

## **“JUSTICE DENIED” QUICK FACTS**

- The report is nearly 90 pages, and identifies over \$10 billion in mismanaged, inefficient, duplicative, wasteful, and questionable spending at the DOJ.
- Congress appropriates more than \$23 billion<sup>1</sup> annually to the Department of Justice.
- DOJ ended the last two fiscal years with more than \$1.6 billion in unspent and unobligated funds.
- The DOJ Inspector General conducted a comprehensive study of all expired DOJ grants from October 1997 to December 2005, which found that billions of dollars in grant funding have been mismanaged. \$7.4 billion in grants were not properly closed, allowing this money to simply sit in DOJ accounts. At the same time, \$106 million in grants was erroneously disturbed to non-compliant grantees who were ineligible to receive the funding.<sup>2</sup>
- A DOJ Inspector General audit (from October 1, 2002, to August 31, 2007) found that the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), could not account for 76 weapons and 418 laptop computers.<sup>3</sup> On average, ATF loses more than one weapon and seven laptops every month. In addition, the FBI and the DEA could not account for nearly 250 weapons.<sup>4</sup>
- DOJ spent at least \$312 million over seven years on conference attendance and sponsorship. In 2006, the most recent year for which figures are available, the agency sent 26,000 employees (one fourth of its total workforce) to conferences and spent \$46 million in the process.<sup>5</sup>
- Since 2005, the number of hours that DOJ employees have been charged with being absent without leave increased from more than 93,000 hours per year, to more than 125,000 hours in 2007 – an increase of 34 percent in just two years.<sup>6</sup>
- Despite their known ties to terror and their being under investigation by DOJ, the agency has funded, endorsed, or otherwise legitimized these same Islamist groups and Muslim Brotherhood affiliates in the U.S., even though DOJ itself is currently investigating these groups. For example, DOJ has funded and supported The Council on American-Islamic Relations (CAIR), a Muslim Brotherhood affiliate considered by the U.S. government to

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<sup>1</sup> William J. Krouse, Edward Vincent Murphy, M. Angeles Villarreal, CRS Report: RL34092, Commerce, Justice, Science, and Related Agencies: FY2008 Appropriations, March 17, 2008.

<sup>2</sup> The Department of Justice's Grant Closeout Process. U.S. Department of Justice Office of the Inspector General Audit Division. Audit Report 07-05, December 2006, <http://www.usdoj.gov/oig/reports/plus/a0705/final.pdf>. All information in this section was obtained from this report.

<sup>3</sup> U.S. Department of Justice Office of the Inspector General, "The Bureau of Alcohol, Tobacco, Firearms and Explosives' Controls Over Its Weapons, Laptop Computers, and Other Sensitive Property," Department of Justice, September 2008, <http://www.usdoj.gov/oig/reports/ATF/a0829/final.pdf>.

<sup>4</sup> U.S. Department of Justice Office of the Inspector General, "The Drug Enforcement Administration's Control Over Weapons and Laptop Computers Follow-Up Audit," Audit Report 08-21, March 2008

<sup>5</sup> DOJ November 15, 2006, follow-up to questions for the record by Senator Coburn from the Senate Subcommittee on Federal Financial Management 2006-2007, pdf page 11, [http://coburn.senate.gov/ffm/index.cfm?FuseAction=Files.View&FileStore\\_id=5562f9b6-d8eb-407b-be65-c935837be711](http://coburn.senate.gov/ffm/index.cfm?FuseAction=Files.View&FileStore_id=5562f9b6-d8eb-407b-be65-c935837be711). DOJ FY 2006 Resource Information, 205,505 DOJ employees as of September 30, 2006, <http://www.usdoj.gov/ag/annualreports/pr2006/P1/p05.pdf>.

