

July 1995

**Administration of
Justice Issue Area**

Active Assignments

Foreword

This report was prepared primarily to inform Congressional members and key staff of ongoing assignments in the General Accounting Office's Administration of Justice issue area. This report contains assignments that were ongoing as of July 6, 1995, and presents a brief background statement and a list of key questions to be answered on each assignment. The report will be issued quarterly.

This report was compiled from information available in GAO's internal management information systems. Because the information was downloaded from computerized data bases intended for internal use, some information may appear in abbreviated form.

If you have questions or would like additional information about assignments listed, please contact Norman Rabkin, Director; or Laurie Ekstrand, Associate Director, on (202) 512-8777.

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Administration of Justice

LAW ENFORCEMENT MISSION MANAGEMENT

TITLE: REVIEW OF DEPARTMENT OF JUSTICE ROLE IN ADDRESSING HEALTH CARE FRAUD (182003)

BACKGROUND : Health care fraud loss estimates are \$30 billion to \$100 billion annually, about 3 to 10 percent of health care costs. Fraud has many forms, and presents significant challenges to fragmented law enforcement. Justice has designated health care fraud as an enforcement priority and is coordinating federal, state, and private sector enforcement efforts.

KEY QUESTIONS : (1) What actions has Justice taken to manage health care fraud enforcement efforts? (2) How may insurers' concerns about civil liability lawsuits impede information sharing between insurers and law enforcement agencies? (3) What evidence exists for and against establishing a centralized health care fraud database to enhance information sharing and support enforcement efforts?

TITLE: HR-15: REVIEW OF CUSTOMS' STAFFING COSTS AS PAID BY USER FEES (264427)

BACKGROUND : The Omnibus Budget Reconciliation Act of 1993 required GAO to review the efficiency, effectiveness, and fairness of Customs' user fees to finance inspectional services. The requesters agreed that this audit work would be a continuation of our work performed under job code 264423, which resulted in a Fact Sheet (GAO/GGD-94-165FS) that met our legislative reporting mandate.

KEY QUESTIONS : 1) What alternative user fee models have been implemented at other federal agencies? 2) Would it be less costly to hire additional full time inspectors to perform services now being provided by current inspectors working overtime? 3) Has Customs developed its cost for providing those inspectional services for which it charges user fees?

CRIME PREVENTION & LAW ENFORCEMENT

TITLE: EFFORTS TO DETECT MONEY LAUNDERING IN CASINOS BY USING CURRENCY TRANSACTION REPORTS (181995)

BACKGROUND : Improved compliance with the Bank Secrecy Act by financial institutions may have forced money launderers to seek other means to hide their illicit profits. The requester has asked us to review the requirements for reporting currency transactions at casinos and the enforcement of reporting requirements.

KEY QUESTIONS : (1) What is the extent of the legalized gambling industry in the U.S.? (2) What currency transaction reporting regulations apply to legalized gambling? (3) To what extent do these regulations apply to gambling on Indian lands? (4) How are the reporting requirements being enforced by federal, state, and tribal officials?

CRIME PREVENTION & LAW ENFORCEMENT

TITLE: FEDERAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS ON VIOLENT CRIME (182000)

BACKGROUND : Congress & DOJ generally have recognized that localities have primary responsibility for countering violence. In drafting the Anti-Violent Crime Initiative, the AG stated that many local governments lack the resources to address growing violence. The AG ordered federal agencies in each district to develop strategies with states/locals to combat violent crime.

KEY QUESTIONS : 1. What federal assistance is provided to localities to fight violent crime? 2. How is federal assistance responsive to violent crime problems in local communities? 3. What factors, if any, constrain federal cooperation with state/locals and responsiveness to their needs?

TITLE: OBJECTIVES AND BEST PRACTICES OF THE COMMUNITY POLICING PROGRAM (182004)

BACKGROUND : Millions of dollars have been awarded by DOJ for community policing grants. Research has been conducted on community policing for more than 15 years. Additional grants will be made available by the recently signed 1994 Crime Control Act (P.L. 103-322). Federal Guidelines as to best practices for using this growing amount of money have not been developed.

KEY QUESTIONS : (1) What are the objectives of the community policing program? (2) What practices are necessary elements for the successful implementation of community policing? (3) What types of crime problems have the best practices addressed and with what result? (4) Can federal guidelines be devised to include these best practices?

