

U.S. Department of Justice
Office of the Attorney General



Annual Report of The Attorney General of the United States

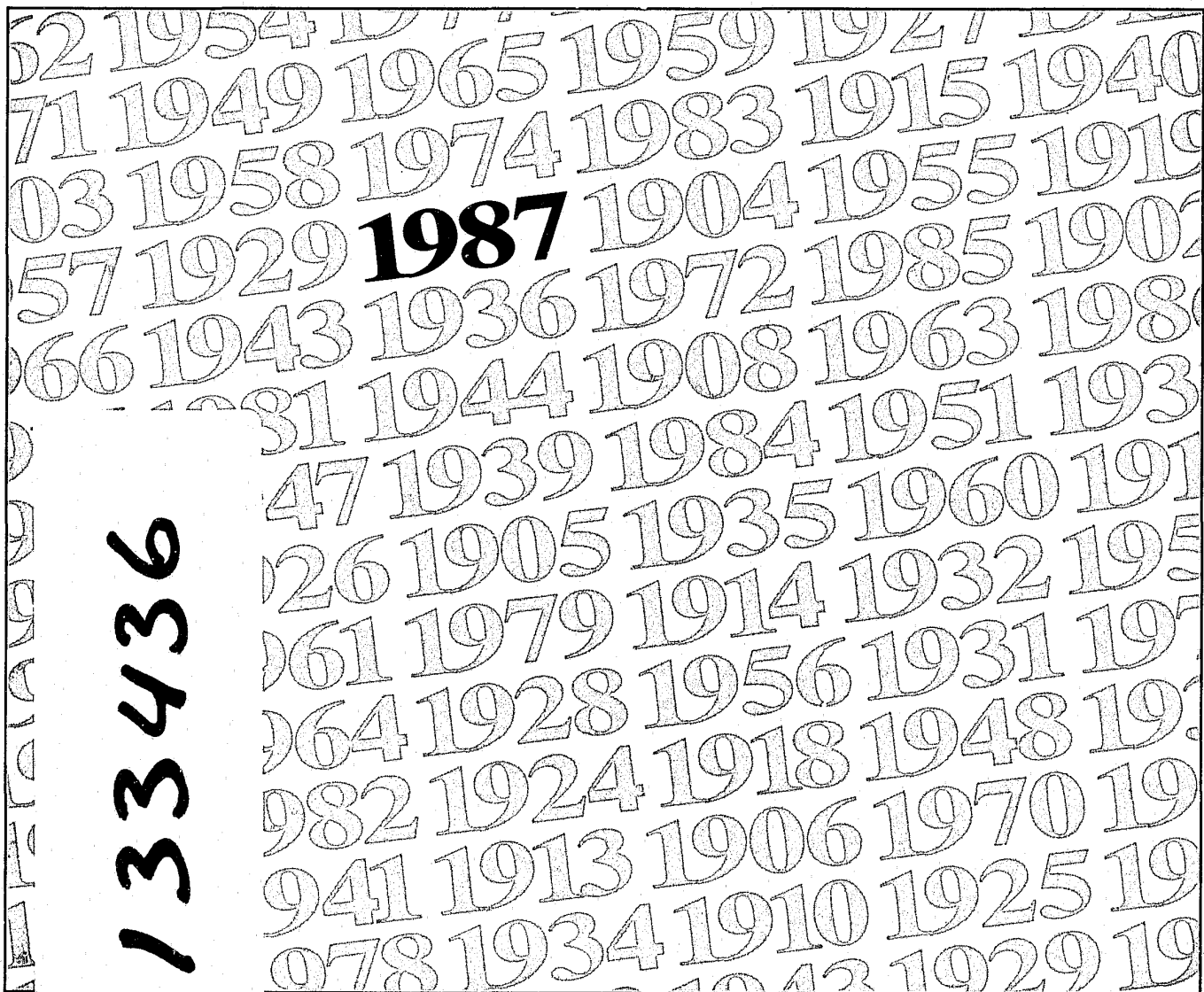


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U.S. Department of Justice
National Institute of Justice

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Foreword

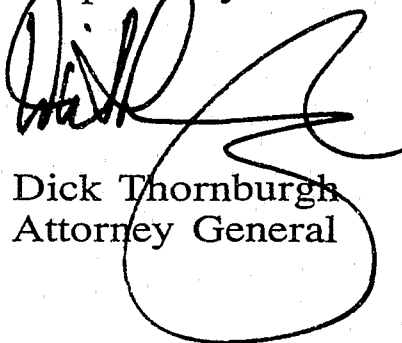
To the Senate and the House of Representatives
of the United States of America in Congress Assembled

This report for the 1987 fiscal year details the major steps taken by the more than 75,000 employees of the Department of Justice in the fulfillment of our legal and law enforcement missions.

Although the particular accomplishments described within this report were recorded during the previous Administration, they are representative of the ongoing, critical nature of law enforcement activity. These efforts ranged from highly visible and often dangerous operations in the area of drug law enforcement to the more subtle, yet important advances made in management.

The Department of Justice is blessed with a professional and dedicated staff, and it is my hope that this report will provide you and the citizens of our great nation with additional insight about the operations of the Department.

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Dick Thornburgh, is written over the printed name and title.

Dick Thornburgh
Attorney General

Chapter I: Program Priorities

Narcotics Enforcement

During 1987 the Department of Justice further strengthened its many programs already in place to counter the international problems of drug trafficking and abuse. Nearly all Justice agencies contributed directly or indirectly to this overall goal, thereby emphasizing the special, multi-faceted approach needed to control this problem over the long term.

As chair of the National Drug Policy Board, the Attorney General endorsed a number of specific actions in 1987 to focus still more effectively the entire Federal anti-drug effort. These actions included:

- Formally establishing a National and International Drug Law Enforcement Strategy to guide both supply and demand reduction activities.
- Overseeing implementation of the most significant piece of narcotics-related legislation in several years, the Anti-Drug Abuse Act of 1986.
- Expanding and monitoring a number of efforts designed to broaden and solidify international cooperation, including Operation Alliance on the Southwest Border.
- Issuing a Memorandum of Understanding between the U.S. Customs Service and the U.S. Coast Guard delineating their respective interdiction responsibilities.

The critical importance of carrying forth a broadly-based narcotics enforcement campaign can be seen from reviewing highlights of Justice accomplishments in 1987. These covered a variety of mission areas, only a sampling of which can be described below.

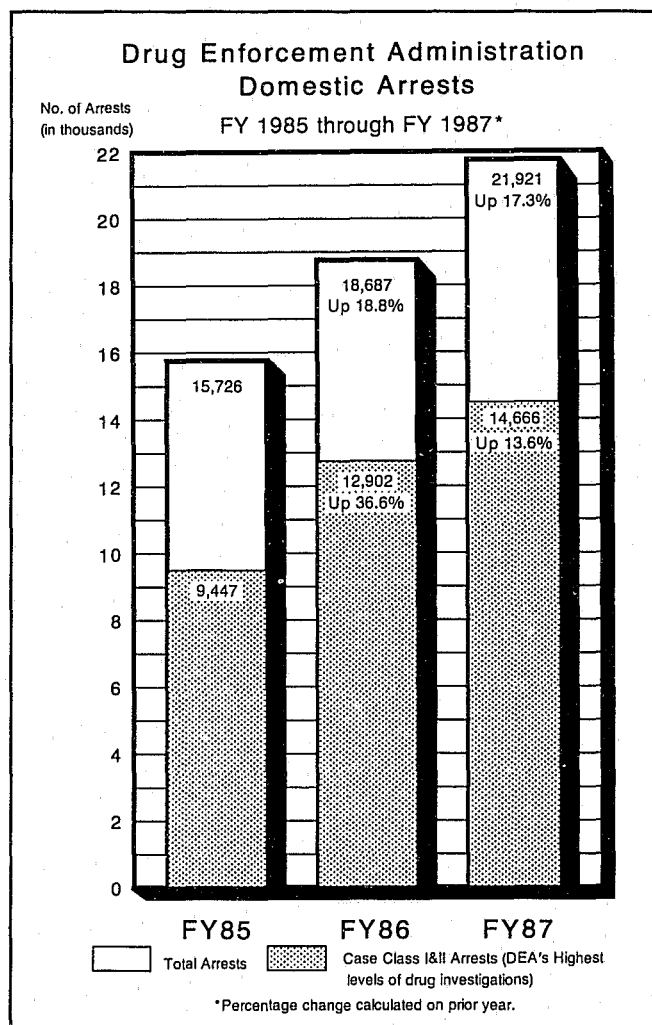
Investigative and Prosecutorial Focus

The major underpinning of the Department's anti-drug drive in 1987 was its targeting of internationally-based trafficking organizations.

All available intelligence data continued to indicate that more enforcement resources and efforts could be most productively directed toward disrupting the drug trafficking patterns from drug source countries. As the two principal Department components with jurisdiction over the narcotics trade, both the Drug Enforcement Administration (DEA) and the Federal Bureau of Investigation (FBI) reported major progress in this area.

- In cooperation with the Department of State, DEA developed a comprehensive international cocaine suppression strategy. Its goal is to reduce the supply of cocaine reaching this country over a two-year period and to extend to source countries a variety of enforcement and reduction programs. Governments of most major South and Central American countries are active participants. DEA's own investment of manpower (approximately 100 Special Agents), equipment and training was substantial in 1987—helping generate the seizure of over 1,700 cocaine laboratories and the arrest of 5,900 individuals.
- During 1987, the FBI maintained its deployment of over 1,000 Special Agents dedicated to drug investigations. Major distribution networks were exposed in Miami, New York and Los Angeles. As an example of the broad scope of such networks, the FBI reported that during 1987 it had over 200 priority investigations underway on Mexican trafficking organizations operating in this country.
- The Department's top litigation priority for 1987 remained drug trafficking prosecutions, with U.S. Attorneys increasingly and successfully using the leverage available through the Continuing Criminal Enterprises (CCE) statute. Dramatic successes were recorded in the Southern

District of New York's "Pizza Connection" case and in a series of CCE indictments in the Southern and Central Districts of California, the Western District of Michigan, and the Eastern District of Tennessee.



International and Domestic Control Operations

In addition to pursuing long and complex investigations of trafficking and money-laundering drug organizations, the Department initiated or maintained a series of operations in 1987 designed to curtail the importation and the domestic production of narcotics.

These efforts, many under the leadership of DEA, relied heavily on the cooperation of enforcement officials of other countries as well as U.S. Government and State and local personnel. They are representative of immediate actions that must be maintained while longer term, supply-and-demand reduction strategies are designed.

- **Operation BAT**—an airborne narcotic interdiction and intelligence gathering operation based around the Bahamas, Turks and Caicos Islands. Involving DEA and the Departments of Defense, Transportation, and Treasury, BAT began a seven-day, 24-hour schedule during 1987 and resulted in 146 arrests and seizures of over 8,000 kilograms of cocaine, approximately 130,000 kilograms of marijuana, 22 vessels and 26 aircrafts.
- **Domestic Cannabis Eradication Program**—a continuing effort to curtail marijuana cultivation in this country. Organized on a State-by-State basis (with 46 States now participating), this DEA program's 1987 results included the seizure of an estimated 3.3 million kilograms of marijuana—almost three times the amount seized in all other Federal domestic investigations. In addition, DEA sponsored 21 marijuana eradication schools attended by over 600 State and local domestic law enforcement officers.



DEA marijuana eradication operation in Hawaii.

- **Operation PISCES**—a landmark money-laundering investigation extending over three years and built around the cooperation of an estimated 1,000 local, State, Federal and foreign officials. Beyond significant cash and seizure statistics, a major PISCES achievement was the arrest of over 350 drug traffickers.

