

October 1995

**Administration of
Justice Issue Area**

Active Assignments

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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 October 2, 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: REVIEW OF INS BORDER CROSSING CARD PROCEDURES (183600)

BACKGROUND : Along the southern border, INS issues border crossing cards to Mexican nationals who wish to visit the U.S. on a temporary basis, e.g. for business, shopping, sightseeing. There is concern that recent changes in INS policies and procedures may allow ineligible recipients to receive a card, thus allowing them to gain permanent entry to the U.S.

KEY QUESTIONS : 1. What are INS' policies and procedures for issuing border crossing cards at the San Ysidro port of entry? 2. What has been the trend in the number of cards approved and denied at the San Ysidro port of entry?

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?

Administration of Justice

LAW ENFORCEMENT ISSUES

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?

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?

Administration of Justice

LAW ENFORCEMENT ISSUES

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: FEDERAL LAW ENFORCEMENT INVESTIGATIVE AUTHORITY AND PERSONNEL (182018)

Administration of Justice

LAW ENFORCEMENT ISSUES

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: REVIEW OF ATF'S REGULATION AND TREATMENT OF FEDERAL FIREARMS DEALERS AND ITS COMPLIANCE WITH LEGISLATIVE RESTRICTIONS CONCERNING DEALERS' RECORDS (187012)

BACKGROUND : The Bureau of Alcohol, Tobacco, & Firearms (ATF) licenses and inspects firearms dealers. Law restricts it from consolidating data from dealers' records. The requester is interested in ATF's policies/procedures for carrying out its licensing responsibilities and their relationship to reductions in the number of dealers and whether ATF is complying with data restrictions.

KEY QUESTIONS : (1) What are ATF's policies, procedures, and practices for licensing and inspecting firearms dealers, and what relationship do they have to reductions in the number of dealers? (2) Is ATF complying with legal restrictions on the consolidation or centralization of data on firearms transactions?

Administration of Justice

LAW ENFORCEMENT ISSUES

TITLE: REVIEW OF ATF'S POLICIES, PROCEDURES, AND PRACTICES RELATING TO THE USE OF FORCE (187013)

BACKGROUND : Bureau of Alcohol, Tobacco, and Firearms (ATF) agents are authorized to use force in carrying out their responsibilities. In several highly publicized incidents, ATF has been accused of using excessive force. The requestor is interested in what use-of- force policies, procedures, and controls ATF has; how they are conveyed to agents; and how incidents of excessive force are reviewed.

KEY QUESTIONS : (1) What are ATF's use-of- force policies, procedures, and controls and how do they compare to those of selected law enforcement agencies? (2) How does ATF convey and ensure that agents understand use- of-force policies and procedures? (3) What are ATF's internal procedures for reviewing use-of-force incidents? Is ATF complying with them and applying lessons learned?

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?

Administration of Justice

ADJUDICATION & CORRECTNESS

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?

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: HRA 3: ASSET FORFEITURE PROGRAMS (182017)

Administration of Justice

OTHER ISSUE AREA WORK

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?

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?

Administration of Justice

OTHER ISSUE AREA WORK

TITLE: HRA 15: REVIEW OF CUSTOMS DRUG INTERDICTION EFFORTS (264431)

BACKGROUND : A major component of the Customs Service mission is to interdict the flow of narcotics into the U.S. Customs inspects traffic coming into the country and uses air and marine assets to intercept smugglers. The requestor has asked GAO to update issues presented in prior reports.

KEY QUESTIONS : 1. Given its plans for reorganizing, has Customs changed its strategy for interdicting the flow of drugs into the U.S.? If so, how? 2. How does Customs measure the effectiveness of its drug interdiction efforts? 3. What are the costs of operating Customs drug interdiction efforts?

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

BACKGROUND : Customs is undergoing a major reorganization. Its transformation process involves (1) organizational change; (2) reinvention of work processes; and (3) cultural conversion. In January 1995 we testified on Customs' progress. The requestor asked GAO to continue monitoring Customs' progress.

KEY QUESTIONS : 1. What are the key elements, system components, and time line for implementation of Customs' reorganization? 2. What role will the Customs Management Centers (CMC) play in ensuring consistent oversight and policy implementation at the ports? 3. How will Customs determine the effectiveness of its reorganization?