TITLE: GAO STUDY OF THE VULNERABILITY OF CASHIERS' CHECKS ISSUED BY FINANCIAL INSTITUTIONS TO MONEY LAUNDERING SCHEMES (182008)

BACKGROUND : It is estimated that the sale of narcotics in the U.S. generates as much as \$100 billion. Because of problems associated with converting and concealing large amounts of cash, drug traffickers and other criminal enterprises seek other mediums such as converting cash into cashier's checks to conceal and avoid reporting requirements associated with large amounts of money.

KEY QUESTIONS : The Money Laundering Suppression Act of 1994 requires GAO to determine if it would be useful to federal regulators in their efforts to detect and deter money laundering to require banks to make copies of cashier's checks retrievable by customer name or account rather than just chronologically as has generally been the practice at most U.S. financial institutions.

CRIME PREVENTION & LAW ENFORCEMENT

TITLE: REVIEW OF THE COMMUNITY ORIENTED POLICING SERVICES (COPS) PROGRAM (182011)

BACKGROUND : The Violent Crime Control and Law Enforcement Act of 1994 provided \$8.8 billion for fiscal years 1995 to 2000 for 100,000 new police officers and established the Community Oriented Policing Services (COPS) Office to administer the program. This request is to gather and analyze data on how the program has been implemented.

KEY QUESTIONS : (1) What is the population, crime rate, and officers requested/approved for COPS grants recipients? (2) Which jurisdictions have requested reductions/waivers of the 25% matching requirement? (3) What is the COPS' process for grant selection and monitoring? (4) Why have some jurisdictions not applied?

TITLE: ARE FEDERAL LAW ENFORCEMENT AGENCIES TIMELY ENTERING FEDERAL FUGITIVE RECORDS ON THE NATIONAL WANTED PERSONS DATABASE MAINTAINED BY THE FBI? (182015)

BACKGROUND : Law enforcement agencies generally require entry of fugitive data on a wanted persons database maintained by FBI's National Crime Information Center to facilitate apprehension and reduce risks to law enforcement agents and general public. For example, an officer stopping someone for a traffic violation is alerted if person is wanted and considered dangerous.

KEY QUESTIONS : (1) How long do federal agencies take to enter fugitives on the wanted persons database? (2) Do the agencies have sufficient policies and standards on when to make entries and appropriate mechanisms for ensuring compliance with these policies and standards?

TITLE: JUVENILES WAIVED TO ADULT COURT (185006)

BACKGROUND : Juveniles can be processed in adult court through a number of different methods--judicial, legislative, and prosecutorial. The transfer can occur because of the seriousness of the offense or because the adult court is believed to be better able to deal with the juvenile. P.L. 102-586 mandates that GAO study the process by which juveniles are sent to adult court.

KEY QUESTIONS : (1) What is the frequency and extent to which juveniles have been processed in adult court? (2) What are the conditions of confinement in adult facilities for juveniles processed in adult court? (3) How do sentences given to juveniles processed in adult court compare to dispositions given to similarly situated juveniles processed in juvenile courts?

CRIME PREVENTION & LAW ENFORCEMENT

TITLE: RELATIONSHIP BETWEEN OJJDP'S DELINQUENCY PREVENTION GRANTS AND FORMULA GRANT PROGRAM (185008)

BACKGROUND : The Juvenile Justice & Delinquency Prevention (JJDP) Act provided incentive grants for local delinquency prevention programs. The \$13 million in grants is to serve as a stimulus for local governments to pool resources to develop prevention plans. The Office of JJDP also operates a \$95 million state formula grant program to address other goals.

KEY QUESTIONS : While the language of the act required us to determine the effects of the incentive grants on the formula grant goals, the staff asked that we focus on these questions: (1) Which states/ communities received incentive grants? (2) How much was received? (3) What were the funds used for? (4) Are the incentive grant funds used to support the formula grant goals?

TITLE: IMPLEMENTATION OF THE BRADY HANDGUN VIOLENCE PREVENTION ACT (187010)

BACKGROUND : Phase I of the Brady Act, which requires up to a 5-day waiting period and a background check by local law enforcement officials on prospective handgun purchasers, went into effect 2/28/94 and extends through 11/98. The Bureau of Alcohol, Tobacco and Firearms (ATF) is the principal federal agency responsible for implementing Brady.

KEY QUESTIONS : (1) What is being done to ensure background checks are being performed in jurisdictions where sheriffs have refused to do so? (2) How does the Bureau of Alcohol, Tobacco and Firearms (ATF) ensure that gun dealers comply with Brady? (3) How are the results of the Brady Act being measured?