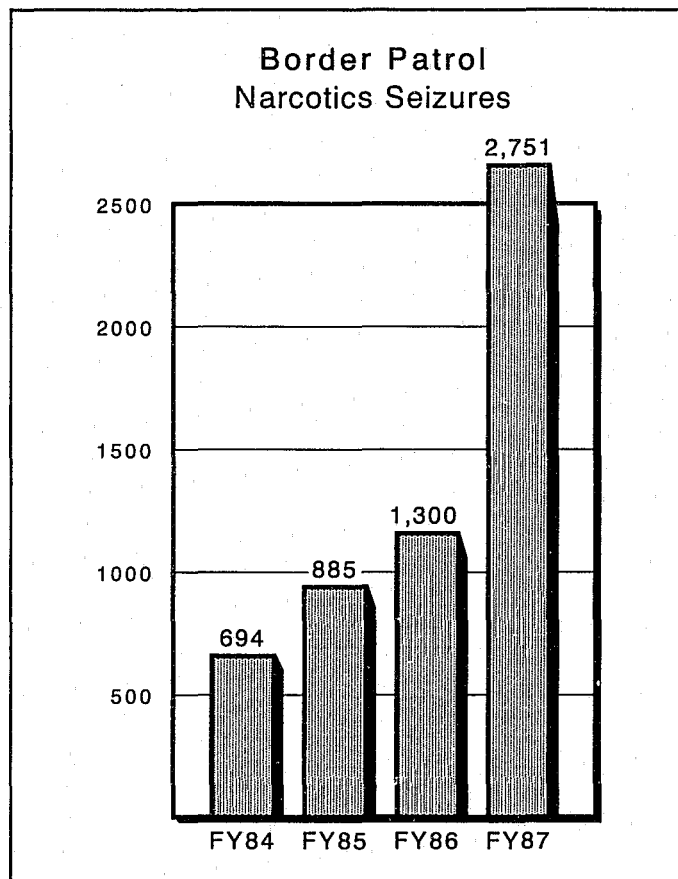
There were two individual arrests during 1987 which bore special significance to the Department's overall anti-narcotics effort. On February 4, 1987, Carlos Lehder-Rivas was arrested in Colombia and extradited to this country. Lehder-Rivas was considered one of the largest cocaine suppliers and reputedly the most violent of the Medellin-based drug cartel. In addition, following the murder of Special Agent Enrique Camarena, an extensive DEA-initiated investigation led to the May 13, 1987 indictment of Mexican trafficking kingpin, Rafael Caro-Quintero.

Drug Seizures at the Border

The Department took further steps in 1987 to ensure that special cooperative efforts such as Operation Alliance succeeded as a second line of defense against incoming drugs. With concentrated training assistance being provided by DEA, over 2,800 border patrol agents of the Immigration and Naturalization Service (INS) were cross-designated with limited drug enforcement authority. This action enhanced the INS Border Patrol's ability to conduct drug searches and arrest violators, contributing to a more than doubling of the number of drug seizures at the border (2,750 during 1987, compared to 1,300 during 1986).

Further evidence of INS's more active role in the Department's priority anti-drug efforts was its continuing participation in 1987 in the National Narcotics Border Interdiction System and the assignment of 100 special agents to the Department's Organized Crime Drug Enforcement (OCDE) Task Forces. Also, under

provisions of the Anti-Drug Abuse Act, INS established a four-city pilot project in New York, Los Angeles, Chicago and Miami to respond to local police inquiries on aliens detained on drug-related charges.



Asset Seizure Activity

In recent years the Department received powerful new statutory tools to assist in permanently crippling drug-trafficking organizations by the seizure and forfeiture of their financial assets. The DEA and the FBI are the two Department organizations which generate the vast majority of drug-related asset seizure activity. The Department's continuing priority focus on investigating high-level trafficking organizations worked to ensure in 1987 that maximum financial pressure would be leveraged against the narcotics trade. Examples of

last year's progress are graphic.

- DEA reported drug-related asset seizures in 1987 of over \$500 million, a 25 percent increase over 1986. It also recorded a near doubling in both the number and the value (to \$120 million in 1987) of actual asset forfeitures.
- FBI reported that it had seized for forfeiture over 2,000 items of property by the end of 1987 with an approximate value of \$296 million, or more than twice the amount seized in 1986.

In certain circumstances, seized items which can serve a useful investigative purpose may be forfeited for use by one of the Department's enforcement agencies. Beyond that, the U.S. Marshals Service plays a critical role in maintaining custody of the assets and pursuing

subsequent steps toward eventual forfeiture and disposal of these assets in the public interest. Indicative of Marshals Service's work volume in this area is the fact that the total value of seized property in its custody at the end of 1987 was \$569 million, an increase of 35 percent over that held at the end of 1986. Assets seized included such items as cars, boats, aircraft, residential and commercial real properties, cash, jewelry, and precious metals.

Drug Demand Reduction Activities

Nearly all Department components were involved to some degree in 1987 in narcotic abuse prevention and education efforts. Such activities were viewed as a critical adjunct to the Department's primary enforcement mission. Their conduct was especially important for organizations with a visible field presence.

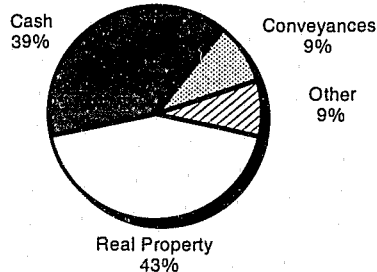
In all 94 judicial districts the *U.S. Attorneys* sought to serve as catalysts to community and corporate drug education and abuse prevention efforts. Activities ranged from speaking engagements before civic groups and school assemblies to the establishment of district-wide coalitions to coordinate private sector and public agency efforts.

The *DEA* conducted seminars under its Sports Drug Awareness program in 12 cities in the United States, as well as some overseas Department of Defense Dependent Schools. These seminars involved over 2,000 administrators, coaches and counselors who are in contact with over half a million youth. *DEA* also:

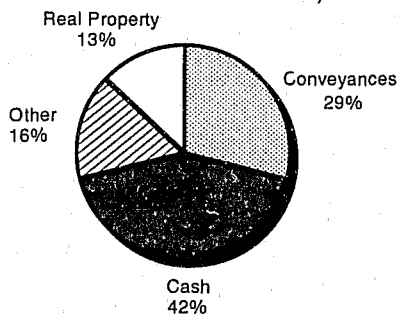
- established Demand Reduction Coordinator positions in each of its 19 division offices and provided training on the design and implementation of demand reduction strategies.
- sponsored an All Star Rally Against Drugs at the Louisiana Superdome at which more than 20,000 area youth

National Asset Seizure and Forfeiture Program, 1987

Value of Properties Under Seizure
(Total Value = \$569 million)



Number of Properties Under Seizure
(9,129 Properties by the end of FY 1987;
73% Increase over FY 1986)



Note: Reflects assets administered by the U.S. Marshals Service

participated. Olympic medal winners, country music stars, as well as football and car racing celebrities lent their support.

As one of the Department's closest links to activities at the State and local level, the *Office of Justice Programs* (OJP) in 1987 administered the award of \$225 million in Anti-Drug Abuse Act funds to States to assist in local enforcement efforts. In keeping with the Administration's Federalism goals, States devised their own strategies in cooperation with local jurisdictions while Federal Government regulatory controls were kept to a minimum.

In addition, throughout 1987 OJP continued to provide a sound knowledge base upon which effective anti-drug programs could be built. For example, OJP established a new Data Center and Clearinghouse for Drugs and Crime to serve as a central information source for diverse public and private sector agencies, and the McGruff Crime Prevention Program was broadened to include new substance abuse prevention announcements for classrooms and for children's television viewing times.



SAY NO!

Organized Crime

The Department continued to witness during 1987 a strong trend by criminal organizations to involve themselves in drug trafficking trade and profits. A notable example of the increasingly close tie between narcotics smuggling and organized crime syndicates was the successful "Pizza Connection" case in New York. Intelligence information generated from that case has resulted in the development in 19 FBI field offices of spin-off investigations of major Italian drug-trafficking organizations in 33 cities across the country.

The Department mounted a concerted effort in 1987 to disrupt this widespread network of organized criminal activity. The investigative and prosecutorial focus continued on the upper echelon of syndicate membership and employed the expanded leverage of the Racketeer-Influenced Corrupt Organizations (RICO) statute to undercut the financial basis of these organizations. Highlights of the Department's successes in this effort included the following:

- During 1987, FBI organized crime investigations resulted in 674 convictions and 696 indictments. These convictions included 177 La Cosa Nostra (LCN) members and associates.
- The U.S. Attorney's Office in the Southern District of New York successfully concluded the benchmark *Anthony Salerno, et al.* case in which eight leaders of the nationwide ruling body of organized crime were convicted on all counts.
- In June 1987, the boss and underboss of the Colombo LCN family and seven associates were convicted on RICO conspiracy and extortion indictments.

Department efforts to ensure that these complex and longer term investigations are brought to a successful conclusion required ex-

tensive use of established electronic surveillance procedures as well as new prosecutorial tools. For example, the FBI initiated a total of 34 Title III installations and operated 57 extensions in its 1987 organized crime investigations. In addition, the civil provisions of the RICO statute were first successfully employed during 1987 when a U.S. District Court Judge removed LCN members from a union local and enjoined them from any further union association.

A number of other specific steps were taken during 1987 to ensure that all possible pressure was being leveraged against criminal enterprises.

Antitrust Initiative

The Department moved to implement a recommendation from the President's Commission on Organized Crime that existing antitrust laws can and should be used more forcefully against price fixing and bid rigging conspiracies. With its attorneys having developed more and more expertise in prosecuting these Sherman Act violations, the Department's Antitrust Division in 1987 initiated joint case efforts with the U.S. Attorneys, the Criminal Division Strike Forces and the FBI. A major goal is that the eventual imposition of fines will make the infiltration of legitimate business uneconomical to criminal syndicates.

Special-Purpose Task Forces

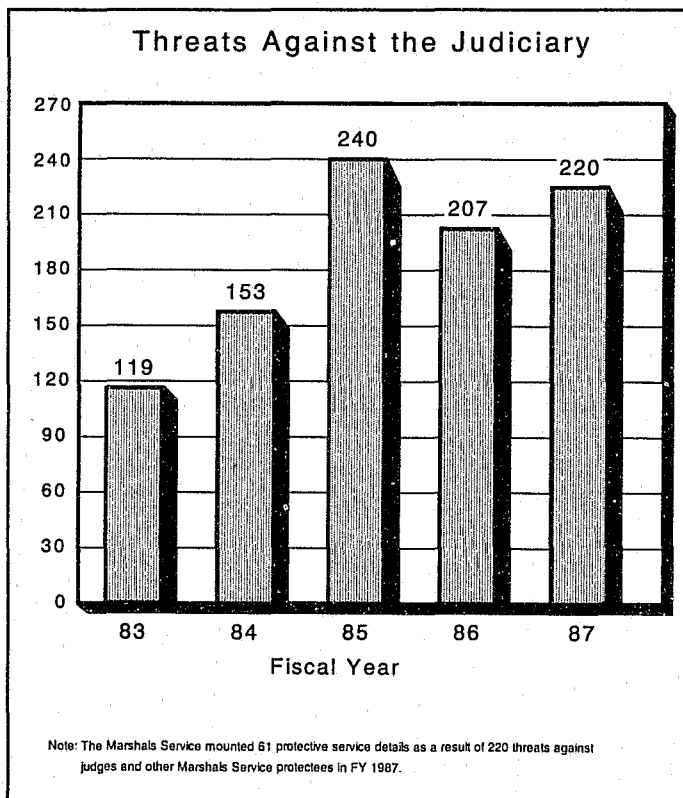
The Department has constantly monitored the movement of the organized crime and racketeering industry to determine where and how best available enforcement resources should be deployed. These assessments occur both at the headquarters level and through field-based advisory committees. Consequently, 1987 witnessed a broad range of efforts from specialized units already in place, as well as the initiation of new thrusts designed to meet more localized threats.

- **Strike Forces.** The Criminal Division maintains 24 Strike Forces throughout the United States which focus on specific priority areas, particularly those cases designed to dismantle criminal organizations' top leadership.
- **Arson.** The Department's field-based attorneys were active during 1987 in organizing effective multi-agency teams to counter specific organized crime problems. The Eastern District of Michigan was one of several jurisdictions which targeted major arson-for-profit operations. Participants included the Michigan State Police, the Bureau of Alcohol, Tobacco and Firearms and the U.S. Attorney's office, as well as Internal Revenue Service investigators, the Michigan Attorney General's Organized Crime Division and the U.S. Postal Service.
- **Child Pornography.** Many districts also have adopted a task force approach to combat organized crime's expanding inroads into child pornography. Serving as the model in this area is the Middle District of Florida operation in which the U.S. Postal Inspection Service acts as the lead agency, with 22 full-time members.

The Department devoted considerable attention at the national level during 1987 to the prosecution of child pornography and adult obscenity cases. U.S. Attorneys handled many of the 300 cases resulting from the year's two nationwide "sting" projects — *Operation Borderline* and *Project Looking Glass*. Through joint action by the Criminal Division and the U.S. Attorney's Office of the Eastern District of Virginia, the Department recorded its first successful prosecution of an obscenity case using the RICO statute.