<sup>6</sup> Data from every year between 2001 and 2007 was requested, but DOJ provided information only from 2005 through 2007.

be a front for terrorist Hamas. Specifically, in 2005, DOJ's Community Relations Service hosted a seminar in Houston with CAIR entitled "Building Cultural Competency,"<sup>7</sup> and CAIR is a current member of DOJ's Hate Crimes Task Force in Sacramento, California.<sup>8</sup>

- Several DOJ agencies, including the U.S. Marshals, the DEA, and the FBI, have public affairs staff that act as liaisons to Hollywood movie producers. DOJ's most notable Hollywood efforts can be found at the FBI, which has had staff working with the entertainment industry since the 1930s.<sup>9</sup> FBI public affairs staff, who are also responsible for working with non-fiction programs like *America's Most Wanted* to find and capture criminals, must divide their time to work with Hollywood. Some of their recent efforts have included helping with fictional movies such as *The Kingdom*, *Shooter*, and *Breach*, and television programs like *Without A Trace*, and *CSI*.
- Earmarks cost DOJ a half-a billion dollars every year and many of these earmarks have proven wasteful and were spent on questionable and even illegal activities. For example, a former Western Kentucky University professor is currently under federal investigation for misusing nearly \$33,000 in DOJ grant money, which was part of a \$5 million earmark for the University's juvenile delinquency prevention project.
- DOJ spends millions of dollars every year on recreational activities for children and youth in communities around the nation. While these may be fun and even educational, it is difficult to demonstrate how these may have actually had a positive impact on reducing crime in an area. Clearly, at this time when our nation faces a heightened threat of domestic terrorism, local communities should pay for these types of activities and federal funds should be focused on investigating, locating, and prosecuting terrorists.

### **DOJ SPENDS \$312 ON CONFERENCES**

The Department of Justice (DOJ) spent at least \$312 million over seven years on conference attendance and sponsorship. In 2006, the most recent year for which figures are available, the agency sent 26,000 employees (one fourth of its total workforce) to conferences and spent \$46 million in the process.

- In 2006, DOJ sent 26,164 employees (one quarter of all its employees) to 2,199 conferences at a cost to taxpayers of over \$46 million. These events included:
  - A DOJ-sponsored gang-prevention conference at a Waldorf-Astoria Palm Springs resort that cost \$300,000, not including grantees' travel, lodging and meals which could be billed to their anti-gang program accounts;
  - \$60,000 for cotton candy, popcorn, caramel apples, ice cream, and licorice at an anti-gang conference;
  - Over \$44,000 for 20 employees (including 15 from the Bureau of Prisons and one from the "library staff") to attend a "congressional" seminar at a Hawaiian resort; and

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<sup>7</sup> <http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=15718&&name=n&&currPage=80>.

<sup>8</sup> [http://www.usdoj.gov/usao/cae/hate\\_crimes/index.html](http://www.usdoj.gov/usao/cae/hate_crimes/index.html) (accessed September 5, 2008).

<sup>9</sup> Mimi Hall, "Hollywood, Pentagon Share Rich Past," *USA Today*, March 7, 2005, [http://www.usatoday.com/life/2005-03-07-hollywood-pentagon\\_x.htm](http://www.usatoday.com/life/2005-03-07-hollywood-pentagon_x.htm).

- o \$4-a-piece Swedish meatballs, served along with butterfly shrimp and coconut lobster skewers, at a \$60,000 Community Oriented Policing Services (COPS) conference “networking session.”

## OUTRAGEOUS DOJ EARMARKS

The Department of Justice appropriations for FY 2006 included an estimated 1,409 earmarks valued at more than \$869 million, according to the Office of the Inspector General.