TITLE: ALLOCATION TO LOCAL GOVERNMENTS UNDER THE LAW ENFORCEMENT BLOCK GRANT BILL (HR 728) (118110)

BACKGROUND : The Law Enforcement Block Grants bill (HR 728) would allocate \$2 billion per year to local governments based on a formula that uses violent crimes as reported to the FBI under the Uniform Crime Reports program and population from the Bureau of the Census. The Chabot Amendment to that bill addresses situations in which a city receives a much larger allocation than the overlying county.

KEY QUESTIONS : (1) What would be the amount allocated to all counties, cities, townships and indian tribes in every state? (2) What large cities would receive much larger allocations than the overlying county government?

Administration of Justice

CRIME PREVENTION & LAW ENFORCEMENT

TITLE: ANALYSIS OF THE DISTRIBUTION OF FUNDS TO LOCAL GOVERNMENTS UNDER HR 728 (118111)

BACKGROUND : The Law Enforcement Block Grants bill (HR 728) would allocate \$2 billion per year to counties, cities, townships, and indian tribes based on a formula that uses violent crimes as reported to the FBI under the Uniform Crime Reports program and population from the Bureau of the Census.

KEY QUESTIONS : (1) Does this formula adequately target funds to localities with the greatest crime problems and the least capacity to cope with crime from their own resources?

ADJUDICATION & CORRECTNESS

TITLE: PRIVATIZATION OF CORRECTIONS: PLANNING FOR THE FUTURE (182827)

BACKGROUND : The use of privately managed prisons & jails to supplement public systems has increased, especially at the state & local levels. The Marshals Service, Bureau of Prisons (BOP), & Immigration & Naturalization Service (INS) have used private facilities to house selected populations, e.g. aliens. But, in FY 1996 BOP will expand use to low & minimum security offenders.

KEY QUESTIONS : 1) What is the status of corrections privatization at the federal, state, and local levels? 2) What lessons have been learned from the privatized corrections experience, especially regarding contracting, cost containment, accountability, and oversight? 3) As BOP expands its privatization efforts, how is the agency addressing the lessons learned?

TITLE: REVIEW OF THE STATUS OF INS' AND EOIR'S INSTITUTIONAL HEARING PROGRAM FOR CRIMINAL ALIENS (183598)

BACKGROUND : INS has a poor record of removing deportable aliens, including convicted felons. Under the Institutional Hearing Program (IHP), proceedings are held in prisons, to facilitate alien deportation upon release. INS and the Executive Office for Immigration Review (EOIR) have cooperated to enhance the IHP in selected locations. INS expects to greatly increase deportations.

KEY QUESTIONS : 1. What are the IHP's specific objectives? 2. In implementing the IHP, how does INS target, track, & process criminal aliens for deportation? 3. What factors facilitate & impede INS' ability to deport criminals through the IHP? 4. What data are available for measuring the performance of the IHP? 5. How will INS & EOIR handle anticipated IHP workload increases?

ADJUDICATION & CORRECTNESS

TITLE: REVIEW OF CRIMINAL JUSTICE ACT DEFENDER SERVICES COSTS (188618)

BACKGROUND : The Judiciary's Defender Services program provides legal counsel for those financially unable to obtain representation in federal court. Counsel can be provided by federal public defenders, community defender organizations, and/or private (panel) attorneys. Costs have nearly doubled over the past 3 years.

KEY QUESTIONS : (1) What are reasons for cost increases, and will this trend continue? (2) Have panel (private) attorney rates increased and affected total costs? (3) What are the relative costs of available defender options? (4) Have death penalty resource centers (DPRCs) lowered defense costs? (5) Why have defender appointments exceeded case filings?

TITLE: REVIEW OF ADMINISTRATIVE OFFICE OF THE U.S. COURTS (AOUSC) OVERSIGHT OF THE FEDERAL COURTS (188621)

BACKGROUND : The Administrative Office of the U.S. Courts (AOUSC) is resp. for providing admin. srvcs. and oversight for all fed. courts except the Supreme Court and certain specialty courts. AOUSC, supervised by the Judicial Conference of the U.S., supports the Conf.'s various committees. Requestors want a general review of AOUSC's efficiency and effectiveness.

KEY QUESTIONS : (1) How effectively does the Administrative Office of the U.S. Courts (AOUSC) provide oversight of the courts' administrative operations? (2) How effectively does the judiciary identify and promote efficiencies in court operations?

TITLE: THE IMPACT OF AN INCREASED FEDERAL SUPERVISED RELEASE POPULATION ON THE WORKLOAD AND PROGRAM RESOURCES OF THE FEDERAL CRIMINAL JUSTICE SYSTEM (188622)

BACKGROUND : Supervised release is a sentence of 1-5 years served in the community after the prison term is completed. The number of supervised releases is increasing; the total is projected to rise from 1,673 in FY '89 to 49,200 in '96 with a resulting impact on the workload & resources of the Administrative Office of the U.S. Courts (AOUSC) & the Department of Justice (DOJ).