Judicial and Witness Security

Safeguarding courtroom personnel and the integrity of the judicial process emerged as a serious and dramatic challenge for the Department over the past several years. The U.S. Marshals Service (USMS), as the principal agency charged with this responsibility, devoted considerable attention to these matters during 1987. For example, in addition to mounting over 60 protective service details as a result of over 200 reported judicial threats last year, USMS provided intense security for 105 trials involving drug cartels and 29 trials involving organized crime members. In the previously-referenced "Pizza Connection" case alone, an average of over 20 Deputy Marshals were stationed in the courtroom at all times and special protection was provided to many of the trial's 300 witnesses, the judge, the five U.S. Attorneys and the jury itself.



The Department's *Witness Security Program* proved again in 1987 that it plays an invaluable role in prosecuting drug syndicate and other organized crime cases. The USMS reports that last year these witnesses were produced to testify over 1,500 times and that convictions were obtained in nearly 90 percent of the trials in which they were used. There were 206 new witnesses brought into the program in 1987, bringing to slightly over 5,000 the total number of such participants since the program originated.

Technical and Funding Assistance

The Department has increasingly recognized that the broad-ranging infiltration of organized crime into this country's economic, political and social institutions requires an active response on many fronts. Consequently, even Department components with no investigative or prosecutorial jurisdiction have designed efforts to assist States and localities in their own enforcement efforts against syndicate operations.

- **The Office of Justice Programs**, through its Bureau of Justice Assistance, has helped implement Organized Crime/Drug Trafficking Task Forces in 21 jurisdictions during 1987. These units focus on major conspiracy operations in a regional area and recorded much success during their first seven months of operation (over 900 arrests and \$35 million in seized narcotics). They also permit necessary, close liaison with Federal task forces operating from a national perspective.
- **The Community Relations Service (CRS)** is also playing a valuable, though little-known, role in aligning local resistance to organized crime groups, especially those with Asian ties. For example, poor communication and lack of trust between Southeast Asians and police agencies have impeded the development of cooper-

ation necessary to move effectively against this form of organized crime. In 1987 CRS increased its efforts to develop collaborative local programs to overcome police-Asian mistrust and to improve cooperation.

National Security and Terrorism

One of the most critical areas in which the Department continued aggressive efforts during 1987 involved fundamental responsibilities to counter terrorism and hostile foreign intelligence services in the United States. There are few readily-apparent measures of success in this all-important area since case investigations are protracted and usually of a classified nature. In a very real sense, the best indication of achievements in this program is what does *not* happen. Arrests and convictions that occurred in 1987 were largely responsible for the fact that *no terrorist incidents occurred within the continental United States during the year.*

Oversight and Review

With expert guidance from the Office of Intelligence Policy and Review (OIPR) and other Department components, the Attorney General in 1987 worked to ensure that all national security-related activities of the United States were consistent with relevant law. This involved the development and issuance of legal opinions, legislative review, representation before the U.S. Foreign Intelligence Surveillance Court, and monitoring and approval of investigative activities. There were several notable Department efforts undertaken to refine and strengthen the Attorney General's oversight role.

- OIPR chaired an interagency group in 1987 commissioned by the President to draft a new Executive Order creating governmentwide standards for investiga-

ting and adjudicating requests for access to classified information by government employees, contractors and military personnel.

- Acting as the "government's lawyer", the Civil Division invested substantial time in 1987 to defending the Executive Branch in litigation involving national security matters. For example, the Division defeated an attempt by the Palestine Information Office to block enforcement of a State Department order designating it as a foreign mission of the Palestine Liberation Organization and ordering it to cease operation within 30 days.

Special Litigation Efforts

U.S. Attorney offices continued to record significant successes in 1987 for terrorism and espionage prosecutions. Though too numerous to describe individually, these cases ranged from the conviction and sentencing of former U.S. Air Force staff sergeant Allen John Davies (for offering to provide the Soviets with classified U.S. military information) to the conviction of American businessman Edward Elkins in the Northern District of Georgia (for illegally exporting planes and other equipment of military value to Libya).

Beyond such field-based successes, the Department's litigating divisions headquartered in Washington made a number of important contributions in 1987 toward the overall discharge of national security functions.

- The **Land and Natural Resources Division** worked to counter environmental-based challenges not only to the planned deployment of the Peacekeeper missile into existing silos, but also to the construction of new Navy homeports. These efforts bore direct relationship to the continued viability of numerous military activities and projects.

- The **Civil Division** was active in defending against lawsuits challenging various foreign policy actions, including the dispatch of Navy escort ships into the Persian Gulf.

Coordination of Investigations

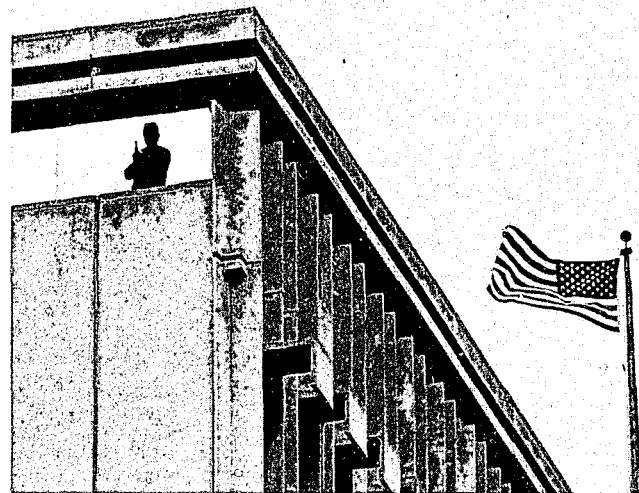
Statistics reported by the FBI indicate that actual and potential international terrorism continues to be a most serious threat. In 1987, the FBI conducted over 975 investigations of crimes aboard an aircraft, 275 involving attempts to board an aircraft and 36 involving actual or attempted hijackings. In addition to strengthening further its overseas liaison with cooperating enforcement agencies, FBI officials conducted a series of international symposia in the area of Terrorist Devices and Methods. Also during 1987, the U.S. Marshals Service (USMS) provided security and support for 33 sensitive trials involving terrorist and paramilitary extremist groups.

Other Department components undertook initiatives in 1987 to help ensure a fully coordinated effort against international crime.

- **Information Exchange.** As an adjunct to its responsibilities to State and local police authorities in this country, the U.S. National Central Bureau of INTERPOL began in July of 1987 to enter the names of subjects of International Wanted Notices into the National Crime Information Center. This provides local police officials with immediate access to information regarding terrorism-related subjects. Previously, such information was available only to U.S. authorities at borders and ports of entry.
- **Liaison Improvement.** Within the Criminal Division, a Counter-Terrorism Management Group was created to upgrade the Department's response to terrorism.

- **Special Trial Precautions.** The USMS was heavily involved in providing custody and planning for a secure trial in Hartford, Connecticut of 19 members of the Puerto Rican terrorist group, "Los Macheteros." This organization has claimed responsibility for a number of deaths and other violent acts, including attacks on U.S. military installations and personnel in Puerto Rico. USMS personnel were also extensively used to ensure a safe courtroom environment for proceedings against the extradited Colombian Lehder-Rivas.

As a final note, with expert legal advice and assistance from the Department's Criminal Division and the U.S. Attorney's Office of the District of Columbia, the FBI recorded a precedent-establishing arrest in September 1987 when it captured the suspect of a 1985 Royal Jordanian airliner hijacking with U.S. citizens aboard. This represented the first overseas arrest by U.S. officials of a suspected terrorist sought under American laws.



U.S. Marshal provides security during trial proceedings against accused drug kingpin Carlos Lehder-Rivas.

Economic Crime, Public Corruption and Other Litigation

The type of problem or criminal activity described on the preceding pages was often accompanied by some visible or even violent episode—thereby requiring a direct and visible Federal response in return. However, during 1987, Department organizations also devoted substantial attention and resources toward those subtle and highly complex white collar violations that represent no less a serious threat to the integrity of this country's economic and political institutions.

The Department's activity in this area has been intense and productive. For example, the FBI reports that its White Collar Crime program in 1987 secured well over 4,400 convictions, \$27 million in fines, \$564 million in recoveries and restitutions and an estimate of over \$1 billion in potential economic loss prevented. Beyond these impressive statistics, however, lies a series of initiatives designed to focus available Federal enforcement resources on those problems with the greatest potential for payoff.

Nationwide Fraud Focus

The Department's major litigating organizations, especially its Criminal Division and the various U.S. Attorney offices across the country, established the investigation and prosecution of broad-based fraud conspiracies as a major 1987 priority. These cases pertain especially to the procurement of Defense Department contracts, the provision of health care services and the sale of securities and commodities. Successful convictions included a \$20 million defrauding of the Illinois Medicaid Program and a massive securities sale and mail fraud case involving the now-bankrupt Mason Oil Company wherein over 300 investors from 20 States and foreign countries were bilked.

The extensive and intertwined nature of such fraud conspiracies prompted the Department in 1987 to tie in more closely with related Federal agencies (e.g., the Securities and Exchange Commission and the Internal Revenue Service) and to assign special-purpose enforcement units to target these widespread schemes.

- With intense investigative assistance from the FBI, the Criminal Division established Bank Fraud task forces in Texas and Oklahoma to examine failed savings and loan institutions. Over 200 potential subjects for investigation were identified and in Texas several former officers and directors of failed institutions were convicted.
- Over 20 individuals were convicted in Newark, New Jersey, for their involvement in the illegal multimillion-dollar manipulation of various stock prices throughout the United States as a result of a joint investigation by the FBI, the SEC and the IRS.

The Criminal Division developed and implemented a *voluntary disclosure program* for defense contractors to reveal instances of related procurement fraud. While providing no guarantee against the initiation of legal action, this program allows a centralized review within the Department of any disclosed misconduct and consistent prosecutive treatment of the volunteer corporation.

The Department's Antitrust and Tax Divisions were similarly proactive during 1987 in prosecuting large-scale fraudulent sales schemes. Using criminal prohibitions against bid rigging and price fixing under the Sherman Act especially, Antitrust reported the filing of 92 criminal cases in 1987, with fines and recoveries totaling approximately \$19 million. Successful enforcement actions were completed within a broad range of industries, including public auction, trash hauling, road building and electrical construction services. The Tax Division aggressively pursued prosecutions in the

fraudulent tax shelter area, uncovering in one conviction alone a scheme marketed to over 3,000 investors.

Public Corruption

The Department continued a strong focus during 1987 on public corruption cases which have both symbolic and practical significance in protecting the integrity and viability of our political institutions. Numerous convictions in the ongoing "Operation Greylord" investigations in Chicago, as well as the operation of New York City's Parking Violations Bureau, are representative of the Department's aggressive action in this area during 1987.

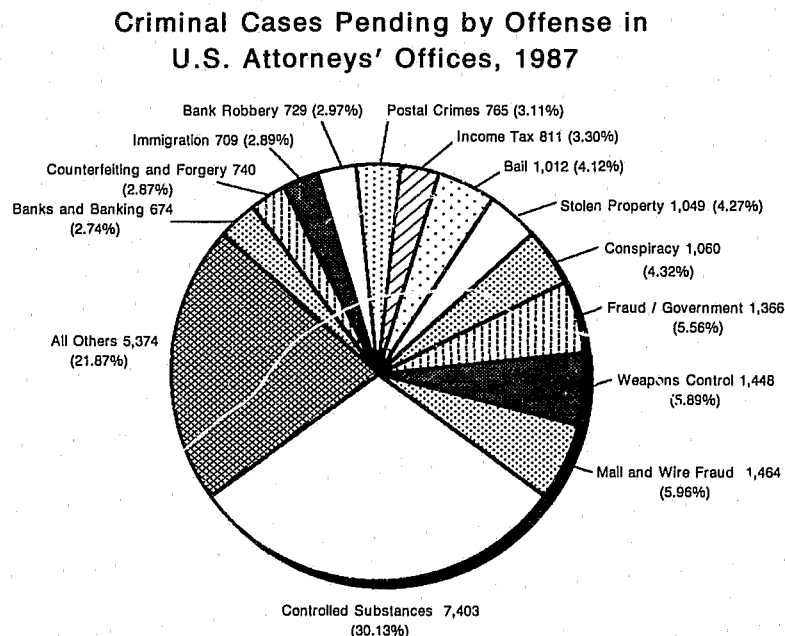
In addition, the Department undertook other steps to focus attention and better organize an enforcement strategy to meet this problem.