The number of earmarks carved out of the DOJ budget increased in FY 2008, while the overall cost of the earmarks declined. There were 1,505 items in the earmark disclosure list for DOJ with a combined dollar value of \$529.7 million in 2008.<sup>10</sup>

- A 2008 DOJ earmark provided \$223,000 for the Milwaukee Public Schools (MSP) of Wisconsin “to continue safe summer sites.”<sup>11</sup> According to the school system, 2008 “safe summer programs” include **video games, music, dance, bowling, arts and crafts, field trips, “enrichment classes,” as well as reduced price tickets for attractions like Six Flags.**<sup>12</sup>
- In 2008, the state of Vermont received two DOJ earmarks costing \$848,350, which were intended to be used for at-risk youth programs. Several of the over thirty teen centers that will receive funding through these earmarks have suggested the **funding could be used to prevent “obesity,”<sup>13</sup> build a skateboard park,<sup>14</sup> or provide activities such as pie-making classes and guitar lessons for the kids.**<sup>15</sup>
- “Last year, Miami Beach’s Gang and Drug Prevention Program, known as the Teen Club, **used part of a \$50,000 federal grant to take members of the club white water rafting in Tennessee,**” according to the *Miami Herald*.<sup>16</sup>
- A former Western Kentucky University professor is **under federal investigation, suspected of misusing \$33,000 in federal funds over several years.** An audit shows the \$33,000 was part of nearly \$5 million DOJ grant earmarked for the university’s juvenile delinquency

<sup>10</sup> Consolidated Appropriations Act, 2008 (H.R. 2764; Public Law 110–161)

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

<sup>11</sup> Consolidated Appropriations Act, 2008 (H.R. 2764; Public Law 110–161) Appropriations Committee Print, Division B—Commerce, Justice, Science, and Related Agencies Appropriations Act, Page 266, [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110\\_cong\\_house\\_committee\\_prints&docid=f:39564b.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_house_committee_prints&docid=f:39564b.pdf).

<sup>12</sup> Milwaukee Public Schools press release, “Last day of school brings launch of safe summer programs at MPS,” June 13, 2008; <http://www.thewheelerreport.com/releases/Jun08/jun13/0613mpslastday.pdf>.

<sup>13</sup> John Dillon. “Sanders announces grants for teen centers,” Vermont Public Radio, September 5, 2008, [http://www.vpr.net/news\\_detail/81969/](http://www.vpr.net/news_detail/81969/).

<sup>14</sup> Lisa Rathke. “Vermont teen centers get \$133,000 US grant,” *Associated Press*, September 5, 2008; [http://www.boston.com/news/local/vermont/articles/2008/09/05/vermont\\_teen\\_centers\\_get\\_133000\\_us\\_grant/](http://www.boston.com/news/local/vermont/articles/2008/09/05/vermont_teen_centers_get_133000_us_grant/).

<sup>15</sup> Lisa Rathke. “Vermont teen centers get \$133,000 US grant,” *Associated Press*, September 5, 2008, [http://www.boston.com/news/local/vermont/articles/2008/09/05/vermont\\_teen\\_centers\\_get\\_133000\\_us\\_grant/](http://www.boston.com/news/local/vermont/articles/2008/09/05/vermont_teen_centers_get_133000_us_grant/).

<sup>16</sup> Lazaro Fraga. “Miami Beach Teen club gets \$680,000 grant,” *Miami Herald*, April 20, 2008.

prevention project.<sup>17</sup> The director of the Center was eventually removed from her position in light of the investigation.<sup>18</sup>

- Most of a \$200,000 DOJ earmark that Baltimore, Maryland “hoped to spend on two new federal prosecutors and a paralegal, who were to focus on gun cases, will instead be diverted to other purposes—including a **public relations campaign** touting the U.S. Attorney’s Exile strategy to reduce gun violence,” according to Baltimore’s *Daily Record*.<sup>19</sup> **Other expenses paid for with the earmark include \$30,000 for a pod camera** and \$50,000 to hire a support professional who will handle paperwork and be a liaison between the police department and the U.S. Attorney’s Office.<sup>20</sup>

### DOJ GRANT PROGRAMS’ SILLY SPENDING

The federal “Weed and Seed” program provides funding to local “Weed and Seed Communities” for the purpose of reducing crime and “improving the neighborhood.” In FY 2008, the program received \$32 million and Congress has appropriated more than \$252 million for it over the past five years.