KEY QUESTIONS : (1) What is the projected supervised release population in FY 1995-98? (2) What studies, plans, if any, do the affected agencies have to assess, document, obtain, develop the resources needed to meet projected workload? (3) What sanctions are available for offenders whose supervision is revoked?

Administration of Justice

ADJUDICATION & CORRECTNESS

TITLE: INFORMATION ON ANY DUPLICATION IN PROGRAMS OF FEDERAL JUDICIAL CENTER AND ADMINISTRATIVE OFFICE OF U.S. COURTS; COSTS OF JUDICIAL CONFERENCE AND CIRCUIT COUNCIL MEETINGS; STATUS OF BIAS TASK FORCE (188623)

BACKGROUND : The requestor is interested in whether the Federal Judicial Center (FJC) and the Administrative Office of the U.S. Courts (AOUSC) provide duplicative support to judges and other judiciary staff; the cost of Judicial Conference, Circuit Conference, and Circuit Council meetings; and the costs and methodological soundness of the circuit gender and racial bias studies.

KEY QUESTIONS : (1) What FJC, AOUSC programs, if any, are duplicated or offer substantially the same services? (2) Could money be saved by eliminating any duplication? (3) What is the annual cost of Judicial Conference Committee, Circuit Conference, and Circuit Council meetings? (4) How much has been spent on circuit bias task forces? (5) Were the completed studies methodologically sound?

OTHER ISSUE AREA WORK

TITLE: PRIVATE ATTORNEY'S FEES PAID BY THE FEDERAL GOVERNMENT (182009)

BACKGROUND : About 180 fed statutes auth pmt of attys' fees where the plaintiff prevails against the govt. In considering legis to limit attys' fees pd by the govt, GAO was asked to provide info on attys' fees pd (1) in bid protest cases & (2) under the 180 other statutes auth reimbursement of fees. GAO previously reported on bid protest fees pd. This is the 2nd part of the request.

KEY QUESTIONS : In FYs 93 & 94: (1) Under each federal statute for each of 9 agencies: a) in how many cases were attorneys' fees awarded in excess of \$10,000, b) what were the total fee awards, and c) what were the cases with the highest awards & highest hourly rates? (2) What were the annual attorney fee awards made under the Equal Access to Justice Act for all agencies?

TITLE: INS MANAGEMENT ISSUES (183594)

BACKGROUND : The President's '96 budget asks for \$2.6 billion for INS - a 71% increase since '93. This means INS needs to be well-managed to carry out its mandate. GAO & Natl. Academy of Pub. Admin. identified significant weaknesses in INS management systems. These issues have drawn Congress' interest in recent hearings. More oversight hearings on INS management are planned.

KEY QUESTIONS : (1) What progress has INS made in attaining the management improvement goals set out in its most recent reorganization? (2) In what ways does INS' budget process conform or not conform with its reorganization goals to delegate authority to where the work is performed, and with what results?

OTHER ISSUE AREA WORK

TITLE: REVIEW OF HOW THE BORDER PATROL USES ITS AGENTS (183595)

BACKGROUND : Congress plans to fund 5,000 new Border Patrol agents and have INS place them at the border. The Border Patrol has stations in locations removed from the border such as Little Rock, Arkansas and Sacramento, California. Agents at these locations are not principally engaged in traditional Border Patrol activities.

KEY QUESTIONS : 1) Where is the Border Patrol located and the number of agents? (2) What activities do its agents perform at each location?

TITLE: HRA 15: GENERAL REVIEW OF CUSTOMS' OFFICE OF INVESTIGATIONS (264430)

BACKGROUND : Office of Investigations' (OI) obligations are estimated at nearly \$460 million or almost 25% of Customs' total FY 95 budget. OI investigates violations of laws and trade regulations. Reviews by Congressional Committees, a Blue Ribbon Panel, and Customs' OIG have identified management deficiencies in OI.

KEY QUESTIONS : 1. How does the Office of Investigations measure its effectiveness? 2. What are the costs of operating the Office? 3. How does the Office prioritize its investigative resources? 4. What is the status of the recommendations made by the 1991 Blue Ribbon Panel and the Treasury IG?

TITLE: HRA 15: REVIEW OF CUSTOMS' IMPLEMENTATION OF ITS REORGANIZATION AND MODERNIZATION EFFORTS (264432)