- The Attorney General's Advisory Committee of U.S. Attorneys established a new separate subcommittee to address public corruption issues, in addition to existing ones on white collar and financial crime. Following this lead, many judicial districts have formed joint task

forces to direct more effectively State and local enforcement resources in these sensitive investigations.

- The Department's Criminal Division developed a training manual which incorporates the accumulated knowledge and experience of Federal prosecutors in pursuing corrupt officials nationwide.

The Department's litigation successes during 1987 also provided clear examples that corruption by Government employees would not be tolerated. For example, the Criminal Division obtained a conflict of interest conviction against a high-level Health and Human Services official who was structuring Federal contracts for his personal financial benefit. In addition, the U.S. Attorney's Office in the Eastern District of Pennsylvania successfully prosecuted a major bribery corruption scandal which included nine Internal Revenue Service (IRS) agents. The scandal involved \$1.7 million and was the largest dollar amount bribery case in IRS' history.



NOTE: Total of 24,568 as of September 30, 1987. Figures do not include appeals.

Other Litigation Priorities

- **Obscenity and Pornography Prosecutions.** During 1987 the Attorney General's Advisory Committee established a subcommittee to address the issues of child pornography, organized crime and obscenity. U.S. Attorney activity had accelerated sharply in these areas, with the number of pornography indictments rising from 147 in 1986 to 244 in 1987, and obscenity indictments increasing from 10 in 1986 to 78 by 1987.

At the national level, the Criminal Division's National Obscenity Enforcement Unit became fully operational in 1987. It presented numerous training seminars for prosecutors and law enforcement officials from all levels of government and conducted six national seminars specially designed for specific Federal agencies. The Division also established the National Obscenity Law Center to serve as an ongoing resource for State and local prosecutors regarding obscenity and pornography cases.

- **Environmental Crimes.** In recognition of the increasing volume and complexity of white collar environmental crimes, the Department in April 1987 established within its Land and Natural Resources Division a separate Section with responsibility for prosecuting criminal violations in this area. The Division undertook a variety of specialized training initiatives to assist U.S. Attorneys and FBI agents to learn the latest in environmental investigative and prosecutorial techniques. In addition, the Division worked with the Environmental Protection Agency (EPA) to prepare and present training programs at the Federal Law Enforcement Training Center for EPA criminal investigators and technical personnel, and for State and local law enforcement and technical personnel.

- **Consumer Protection Efforts.** Last year the Department became increasingly involved in resolving public accusations that the so-called "all terrain vehicles" (ATVs) were responsible for a disproportionate number of deaths and injuries. After many months of investigation, in late 1987 the Department's Civil Division negotiated preliminary consent decrees with ATM manufacturers that require them to take immediate steps to warn consumers of the risks associated with the vehicles, to stop the future sale of three-wheeled ATVs, and to require the distributors to buy back many thousands of ATVs in dealers' inventories. The decrees also provide for the negotiation of additional extensive safety-related relief. Through these efforts, the public is assured of both notice by the manufacturers of the problems involved in ATV use and of action by those manufacturers to resolve these problems.

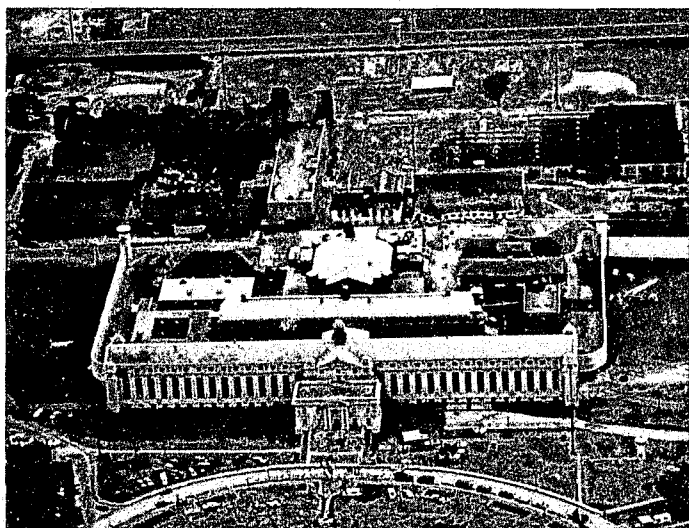
Prison and Jail Overcrowding

The aggressive investigative efforts of the Department's law enforcement agencies, as described on the previous pages of this report, have not only disrupted major drug trafficking and organized crime operations, but have also generated a high volume of arrests. A clear and inevitable result of these initiatives has been the rapid and steady rise in prison and jail populations. The Federal prison population recorded an 85 percent increase (to a total of 44,000 inmates) during the 1981-1987 timeframe.

This steady increase caused the Federal Bureau of Prisons (BOP) to conclude its 1987 operations at a level of almost 160 percent over the rated capacity of its institutions. The complex and intractable nature of this problem is further complicated by severe overcrowding

also being experienced by State and local correctional systems. This particularly affects related operations of the U.S. Marshals Service (USMS) which maintains Departmental responsibility for the custody, care and transportation of all Federal prisoners pending trial, appeal and commencement of sentence. Major factors or events occurring during 1987 which dramatized the prison and jail crisis included the following:

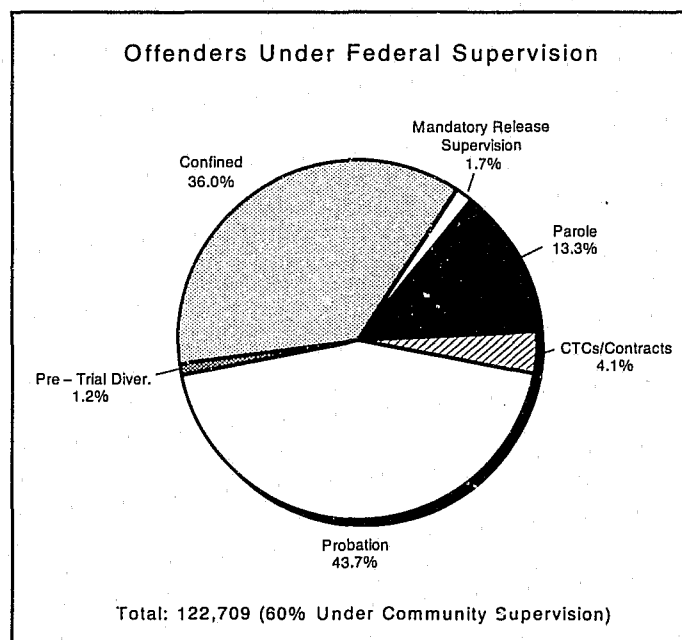
- BOP institutions registered a 6.5 percent population increase in 1987 alone, from 41,500 inmates to just over the 44,000 level. Current projections are that the Federal prison population will rise to nearly 50,400 within two years.
- USMS received into custody last year almost 84,000 Federal prisoners and was required to move each of these an average of four times for various court proceedings, receipt of medical care, or transfer between detention facilities.



Destruction at the U.S. Penitentiary in Atlanta.

- Large-scale disturbances by Mariel Cuban prisoners at the Oakdale and Atlanta facilities resulted in a massive and costly disruption of prison operations and further exacerbated the overcrowding problem.

Prior to the Mariel Cuban uprisings, the Department had undertaken during 1987 a series of steps designed to address the rapid growth in prisoner population levels across the nation. As highlighted below, these initiatives not only recognized the interdependent nature of Federal, State and local confinement systems, but also introduced new concepts for managing the overcrowding problem.

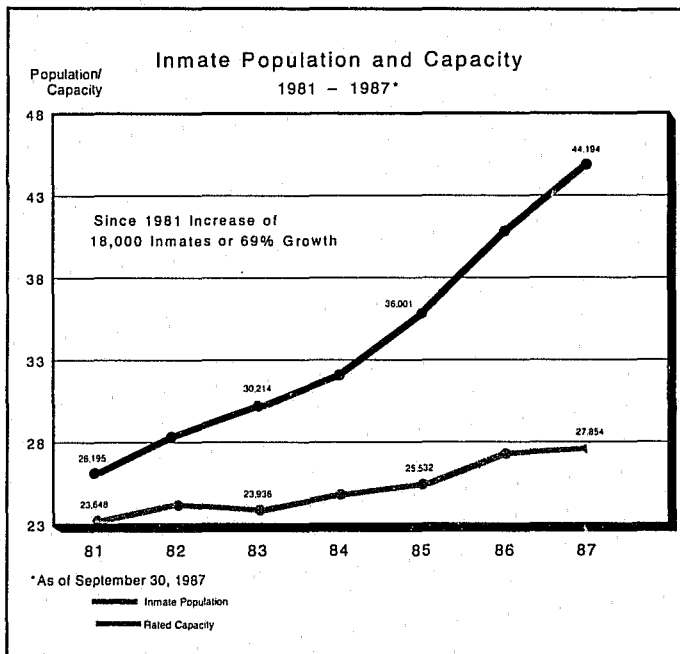


Expanding Prison Capacity

Historically, the Federal criminal justice system has made extensive use of alternatives to confinement. For example, in 1987 approximately two-thirds of the 123,000 Federal offenders were under supervision in the community, primarily in probation status. In addition, BOP has vastly expanded its use of contract facilities to assist in relieving institutional overcrowding. Nevertheless, prison population levels are accelerating and the Department sees further sharp upswings occurring in the near future as a result of mandatory minimum sentencing provisions in the Comprehensive Crime Control Act of 1984, the Anti-Drug Abuse Act and the new U.S. Sentencing Commission guidelines.

To accommodate these types of population pressures, BOP reported progress in a number of areas during 1987:

- Major facility construction projects were proceeding, with an estimated 1988 completion date for a new Federal Correctional Institution (FCI) in Marianna, Florida, and a Metropolitan Detention Center in Los Angeles, California. Also, construction is scheduled for completion in 1989 for new FCIs in Oregon, Pennsylvania, Georgia and New Jersey.
- BOP also continued site acquisition work at military bases and other locations such as closed colleges, seminaries and other similar sites which have buildings and facilities suitable for correctional use or conversion.



New Management Initiatives

During 1987 the BOP proceeded with the design and initial implementation of two new projects which show potential for less costly management of certain elements of its custodial function. As test results of these pilot ef-

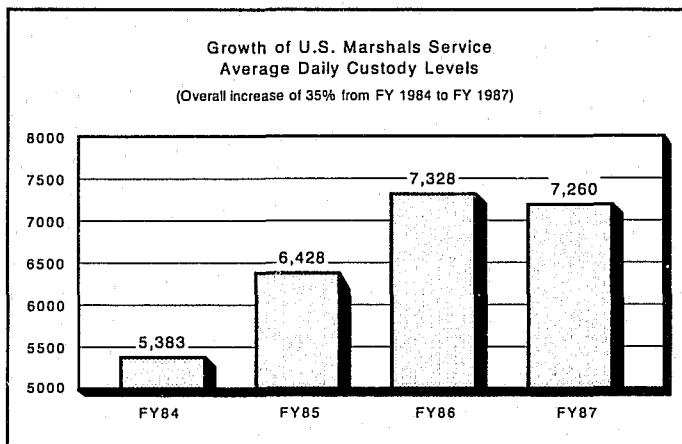
forts emerge, the Department and BOP are hopeful that broader applications to routine confinement operations may evolve.

- **Privatization.** Plans are underway for the private construction, staffing and operation of a minimum security prison for 500 offenders, and for the private management and supervision of the operation of one entire prison factory. Additional potential uses of the private sector under review are various lease-purchase options which would reduce the capital outlay required by the Federal government for prison construction in any single budget year.
- **Curfew Parole.** As a joint venture with the U.S. Parole Commission and U.S. Probation offices throughout the country, BOP has pursued this form of enhanced community supervision for a carefully-selected pool of eligible inmates. In 1987 the total number of program participants was approximately 1,130; in addition to helping relieve overcrowding, cost savings of \$1.4 million were realized.

Short-term Detention Problem

With assistance from the BOP, the USMS, and the Immigration and Naturalization Service, the Department conducted a major examination of current and projected shortfalls in the availability of detention bedspace. The critical component of this review was a February 1987 USMS-sponsored study of all 267 localities in which Federal courts are located. A principal finding was that the USMS's average daily prisoner population (and resulting Federal detainee bedspace requirement) was likely to double by 1992.

In anticipation of this worsening problem, the Department encouraged USMS and BOP's joint development in 1987 of a five-year plan to target those areas where the most serious



shortages were likely to occur. This plan supplemented a series of actions already being taken to meet 1987 requirements.

