile Arrests 1999* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 2000).

Declines in specific Violent Crime Index offenses include murder, down 68 percent from 1993 to 1999, reaching its lowest level since 1966; forcible rape, down 31 percent from 1991 to 1999, the lowest level since 1980; robbery, down 53 percent from 1994 to 1999, the lowest level since 1980; and aggravated assault, down 24 percent from 1994 to 1999, the lowest level since 1989.

The juvenile arrest rate for property crime, which had remained fairly level for most of the 1990's, fell 23 percent from 1997 to 1999. Each individual property crime also showed declines: burglary, down 60 percent from 1980 to 1999; larceny/theft, down 23 percent from 1997 to 1999; motor vehicle theft, down 52 percent from 1990 to 1999; and arson, down 25 percent from 1994 to 1999.

In addition, the juvenile arrest rate for weapons law violations fell by 39 percent from 1993 to 1999, its lowest level since 1988. The rate for drug abuse violations dropped by 13 percent from 1997 to 1999, and the rate for curfew and loitering violations dropped 17 percent over the same time period.

The rate of youth victimization has followed similar patterns as that of youth offending.⁴ From 1973 to 1988, the victimization rate for all persons remained fairly stable. Starting in 1988, the rate of victimization for youth ages 12 to 15 and ages 16 to 19 began an unprecedented increase. In that year, the rate for 12- to 15-year-olds was 83.7 per 100,000, and for 16- to 19-year-olds, it was 98.2 per 100,000. By 1994, when the rates peaked, it was 118.6 per 100,000 for 12- to 15-year-olds and 123.9 per 100,00 for 16- to 19-year-olds. In the following 5 years, however, both rates began a precipitous decline, resulting in rates comparable to those of the early 1980's. In 1999, the rate for the younger age group (12-15) was 74.5 per 100,000 and for older juveniles (16-19) was 77.6 per 100,000.

The social conditions facing youth have also changed. According to *America's Children: Key National Indicators of Well-Being 2000*, a publication of the Federal Interagency Forum on Child and Family Statistics, the poverty rate of children dropped to 18 percent in 1998 from its high of 22 percent in 1993. Deaths among adolescents age 15 to 19 continued to decline. In 1997, the mortality rate of this age group was 75 per 100,000, compared with the high of 89 per 100,000 seen in 1991. Declines in deaths from firearm injuries between 1994 and 1997 contributed to this drop. Since 1993, the rate of juvenile violent victimization has decreased from 44 victims per 1,000 juveniles ages 12-17 to 25 per 1,000. This decrease was present for virtually every demographic category.

On the other hand, many negative social indicators have remained at high levels. From 1980 to 1998, the percent of young adults ages 18 to 24 who had completed high school

⁴Office of Juvenile Justice and Delinquency Prevention, *Comprehensive Program Plan for Fiscal Year 2001; Notice* (65 FR 79674).

remained relatively flat at 85 percent. The prevalence of heavy drinking among adolescents has remained constant as has the prevalence of regular cigarette smoking. Illegal drug use among 8th, 10th, and 12th grade students has not changed from 1998 to 1999. In fact, although drug use among 12th graders had declined in the 1980's, since 1992, illicit drug use has increased among this population.

Although the arrest rates for juveniles have dropped, the juvenile justice system still must deal with a very heavy caseload of juvenile offenders. In 1997, the juvenile justice system held 105,790 offenders in residential facilities throughout the country. Although not strictly comparable to past numbers, this number indicates an increase over the approximately 94,500 offenders held in residential placement in 1995. The Nation's juvenile courts handled 1.76 million delinquency cases in 1997. While this number had remained stable since 1996, it represented a 48-percent increase over the 1988 caseload. In 1997, juvenile courts sentenced 179,800 youth to out-of-home placement and another 645,600 to probation. The proportion of all cases in the courts receiving such dispositions did not change much from 1988 to 1997. However, by 1997, juvenile courts were sentencing more youth than ever to these dispositions because of the increase in the total number of cases handled. The benefits of a decreased arrest rate have yet to filter through the system to result in decreased rates of incarceration.