- In addition to maintaining 825 contracts with local governments to handle up to 57,900 of its detainee population, USMS arranged 22 new or modified Cooperative Agreements with local entities to provide well over 300 additional bedspaces.
- BOP increased its efforts to make facility space available for USMS's pre-trial needs, e.g., through a new 150-bed jail unit at its FCI in Englewood, Colorado. In addition, BOP's Metropolitan Correctional and Detention Centers continued to provide this detainee service in other districts.

Service to State and Local Governments

Federal, State and local correctional systems share similar overcrowding conditions and cooperate wherever possible to meet pressing custodial needs. From its unique national perspective, the Department's National Institute of Corrections (NIC) in 1987 continued upgrading the operation of State and local correctional systems through advisory and technical support. From a central location in Boulder, Colorado, NIC operated the National Academy

of Corrections, an Information Center and its National Jail Center, providing a wide range of expertise in correctional improvement practices. Utilizing a cost-effective "train the trainers" approach, NIC conducted on-site programs for over 1,000 staff trainers during 1987 who subsequently passed on the benefits of these sessions to nearly 22,500 correctional staff in their own agencies.

The Department's National Institute of Justice (NIJ) was also successful during 1987 in identifying several opportunities to provide practical information or services to its non-Federal counterparts. One of the most timely of these was the expansion of NIJ's *Corrections Construction Initiative* which compiled and distributed material to States and communities about effective, less costly methods for prisons and jails.

Another important 1987 effort was the Bureau of Justice Assistance's successful management of the Federal Surplus Property Transfer Program which makes available, at no cost to the States, property for prison construction. Nine such transfers were completed last year. Finally, the Office of Juvenile Justice in 1987 sponsored a new Juvenile Corrections/Industries Venture program to help youth correctional agencies and the private sector jointly develop additional vocational training opportunities.

Immigration Reform and Border Enforcement

This Department's long and arduous struggle to bring the country's many and difficult immigration problems into proper perspective received a major impetus with enactment of the Immigration Reform and Control Act. This was a landmark legislative achievement and culminated six years of effort by Congress and the Administration. It was the first successful immigration reform bill in 30 years.

Following enactment of the bill on November 6, 1986, the Immigration and Naturaliza-

tion Service (INS) directed much of its 1987 activity toward the Act's successful implementation. The legislation provided a carefully balanced approach to the solution of the country's interrelated immigration and border control problems. It combined strengthened enforcement with a far-reaching legalization program, affecting the lives of millions of U.S. citizens, permanent resident aliens, and illegal aliens. INS' implementation efforts concentrated in two principal areas:

- Creation of new programs to impose sanctions on employers who knowingly hire undocumented workers and to offer temporary resident status to illegal aliens who qualify as either long-term residents or special agricultural workers.
- Increases in border control and other enforcement activities to buttress control against illegal entrants and to expedite the removal of criminal aliens.

New Employer Sanctions and Legalization Programs

In recognition of millions of persons to be affected by these two new programs, INS undertook during 1987 an unprecedented educational campaign to advise employers and others of the new statutory requirements and opportunities. Maximum public participation was solicited even before proposed regulations were published in the *Federal Register*. These and other organizational and staffing actions were taken to help ensure that public and private interests over the long term were best served.

- With the assistance of numerous interest groups and individuals, INS developed a *Handbook for Employers* and, with the help of IRS, distributed 6.5 million copies to employers by direct mail. Another million copies were made available to various organizations and INS field offices.

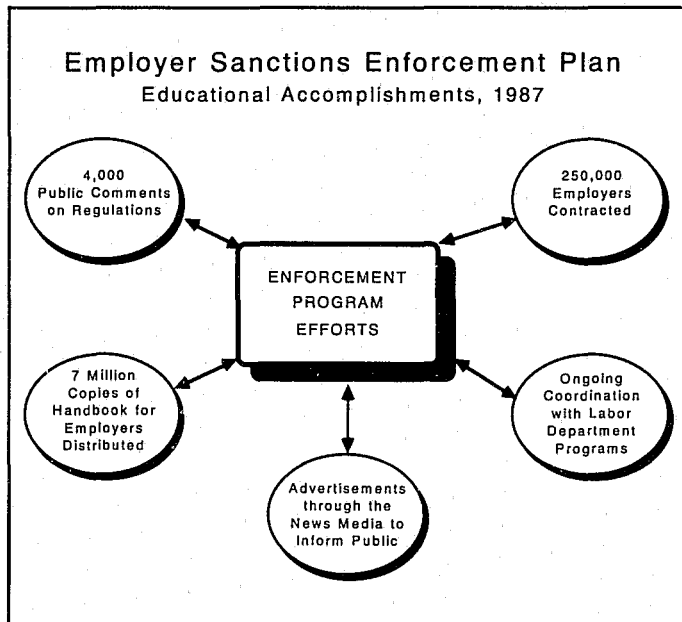


INS official conducts training session on "Employer Sanction" provisions of new legislation.

- To provide appropriate direction and oversight to these new efforts, INS added an Office of Employer and Labor Relations to the enforcement function and an Office of Legalization to the examinations area, each under the direction of an assistant commissioner.

The magnitude of INS' work effort to implement these two new programs in a deliberate and fair manner has been unparalleled. In the sanctions area, for example, Employer and Labor Relations staff made about 250,000 information visits to employers prior to October 1, 1987; a serious enforcement effort also began during 1987 to investigate violations of employers who had failed to comply with the law after being informed of their responsibilities.

There was also an enormous work effort expended in 1987 to implement the new Act's legalization and special agricultural worker provisions. INS opened 107 temporary offices and four regional processing centers by early May 1987 and, during the succeeding five-month period, nearly 784,000 applications were filed. Almost \$126 million in fees were



collected, enough to cover 1987 expenses and to carry over a small reserve for 1988. In addition, to facilitate special agriculture worker applications, INS adopted more flexible procedures and opened an application center on the southern border at Calexico, California. These measures helped western growers avoid a shortage of farm workers during the harvest season.

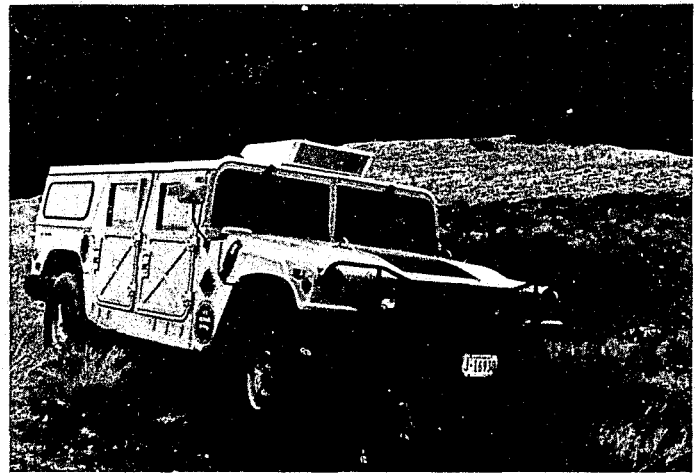
Improved Enforcement

A major responsibility pursued by INS during 1987 was to recruit and train substantial numbers of Border Patrol personnel. The Immigration Reform Act authorized a 50 percent increase in such staffing over a two-year period. This historic build-up required the Border Patrol Academy to work closely with the Federal Law Enforcement Training Center to modify both facilities and class scheduling to accommodate such an increase. Tangible enhancements to the Border Patrol function included the following:

- The Academy conducted nine full classes during 1987, comprising 432 new patrol agent trainees. (Apart from the Academy's

formal classes, another 60 new employees were placed in support positions.)

- The acquisition of critical new support equipment was completed, including 180 vehicles, 12 fixed-wing aircraft, five helicopters and 50 night-vision surveillance devices.



INS deploys new off-road vehicle, the "HUMMER."

A review of 1987 apprehension data along the southern border offers some cause for optimism (total apprehensions were 1.12 million, or about 30 percent fewer than in 1986). This downturn in illegal entry is seen as a direct result of the new Act's imposition of employer sanctions. Despite these reduced numbers, the first chapter of this report recounts a dramatic increase in the amount of drugs being smuggled across the border.

INS' Investigations Program was strengthened by the new Act and recorded many successes. Criminal apprehensions rose to almost 40,000 in 1987 and INS' investigators completed over 19,000 cases involving criminal aliens, compared with 12,500 the previous year.

Adjudications Processing

During 1987 the Department implemented another key feature of immigration reform by establishing a new Office of the Chief Administrative Hearing Officer and the Administrative Law Judge program. Located within the Executive Office for Immigration Review (EOIR), these functions play a critical role in adjudicating cases arising from the new Act's employer and anti-discrimination provisions. In close conjunction with INS, as well as officials from the Office of Personnel Management, EOIR conducted special training for over 20 administrative law judges from other Federal agencies, with a special focus on employment discrimination.

Following a new statutory mandate to expedite the conduct of civil deportation proceedings of incarcerated criminal aliens, EOIR also took steps in 1987 to provide nationwide coordination and management of this unique caseload. Procedures were implemented with the Federal Bureau of Prisons (BOP) and with correctional authorities in 35 states.

Detention Initiatives

As referenced within the preceding chapter, the Department suffered severe setbacks in the latter part of 1987 with the sudden uprisings of Cuban prisoners and detainees at both the Oakdale, Louisiana, and Atlanta, Georgia, facilities. Although these crises were successfully resolved, the incidents further deepened an already critical overcrowding problem in the detention area. BOP and INS were able to relocate the 2,285 detainees from Atlanta and Oakdale to approximately 30 other facilities where space could be found. Subsequently, these agencies accelerated their efforts to locate additional detention bedspace, including possible sites identified by the Defense Department. In addition, INS pursued action for a

new Special Processing Center in San Pedro, California, and opened a new contract detention facility in Denver, Colorado, to accommodate 150 aliens.

Chapter II: Criminal Justice

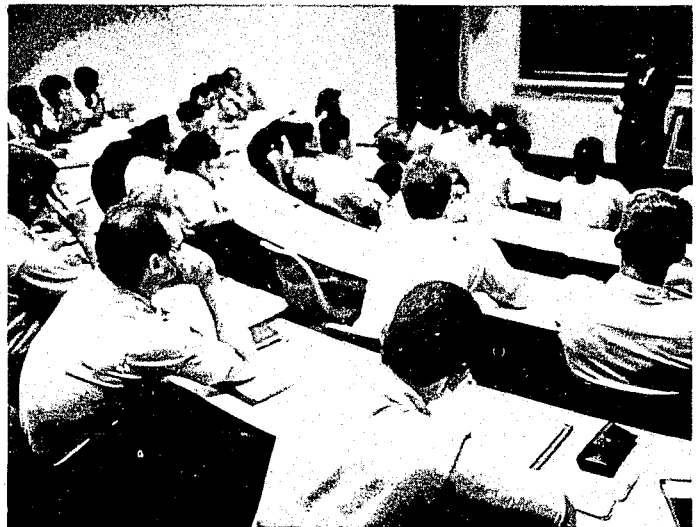
Coordination and Improvements

The Department has long recognized that progress in criminal justice matters can only be achieved through close, cooperative efforts with law enforcement counterparts at the State and local level. With primary jurisdiction for the vast majority of criminal concerns resting at the local level, effective crime fighting can only proceed through joint planning and action. Throughout 1987, this approach was pursued in a broad variety of areas, e.g., more intensive and specialized training assistance, speedier retrieval and exchange of information and the initiation of many, highly-focused task forces.

Many of these efforts have been in place for years and represent the Department's long-standing commitment to an effective and appropriate Federal role in law enforcement concerns. In fact, one Departmental component, the Office of Justice Programs (OJP), has as one of its principal missions the formation of partnerships with State and local governments to help policymakers, practitioners, and the public understand what crime costs in terms of public safety. The results of these and other "partnership building" efforts during 1987 included the following highlights:

- In addition to administering the award of \$225 million in Anti-Drug Abuse Act funds, OJP State and local assistance block grant resources permitted the support of over 1,200 criminal justice projects in 1987. Following priorities designated by the States, projects focused primarily on the areas of prison and jail capacity, community crime prevention, career criminal and court delay concerns and information system programs.
- Through its National Academy program at Quantico, Virginia, the FBI continued during 1987 its widely-recognized efforts to upgrade the operational capability of

the Nation's law enforcement community, providing about 700 Mid-level and Senior Police Administrators with 11-week training sessions and instructing nearly 2,500 other criminal justice employees through over 100 other classes.



Training Session at the FBI Academy.

- U.S. Attorneys across the country increasingly used vehicles such as the Law Enforcement Coordinating Committees to establish better communication linkages at the district level and to design new efforts toward goals of mutual Federal and State/local interest, e.g., improved services for victims and witnesses.

Direct Operational Support

The magnitude of certain problems is such that Federal funding and enforcement resources must be deployed in conjunction with State and local efforts. During 1987 the Department intensified its proactive involvement in those areas where strong Federal leadership was appropriate and necessary. It is important to note that many of the cooperative efforts undertaken are accompanied by a

formal agreement specifying the expectations and criteria of the joint operation. Such an approach paves the way for additional future cooperation.

- **Crack Task Forces.** As use of the cocaine derivative "crack" skyrocketed during 1987, OJP used funds available from the Anti-Drug Abuse Act of 1986 to help establish special enforcement units in Denver, Detroit, Houston, Los Angeles and Minneapolis. These task forces operate in close cooperation with the U.S. Attorneys and DEA representatives in those jurisdictions.
- **Dispute Resolution.** One of the Department's components with a strong field presence, the Community Relations Service (CRS), directed increased attention in 1987 to accepting dispute mediation cases from U.S. District Courts, thereby relieving overloaded courtroom dockets. Of more immediate assistance to State and local authorities, CRS made efforts to reduce racial violence in correctional facilities, notably in California, New York and New Jersey.
- **New Fugitive Effort.** In addition to the FBI's routine and highly-successful (1,180 arrests or "locates" in 1987) program to assist in tracking down fugitives, the U.S. Marshals Service (USMS) undertook an intense, highly-targeted pilot effort during this past year with striking results. Dubbed Warrant Apprehension Narcotics Teams (WANT), this USMS program developed priority cases after extensive consultation with U.S. Attorney offices and other Federal investigative agencies. After only a three-month period, WANT resulted in 210 arrests, including 166 narcotics fugitives; among these, five were drug traffickers who had been at large for 11 years or longer.

A critical, yet often overlooked spinoff of the Department's support of these types of joint enforcement efforts is the strengthening of Federal and State/local communication linkages. This has been especially true in the USMS' conduct of



Former Attorney General Edwin Meese III and USMS Director Stanley E. Morris announce the results of a WANT project at a news conference in St. Louis.

its Fugitive Investigative Strike Team (FIST) operations. Composed of Federal, State and local officers, FIST teams have concentrated for a short period of time exclusively on the arrest and apprehensive of fugitives. Enhanced working relationships continue long after FIST efforts are concluded.

Research and Specialized Training

The Department has been particularly successful in its unique role of helping generate systemwide criminal justice improvements by broadening the knowledge base through research and statistical efforts. During 1987 even more emphasis was placed on the development of practical information which could be shared with States and localities and eventually translated into useful projects. Components of OJP were especially active in this area, although many other Department organizations used their own expertise to contribute as well.

- OJP's National Institute of Justice (NIJ) began in 1987 a new *Drug Use Forecasting System* as one reliable means for detecting and tracking narcotics abuse among criminal suspects at the local level. With auxiliary NIJ research showing that criminals with an active drug habit account for four to six times as much crime as when they are drug free, the new forecasting system can be used effectively to plan strategically for drug enforcement, prevention and treatment programs.
- At the Attorney General's direction, NIJ also created in 1987 an *AIDS Clearinghouse* to provide current medical information and related policy guidance to criminal justice professionals. In addition, several publications and AIDS bulletins have been produced so that law enforcement personnel might apply evolving facts to their day-to-day operations.
- In addition to establishing the previously-mentioned *Data Center and Clearinghouse for Drugs*, the Bureau of Justice Statistics (BJS) pursued its mission of providing timely and accurate data by preparing and disseminating 40 reports and statistical releases during 1987.
- Major 1987 contributions by the FBI in providing valuable specialized training to the Nation's law enforcement community included the completion of another *National Center for the Analysis of Violent Crime Police Fellowship Program* and the arrangement of a two-year agreement with OJP to provide narcotics-related financial investigative training to approximately 1,000 State and local officers.
- The Department's Criminal Division was active in this area during 1987 as well, sponsoring several meetings of the *Executive Working Group for Federal-State-*

Local Prosecutorial Relations which focused heavily on coordinating drug enforcement efforts. The Division also issued a bulletin summarizing new provisions of the federal wiretap law, and conducted numerous training sessions for State and local enforcement officials on asset forfeiture, obscenity and child pornography prosecutions and other specialized areas.

Technical assistance and training provided by NIJ and BJS, as well as OJP's Bureau of Justice Assistance and Office of Juvenile Justice, emphasized a program's improved quality, while reducing development costs and start-up times. During 1987 extensive training was given in court delay, jail capacity and career criminal prosecution programs, as well as methods of using asset removal and forfeiture in drug cases and new strategies for prosecuting arson-for-profit cases.

Victim Assistance Program

The Office for Victims of Crime within OJP undertook or coordinated a number of other projects during 1987 designed to make clear that victims' issues are of a national concern and must be addressed by both Federal and State/local justice systems. Examples of these efforts follow.

- *The President's Child Safety Partnership*, a two-year project intended to encourage more private sector involvement in child safety programs, presented its final report in November 1987.
- The Office for Victims of Crime in 1987 continued its support of the *National Victims Resource Center*, an information repository containing victim program listings, a legislative directory, issue papers and other research documents. Through 1987 the Center has responded to over 6,000 reference and information requests from professionals and the public.

- The *first direct assistance to Federal* crime victims was provided in 1987 by allocating CVF resources to U.S. Attorney Offices in the Districts of Arizona and Maryland. In addition, the Office of Crime Victims provided technical assistance on victims services to LECC victim/witness coordinators in U.S. Attorney offices and to Strike Force personnel. A national training conference for these personnel was sponsored in June 1987.



President Ronald Reagan signs a Proclamation commemorating April 26th through May 2nd, 1987, as Victims of Crime Week.

Chapter III: Legislative and Regulatory Reform

Permanent and wide-ranging improvements to the administration of the justice system in at least two particular areas were set in motion as a direct result of enactment of immigration reform and anti-drug abuse legislation in the latter part of 1986. Many Department organizations invested substantial time and resources during 1987 toward effective implementation of these landmark statutes. These efforts included gaining a more refined understanding of legislative intent, designing comprehensive guidelines on new provisions, and pursuing cooperative work with other agencies to ensure broad-based compliance with the law.

At the same time, work continued both on a series of new legislative proposals and on such longstanding regulatory issues as those in the 1982 AT&T consent decree being monitored by the Department's Antitrust Division. Although the expertise of many components was called upon during 1987 as issues required, the Department's Office of Legislative Affairs (OLA) and Office of Legal Policy acted as the principal framers of long-term legislative and regulatory reform.

The volume of OLA's workload in 1987 is indicative of the Department's tradition of being responsive to Congressional and public concerns. For example, OLA handled 2,500 requests for reports to Congress and the Office of Management and Budget and assisted with the testimony of Department witnesses at 156 Congressional hearings. Responses were prepared to more than 6,000 letter inquiries from Congress, other agencies, or the public and approximately 11,000 telephone inquiries were received from Congress.

New Legislation

Although not representing the type of major sweeping change brought about by the previous year's enactments, 1987 legislative

achievements paved the way for further improvements in the administration of the Federal justice system. Highlights include the following:

- Enactment of the *Criminal Fines and Sentencing Act* which contained a number of important clarifications to the Sentencing Reform Act of 1984, including critical corrections to guidelines issued by the U.S. Sentencing Commission. It also created a procedure for the more structured handling of cases in which U.S. citizens are convicted and sentenced overseas.
- Passage of the *Criminal Fine Improvement Act* which provided for the transfer of responsibility for receiving criminal fine payments from the Department to the Federal courts system and which made other fine collection improvements.
- Legislation signed to enhance the safety of the flying public by providing federal criminal sanctions for violations of aviation safety report requirements.
- Enactment of technical corrections to the existing statute governing early retirement conditions for federal law enforcement officers which should improve Department efforts to recruit and retain highly-qualified personnel.

Although actually signed into law in the latter part of 1986, the *Superfund Amendments and Reauthorization Act* created an important statutory framework for making remedy and enforcement processes more coherent and unified. Throughout 1987, the Department's Land and Natural Resources Division worked closely with the Environmental Protection Agency to institute more uniform administrative processes with earlier participation by interested parties. These efforts should reduce the need for future litigation.

Freedom of Information Act Exemptions

The Department's Office of Legal Policy (OLP) expended considerable effort in 1987 on carefully implementing broadened statutory authority (through the Anti-Drug Abuse Act of 1986) to protect certain information from disclosure under the Freedom of Information Reform Act. This was an issue of utmost importance to agencies maintaining records of particularly sensitive law enforcement matters. At the Attorney General's direction, OLP prepared detailed Departmental guidance on this subject for distribution throughout the Executive Branch.

Additional Immigration Matters

As INS moved forward to implement the many new requirements of the Immigration Reform Act, the Department's Civil Division successfully defended against several 1987 class action lawsuits intended to undercut the Act's legalization benefits and special agricultural worker procedures. This helped allow INS to proceed with vigorous implementation of another recent legislative milestone, the *Marriage Fraud Amendments Act*. This statute established more strict conditions for alien spouses of U.S. citizens to qualify for permanent resident status and raised the maximum penalties for marriage fraud.

In the area of regulatory action, INS monitored a major rulemaking effort completed by the Public Health Service in adding AIDS and HIV infections to the list of "dangerous contagious diseases" which are grounds for excluding persons seeking entrance to the United States. INS was also an active participant in the Department's proposal to revise asylum procedures under the Immigration and Nationality Act.

Ongoing Legislative Initiatives

On several different fronts, the Department continued during 1987 to lay the groundwork for further improvements in criminal and civil justice processes and in the conduct of regulatory matters. The Antitrust Division has a major reform proposal which will modernize antitrust laws, ensuring that they serve their intended purpose of promoting consumer welfare and enhancing the ability of U.S. firms to compete in world-wide marketplaces. In addition, a major *Criminal Justice Reform Act* has been submitted, including needed reforms in the areas of *habeas corpus* litigation and the exclusionary rule, as well as proposed constitutional procedures for the restoration of a federal capital punishment statute. Other initiatives deal with debt collection procedures, drug precursor chemicals, and fraud and procurement reform.

Finally, the Department provided Congressional testimony on a wide variety of issues, including proposals relating to statehood for the District of Columbia, court reform, federal regulation of polygraph testing, federal parental leave legislation and the creation of new judicial districts. The broad range and often controversial nature of such proposals provide firm evidence that throughout 1987 the Department was willing to engage in spirited and open debate to achieve long-lasting reforms.

Chapter IV: International Cooperation

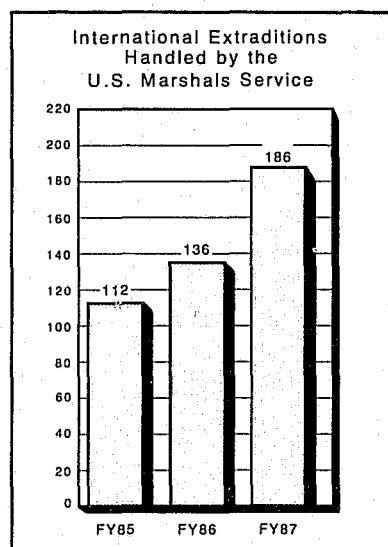
Successful discharge of the Department's law enforcement mission now also demands a worldwide focus. The increasingly sophisticated resources and intertwined nature of organized crime syndicates and drug trafficking organizations provide too formidable an opposition for any one country to handle alone. In addition, narcotics traffickers are highly mobile and adjust their shipment routes frequently as circumstances change, thereby adding a further complication from the enforcement perspective. Many of the Department's initiatives during 1987 were taken to organize a more broadly-based counteroffensive to these continuing threats.

Those agencies with a direct overseas mission were in the best position to assume a strong leadership role in coalescing international cooperation. For example, the Drug Enforcement Administration (DEA) was especially active in 1987 in forging new alliances with other countries to disrupt the narcotics trade. In this and other areas, there were several "firsts" achieved, supported by the many routine efforts underlying all successful cooperation.