Next Steps/Challenges for the Incoming Administration

In the new administration, we must continue to develop and support programs that:

1. Assist States, local communities, and tribal jurisdictions in their efforts to prevent and respond to delinquency and improve the capacity of the juvenile justice system to protect public safety, hold offenders accountable, and provide treatment and rehabilitative services tailored to the needs of individual juveniles and their families.
2. Reduce youth victimization, protect our children, and keep them safe from harm.
3. Reduce school violence.
4. Reduce the exposure of youth to media violence.
5. Reduce illegal access to guns by our children.
6. Strengthen America's families.
7. Develop safety nets for the families and children of incarcerated parents.
8. Identify, and share information about, the key elements of model delinquency courts.
9. Aggressively address both the number one substance abuse problem of today's youth, alcohol abuse and alcoholism, and the use of illegal drugs.
10. Meet the unique needs of at-risk and delinquent girls.
11. Address the continuing problem of disproportionate minority confinement.
12. Involve youth in the process of identifying solutions to delinquency and child victimization.

In addition, we must work to address the following legislative and funding challenges:

1. Reauthorization of the Juvenile Justice and Delinquency Prevention (JJDP) Act, which expired at the end of 1996.
2. Continuation of the Coordinating Council on Juvenile Justice and Delinquency Prevention, which serves a critical role in coordinating Federal juvenile justice programs.
3. Continued congressional support for the four core protections of OJJDP's Formula Grants program: deinstitutionalization of status offenders; separation of adults and juveniles in secure custody; removal of juveniles from adult jails and lockups; and addressing disproportionate minority confinement (DMC).
4. Expanded funding to support community-level delinquency prevention programs focused on high-risk youth (e.g., OJJDP's Title V Community Prevention Grants Program).
5. Expansion of OJJDP's Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders to additional States and local communities through incentive grants, public education, and technical assistance.
6. Continued funding support for critical longitudinal research to produce important long-term results in the field of juvenile justice, for example, the Program of Research on the Causes and Correlates of Delinquency; the Study of Pathways to Desistance (McArthur Study); and Assessing Alcohol, Drug, and Mental Health Service Needs Among Juvenile Detainees.
7. Ongoing support for program evaluations, particularly community-based initiatives, that have scientific rigor. Currently, OJJDP supports 33 evaluations in various stages of activity.
8. Continued long-term support for demonstration programs, such as Safe Schools/Healthy Students, School and Community-Based Gang programs, community violence prevention, drug and alcohol prevention and treatment, mental health, gender-specific services, improved prosecution and juvenile defender services, and disproportionate minority confinement.

DOCUMENTATION

1. Speech by John J. Wilson at the *OJJDP 3rd National Conference—Justice for Children: A Vision for the 21st Century*, December 12, 2000, Washington, DC
2. Speech by John J. Wilson at the *Justice for Kids in the New Millennium* conference, October 1–12, 2000, Little Rock, Arkansas
3. Testimony by John J. Wilson before the House Appropriations Subcommittee on Commerce, Justice, State, and the Judiciary, March 15, 2000
4. Testimony by John J. Wilson before the House Judiciary Subcommittee on Crime, October 2, 2000
5. Juvenile Justice Clearinghouse Brochure
6. OJJDP Publications List
7. OJJDP Research: Making a Difference for Juveniles
8. Safe From the Start: Taking Action on Children Exposed to Violence
9. 1999 Annual Report on School Safety
10. OJJDP Fact Sheet: Update on the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders
11. Guide for Implementing the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders
12. OJJDP Bulletin: Juvenile Arrests 1999
13. Drug-Free Communities Support Program Application Kit, FY 2000
14. Early Warning, Timely Response: A Guide to Safe Schools
15. Safe Schools/Healthy Students Initiative Program Announcement, FY 1999
16. OJJDP Training and Technical Assistance Catalog
17. Fact Sheet on the Coordinating Council for Juvenile Justice and Delinquency Prevention
18. 1999 Title V Report to Congress

19. OJJDP Action Plan Summary
20. OJJDP Summary - Youth Gang Programs and Strategies
21. Fact Sheet on Enforcing the Underage Drinking Laws Program