- During June 17-26, 1987, the Attorney General acted as the U.S. representative at the first United Nations Conference on Drug Abuse and Illicit Trafficking in Vienna, Austria. Attended by 138 countries, the convention served to focus worldwide attention on the urgency of the drug abuse problem.
- DEA co-sponsored the annual International Drug Enforcement Conference in San Paulo, Brazil, at which the 25-member body passed unanimous resolutions on such topics as precursor chemicals, financial investigations and regional communications. In addition, DEA sponsored a conference with 21

other countries on cocaine manufacturing chemicals in Quito, Ecuador and a first Asian conference on drug diversion and chemical precursors in Kuala Lumpur, Malaysia.

- In furtherance of the new Immigration Reform Act, INS took action to inform and involve the Mexican government in all planning and implementation efforts. Towards this end, the Commissioner personally met with Mexican officials in July of 1987 and assigned a special representative for Mexican liaison in El Paso, Texas to assist with continued bilateral discussions.
- As the Department's agency with responsibility for all international extraditions, the U.S. Marshals Service handled almost 190 such matters in 1987, or a 40 percent increase over the previous year. The Marshals Service also conducts most international fugitive investigations in the United States which are requested by foreign governments through INTERPOL, receiving well over 100 such case referrals from 42 different countries in 1987.



Other Liaison and Training Assistance

The narcotics enforcement responsibilities jointly shared by DEA and FBI required both of these Department organizations to expand their overseas staffing complements during 1987 and to provide a high volume of specialized training. For example, DEA trained over 1,700 police officers from 103 countries and opened new offices in Haiti, Honduras, Paraguay, and Australia. The FBI established one new office overseas and assigned additional personnel to five locations outside the United States during the past year. In addition, the FBI's International Criminal Investigative and Training Assistance Program conducted 31 training sessions for approximately 750 students in nine Latin American and Caribbean countries during 1987.

There was one especially noteworthy and unique educational undertaking last year. In a joint effort with the Voice of America, DEA conducted media seminar workshops in March and September of 1987. Participants came from 25 countries in Asia, the Mid-East, the Western Hemisphere, and Africa. Each workshop included approximately 20 journalists from drug source and transshipment countries with seminars designed to give these influential journalists a comprehensive view of what the United States has done to combat both the supply and demand side of the drug problem.

Other Department components helped maintain a strong spirit of cooperation with the worldwide criminal justice community during 1987. For example, in conjunction with the U.S. Department of State, the Marshals Service provided special training for law enforcement officers from six foreign countries at its Special Operations Group facility in Louisiana. Also, the Bureau of Prisons provided technical and professional assistance to over 100 foreign corrections and other justice officials and academicians throughout 1987.

Litigation Assistance

The Department's Legal Divisions were necessarily active participants in many of the notable enforcement actions that transpired across national borders in 1987. For example, the Criminal Division was instrumental in helping arrange for the extradition of a number of fugitives both to and from the United States. This included the case of the major drug kingpin referred to within a previous chapter, Carlos Lehder-Rivas from Colombia.

Much of the assistance provided during 1987, however, was not case specific, but rather representative of much broader initiatives underway to bring enforcement resources to bear in a more uniform fashion. Examples include the following:

- The *Criminal Division* negotiated new Mutual Legal Assistance treaties with Germany, Belgium, Mexico, and the Bahamas. The Division also signed cooperative agreements in narcotics cases with the Turks and Caicos Islands, British Virgin Islands, Montserrat, and Anguilla.
- The Department's *Land and Natural Resources Division* was active in supporting the first international agreement to protect the environment from air pollution. A delegate from the Division attended the final protocol negotiation session in Montreal, Canada in September 1987, the culmination of over a year of negotiations among diplomats from 47 nations. The protocol, which will become effective when ratified by eleven countries, is designed to achieve reduction of stratospheric ozone-depleting chemical emissions.

Special Enforcement Support Activities

There are two other major operations which have a distinct international focus and to which the Department remained heavily committed during 1987. The value and contribution of these operations have grown as it has become increasingly important to obtain foreign investigative assistance in the resolution of certain crimes.

- **INTERPOL.** In 1987 the U.S. National Central Bureau of INTERPOL made strides in two areas of special concern to the Department's enforcement mission. First, INTERPOL member countries adopted procedures whereby information could be more readily exchanged on foreign nationals seeking residency or naturalization. This action is consistent with the border enforcement enhancement envisioned by the Immigration Reform Act. In addition, the Department granted the U.S. Bureau approval to proceed with a broadened tie-in between users of the National Law Enforcement Telecommunications System in the U.S. and their counterparts in Canada. While adhering to the laws governing privacy concerns and the exchange of information across international borders, such expediting of record information exchange should eventually assist in the identification and capture of wanted persons.
- **El Paso Intelligence Center.** The El Paso Intelligence Center (EPIC) has long been recognized as a highly-successful cooperative intelligence operation which is designed to target, track, and interdict the international movement of drugs, aliens, and weapons. Under DEA management, 10 Federal agencies now participate in its operation; in addition, all 50 States, Guam, Puerto Rico, and the Virgin Islands have information-



Operations inside the El Paso Intelligence Center.

sharing agreements with EPIC. In 1987, Congress provided \$7.5 million for a new facility to be located at Fort Bliss, Texas. The Department views this investment as a recognition of EPIC's viability as a vital tactical intelligence center which directly and effectively supports international enforcement efforts.

Chapter V: Ongoing Automation Efforts

Several years ago the Department committed itself to a long-term effort to apply the benefits of advanced technology to its multivariied information processing and telecommunications functions. This level of commitment has required the initial investment of substantial funding resources, such as for the automation of the FBI's fingerprint identification system and for the installation of voice privacy radio systems for the Department's investigative personnel. As is the case with these two examples, benefits to be derived are real and long-lasting, e.g., faster retrieval of criminal identification and offender information and greater personal safety for agents during dangerous operations.

Because the missions of the Department's component organizations are so diverse, designs and implementation strategies for automated data processing and telecommunications investments have necessarily varied widely; highlights of some 1987 upgrades to these systems are mentioned below. However, from a Departmental perspective, a major achievement was the establishment of a formal Information Resources Management (IRM) program. Issuance of an official policy directive set forth the authorities and responsibilities by which Department components would pursue the following:

- Support Department program and administrative components by providing them with high-quality information services and guidance at the lowest possible cost.
- Ensure that IRM goals, plans and strategies support Department missions.
- Promote the sharing of information resources consistent with security requirements and minimize unnecessary duplication of information systems and data bases.

- Reduce the Federal information collection burden on the private sector and on State and local governments.

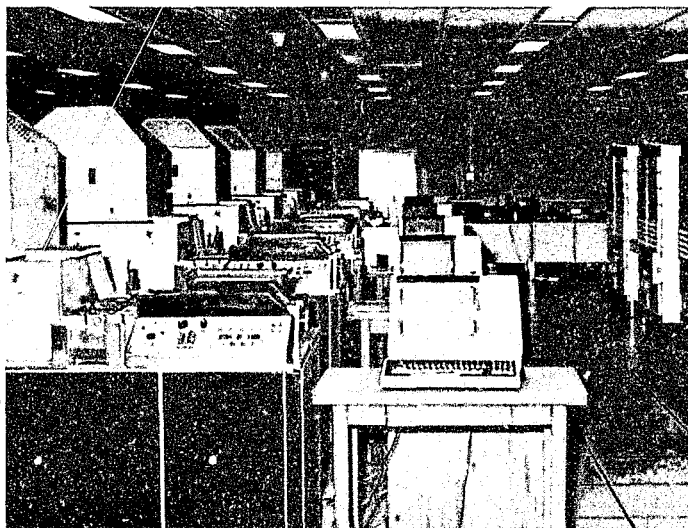
Also during 1987, the Attorney General issued the Department's first Strategic Plan for Automated Information Systems (AIS). Issued under the aegis of the overall IRM program, this plan conveyed senior management guidance to Departmental components for subsequent development and modification of their own plans. With AIS-related expenditures now estimated to represent over 10 percent of the Department's total budget, this action was a pivotal step toward ensuring that future investments in information technology proceed in a coordinated fashion.

Although automation progress was recorded by all Department organizations throughout 1987, the sections below provide a representative sampling of the magnitude and complexity of the various technology upgrades now underway.

Federal Bureau of Investigation

Identification and Criminal History Information Services. Positive operational effects from large previous funding investments in the FBI's automated fingerprint identification system continued to be seen during 1987 despite a rising workload. For example, an average in-house turnaround time of 13 workdays was maintained even though fingerprint requests increased by 14 percent. The FBI reports that approximately 97 percent of all incoming fingerprint cards requiring a technical search are processed through the automated system, and approximately 57 percent of all criminal history records are disseminated from the automated file. The automation-enhanced efficiency of these services allowed the FBI to record two other achievements last year:

- Successful continuation of the user fee system, under which over 1.3 million fingerprint cards were processed, gener-



Computer technology is becoming a primary factor in the daily operation of the FBI's Identification Division.

ating \$17.3 million in cash receipts.

- Direct support of Immigration Reform Act activity through the processing of nearly 323,000 name checks and almost 36,000 fingerprint cards.

Investigative Support Systems. The FBI's varied mission requires a broad range of technologically-advanced information and management systems to conduct complex criminal investigations. The Field Office Information Management System is the cornerstone for FBI's overall automation strategy and, with the opening of its Western Regional Computer Support Center in June 1987, administrative support and case management capabilities now exist in 39 field offices. Through a secure telecommunications network, these capabilities extend to the FBI's Criminal Investigative and Training divisions.

- The Organized Crime Information System was extended to one additional field division during 1987. More than 90 percent of the Field Agents assigned to organized crime matters have the benefit of this system.

- The capabilities of the El Paso Intelligence Center were significantly enhanced by the FBI's adding of two new sources of flight plan data and installing five additional workstations.

Expanding Immigration Database

During 1987, the Immigration and Naturalization Service (INS) took action to respond to a specific Immigration Reform Act mandate to upgrade and expand its Systematic Alien Verification for Entitlements (SAVE) program and to make its database accessible to all States wishing to verify the immigration status of aliens applying for benefits. A contract was awarded to a private vendor for database maintenance and operation and the improved system was in place as required by October 1, 1987. INS worked closely with five other federal agencies (the Departments of Agriculture, Education, Labor, Health and Human Services, and Housing and Urban Development) that make up project SAVE's Users Group to adopt verification procedures which would meet the needs of the various entitlement programs.

Drug Control and Monitoring Processes

Automation efforts undertaken by the Drug Enforcement Administration (DEA) resulted in two 1987 achievements which are especially noteworthy because of their potential practical value for field operations. The first involved development of a Controlled Substances Information System, an index of the precursor and essential chemicals needed for the various syntheses of clandestinely manufactured drugs. Data can be accessed or entered into the system from the field, and the system can be queried to check if chemicals are covered by state precursor laws.

In addition, DEA completed a major computer reprogramming effort in 1987 to implement quickly a recent change in law requiring doctors and pharmacists who write and fill prescriptions to register with DEA every three years rather than every year. This change has reduced workload and simplified the registration process for doctors and pharmacists.

Legal Activities Automation Progress

The Department made steady progress during 1987 either planning for or actually applying automated processes with the operations of its legal divisions and the U.S. Attorney offices. In addition to the two major undertakings highlighted below, automated litigation support continued to be provided throughout 1987 as Departmental attorneys confronted a caseload with increasing complexity and voluminous evidence requirements.

- **Office Automation Project.** In 1987, the Department continued with its adopted approach of acquiring compatible (and, eventually, uniform) office automation systems for its six legal divisions, the U.S. Attorney offices, and those of senior Departmental management. Plans for on-site demonstrations of the Project EAGLE proceeded in conjunction with the Tax Division, Criminal Division and the U.S. Attorneys. During the assessment and test phase periods, Departmental attorney personnel are provided with personal computers so that automated backup support is available.
- **Case Management System.** Major refinements continued in the ongoing effort to oversee the diverse nature of litigating activity that occurs each year. A significant 1987 step was the Department's implementation of its own Case Management System which extracts information about cases and matters from the separate systems of the litigating divisions and the

U.S. Attorney offices and brings that data together in a central system. As data integrity is improved and other enhancements made, this system should provide an effective tool to the Department's effort to better manage its litigating resources.

Efforts continued throughout 1987 which will support either the broader purposes outlined above or the more immediate management requirements of the litigating organization itself. For example, the U.S. Automated Case Tracking System was implemented in 90 of the 94 U.S. Attorney district offices. The Department's Criminal Division installed its automated system for tracking investigations and cases in 1987 and also established tracking systems for immunities and seized assets and an automated gambling registry listing all statutorily-required registrations.

Chapter VI: Management Improvements

One of the major priorities in the Department during recent years has been the development and establishment of an integrated management system designed to strengthen direction and control over the diverse missions of the Department. This system, tailored to the unique environment of the Department, brings together the Department's senior leadership in a coherent, cohesive process for formulating and overseeing policy while it keeps operational responsibility with the individual components. During 1987 efforts intensified and measurable progress was made toward the accomplishment of management goals and processes to improve efficiency and productivity in the Department.

Debt Collection Initiative

Some 1987 Departmental initiatives were natural spinoffs or refinements of longstanding governmentwide goals to increase productivity and strengthen financial management operations, including the accountability of credit and cash payments. In this area, the Department helped design in 1987 a series of coordinated Federal activities to recover outstanding debts, and moved forcefully to address the enormous problem of how to reduce the huge amount (estimated at \$83 billion) of delinquent debts owed the Federal Government. Debts for which the Department's main collection activity is focused are composed of the following: (1) a variety of loans such as those issued by the Department of Education, the Small Business Administration, the Veterans Administration, as well as civil fines imposed by these agencies; and, (2) criminal fines, assessments and restitution ordered in Federal cases. The Department's involvement begins at the post-judgment enforcement phase which, by definition, means that the cases being pursued represent the most difficult for collection.

In 1987, aggressive debt collection activity by the U.S. Attorneys resulted in the recovery of nearly \$540 million in actual assets, i.e.,

cash and property. Although sizeable, this represents only a portion of the estimated \$1.45 billion in delinquent debts and \$500 million in delinquent criminal fines and assessments on the U.S. Attorney books. A major historical impediment to more successful collection activity has been the fact that U.S. Attorneys must handle collection matters under the State law in which the debtor is found. Heightened management attention by the Department during 1987 led to a series of new initiatives designed to counter this overall problem.

- Presentation of a major legislative proposal, the *Federal Debt Collection Procedures Act of 1987*, which would create an entire Federal statutory scheme for the recovery of delinquent debts owed the United States. Provisions are based on existing State laws which remain available for ancillary collection activity.
- Implementation of a joint Justice/Internal Revenue Service (IRS) *Tax Refund Offset Program* by which the names of delinquent debtors are sent to IRS for offset action. Under this measure, the names of approximately 30,000 debtors have been referred, representing accounts valued at \$252 million for both civil and criminal judgment cases.
- Initiation of the *Private Counsel Pilot Program* by which the Department is utilizing the services of private attorneys and computer support systems to augment its collection activities. Five to ten pilot jurisdictions are envisioned, characterized by a high volume of delinquent debt cases.

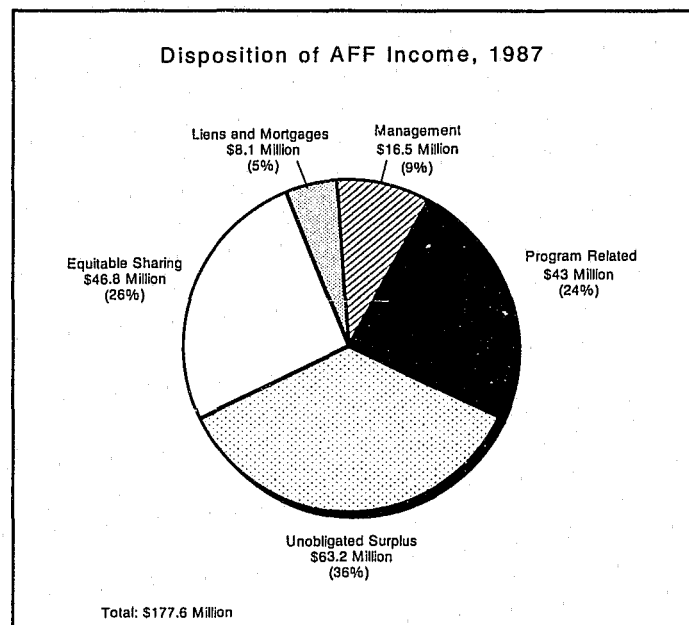
Other Department components similarly intensified their efforts in 1987 in direct support of this Administration priority. The Civil Division created a unit of experts to serve as a resource to U.S. Attorneys, and initiated a series of other

case tracking improvements. In addition, the Bureau of Prisons, in close cooperation with the U.S. Attorneys and the Administrative Office of the U.S. Courts, fully implemented its *Inmate Financial Responsibility Program* whereby inmates with court-ordered obligations are encouraged to pay. Over 11,000 inmates participate in this systematic collection program which generated \$4.2 million in payments during 1987. Finally, the Department's Justice Management Division has augmented its private counsel initiative by tightening fiscal management controls, updating collection case inventories and facilitating the targeting of "collectable" debts.

Management of Special Funds

During the last several years, two special Funds were established by Congress to assist the Department in redirecting criminal assets toward public safety purposes: the Assets Forfeiture Fund (AFF) and the Crime Victims Fund (CVF). Managed separately by the U.S. Marshals Service and the Office of Justice Programs, respectively, these Funds provide invaluable supplementary assistance to many Department enforcement operations, as well as to other criminal justice improvements across the nation. During 1987 the Department accelerated the use of both these funding mechanisms.

- **Assets Forfeiture Fund (AFF).** Practical benefits to both Federal and State and local drug enforcement efforts continued to accrue dramatically during 1987 as AFF deposits steadily rose. Total income from forfeiture proceedings during the year was \$177.6 million, against which almost \$120 million was drawn in obligations as of September 30, 1987. As noted below, these expenditures supported a wide variety of important enforcement purposes, as well as allowing well-deserved "equitable sharing" payments to participating jurisdictions.



During 1987, in close conjunction with the U.S. Marshals Service, the Department took a series of steps to implement AFF legislative changes contained in the Anti-Drug Abuse Act. Highlights of this action include the following:

- Installation of a review process and actual dispersal of Fund resources for newly-authorized program purposes, such as the purchase or lease of automated data processing equipment, payments for information in any drug-related case, and costs for retrofitting conveyances operated by the Department's investigative agencies for drug enforcement purposes.
- Issuance of revised *Attorney General Guidelines on Seized and Forfeiture Property* which provided a general outline on the Department's policy on the Fund's operation and publicly delegated its administration to the Marshals Service.

The Department had increasing success in 1987 in implementing one of the strongest features of AFF, the provision allowing the Attorney General to share federally-forfeited property and cash

with State and local law enforcement agencies which directly participated in that investigation. In 1987, the Department shared a total of \$64 million (\$47 million in cash and \$17 million in property) with these agencies, or nearly three times the amount distributed the previous year. In addition, adjustments were made to expedite as much as possible the process by which these payments were made.

Special problems — and management opportunities — arose as the amount of seized assets accumulated. For example, during 1987 more than \$150 million in cash alone was seized by the Department's enforcement agencies. The U.S. Marshals Service assisted in the development and implementation of a new policy directive whereby such money (as well as any income from property under seizure) would be deposited in a special U.S. Treasury account unless required for evidence at a criminal proceeding.

Widespread adoption of this new management policy resulted in the balance of this Seized Asset Deposit Fund more than tripling during 1987, from approximately \$45 million on October 1, 1986, to almost \$148 million on October 1, 1987. Because these deposit funds help offset Treasury's borrowing needs, the Department's seized cash policy resulted in \$6.4 million in interest savings to the Federal government last year.

- **Crime Victims Fund (CVF).** The second major vehicle by which the Department redirects criminal assets toward productive public safety purposes is the Crime Victims Fund. Financed by Federal criminal fines, bond forfeitures and other penalty assessments, this Fund provided an additional funding incentive for the more widespread adoption of often-overlooked victim services. Managed within the Department's Office of Justice Programs (OJP), this Fund was able to use deposits available to it in 1987 to

provide nearly \$25 million to States with active victim compensation programs and over \$31 million to public and nonprofit agencies in all States and territories for crisis intervention services, emergency aid, and other forms of victim assistance.

Other Agency Management Improvements

- **Justice Command Center (JCC).**

Another example of achievement of more effective program operations is the Justice Command Center which coordinates emergency response activities by incorporating national security, terrorism and law enforcement issues into an integrated system.

The capabilities of the Command Center have immeasurably enhanced the Attorney General's ability to formulate and recommend courses of action for the Executive Branch under the severe constraints which characterize emergency circumstances, particularly those associated with domestic violence or national security crises. This was clearly illustrated in the management of the disturbances by Cuban refugees at two Federal prisons in 1987. The Attorney General convened daily Crisis Management Committee meetings with DOJ component heads and staff, and JCC facilities were utilized extensively in keeping the White House and other cognizant government components informed of developments.

In 1987 the Command Center also established a system whereby around-the-clock contact is maintained between Department lawyers and Coast Guard vessels at sea so that the legality of searches for narcotics and other contraband can be quickly checked and coordinated with the Department of State, thus eliminating costly delays in time. This system is a

valuable improvement in management efficiency in terms of interagency cooperation in the narcotics enforcement program.

Finally in 1987, the Command Center was involved in installing and will maintain a secure video teleconferencing system which will be available for senior level interagency communications concerning national security issues.

- **U.S. Trustee Program.** Those Department organizations which maintain a field presence are often in the best position to take decisive steps leading to more effective justice system operations. During 1987 action was taken to continue nationwide expansion of the U.S. Trustee program by opening 26 new offices, thereby helping ensure that the bankruptcy system is a forum for fair and impartial justice across the country. The major thrust of bankruptcy reform is to assure the effective administration of bankruptcy cases by separating the adjudicative and administrative functions. Under the *Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (P.L. 99-554)*, the U.S. Trustee System Fund was established in the U.S. Treasury to provide that fees should be available for the necessary expenses of the program. Receipts deposited to this Fund in 1987 totaled approximately \$24 million.
- **Community Relations Service.** In 1987, the Community Relations Service (CRS) initiated a new long-range planning system to guide its field operations. The Annual Assessment of Racial Tension, a system of community analyses previously used to identify and classify cities in terms of racial violence risk level, was extended to provide the basis for formulation of annual regional work plans.

This change permits better-focused case selection. Targeted case selection results in a larger share of CRS resources being addressed to preventive programming. By applying this approach across the spectrum of its community conflict resolution activity, both the Department and CRS expect to increase the productivity of its cases in terms of long-range impact, without sacrificing the CRS's round-the-clock capability for crisis response.

- **Special U.S. Attorney Efforts.** Through a consolidation of functions, and other management efficiencies, the Executive Office of United States Attorneys (EOUSA) workforce was reduced by approximately 19% at the same time that the delivery of support and services to the districts was improved. The systematic delegation of procurement authority to all United States Attorneys was initiated in 1987, to enable the United States Attorneys to perform these and other management functions.

Quality and Productivity Improvements

In 1987, the Department aggressively implemented the President's Productivity Improvement Program, as established by Executive Order 12552. Among the Department's accomplishments were: integration of quality and productivity improvement efforts as part of the Department's budget formulation process; provision of technical assistance to Departmental organizations and program managers; development of a productivity/quality resource center; and creation of a network through which productivity/quality information and materials are distributed for use by Department managers and employees.

The Department identified 23 major program functions as targets for quality and productivity improvement, covering nearly 36,000 FTE

(52% of the Department's personnel). Actual initiatives were undertaken in six of the Department's program functions, covering more than 16,000 FTE.

The Federal Bureau of Investigation (FBI) is pursuing two of those initiatives—one in its fingerprint operations and the other in its laboratory services. Through enhancements to its automated systems and through implementation of an automated fingerprint card and document transportation system, the FBI made significant progress toward its goal of reducing processing time for fingerprint cards and other correspondence. Also through a number of automation efforts, the FBI is working to decrease turnaround times, enhance forensic services and improve efficiency in the performance of laboratory services.

A final example concerns the U.S. Marshals Service operation of the National Prisoner Transportation System (NPTS) as a means for transporting Federal defendants for court appearances and for delivering prisoners to appropriate correctional facilities to serve their prison sentences. In FY1987, the NPTS carried out 83,907 prisoner movements without escape or lawsuit. By automating its scheduling system and utilizing large aircraft (through no-cost acquisitions or leasing arrangements) in its prisoner airlift, the USMS reduced the average cost of a prisoner move from \$179 in 1985 to \$164 in 1987 and reported a total cost savings of more than \$4.5 million.

U.S. Department of Justice Organizational Chart