Some funded activities featured below may or may not have advanced the mission of DOJ:

- In North Carolina, a free “**Shred-a-thon,**” where locals are invited to bring up to one box load of old bank statements, bills, and outdated personal papers to be transformed into mulch for the Community Peace was funded in part by the West Asheville District Weed and Seed Grant.
- This summer in Ohio, the Youngstown North Side Weed and Seed offered **lawn mower maintenance sessions** to youths from the North Side. With this program, Rick George, associate director of the Center for Human Service Development at Youngstown State University, hopes to give area youth the knowledge and tools to start cutting grass as a job and as a way to clean up their neighborhood.
- “**Dance instruction and performance opportunities**” and “**Nutrition Workshops**” are listed as components of the “*Prevention, Intervention and Treatment strategy* is to address and identified [sic] risk factors in the target areas” for Atlanta, Georgia’s Weed and Seed program. Among the accomplishments touted by the city’s Weed and Seed program include renovation of dilapidated businesses in target areas including Ardens Gardens, a fruit drink company, which has brought at least 7 new jobs and reactivated a once vacant building.
- The City of Modesto Parks, Recreation and Neighborhoods Department’s Maddux Youth Center and the Paradise South Weed and Seed Project presented a break dance competition and offered **Hip-Hop/Modern Jazz dance classes**. “The Hip-Hop and Modern Jazz dance

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<sup>17</sup>“Former WKU professor under federal investigation for misuse of grant money,” WHAS-TV Channel 11 ABC, August 7, 2008; [http://www.whas11.com/topstories/stories/whas11\\_topstory\\_080807\\_WKU\\_dean.234ec7dc.html](http://www.whas11.com/topstories/stories/whas11_topstory_080807_WKU_dean.234ec7dc.html).

<sup>18</sup>“Oversight on grants at WKU is a good thing,” *The Daily News*, August 8, 2008; [http://nl.newsbank.com/nl-search/we/Archives?p\\_action=doc&p\\_docid=12272ED2B2F48A58&p\\_docnum=2](http://nl.newsbank.com/nl-search/we/Archives?p_action=doc&p_docid=12272ED2B2F48A58&p_docnum=2).

<sup>19</sup> Daniel Ostrovsky. “Baltimore to use most of Dept. of Justice grant for PR campaign,” *The Daily Record*, January 20, 2006.

<sup>20</sup>Melody Simmons. “Baltimore Mayor Unveils Strategy to Attack Increase in Gun Crime,” *The New York Times*, May 3, 2007 as appended with a correction on May 4, 2007; <http://www.nytimes.com/2007/05/03/us/03baltimore.html>.

class will focus on the fundamentals of contemporary dance techniques, including stretching, center floor techniques, movement across the floor, progressions and dance routines,” according to the city.

While many of these events may have been fun or even educational recreational events for children, adolescents and teenagers, it is difficult to demonstrate how these differ from activities funded by other federal grants or how they may have actually had a positive impact on reducing crime in an area. Clearly, at this time when our nation faces a heightened threat of domestic terrorism, local communities should pay for these types of activities and federal funds should be focused on investigating, locating, and prosecuting terrorists.

### **WHAT IS THE SOLUTION?**

#### **HOW SHOULD CONGRESS AND DOJ BEGIN TO ADDRESS THESE PROBLEMS?**

DOJ should:

- streamline duplicative programs and shift those resources to high-performing initiatives;
- establish an online database of all grants;
- follow the laws and regulations for grant close-out processes;
- establish actual measurable outcomes and forms of accountability for all programs;
- establish a system to track the number of hours that its employees are AWOL; and
- prioritize law enforcement over conferences and Hollywood consultation.

Congress should:

- Require competitive bidding for grants rather than permitting earmarked pet projects;
- Refrain from creating even more duplicative federal programs;
- Terminate the National Drug Intelligence Center and assess whether any essential functions should be reassigned to another agency; and
- Offset funding for grants by the amount of the questionable costs documented in inspector general reports.

### **GENERAL SUMMARY**

- With an increasing reliance on federal law enforcement to provide not only traditional domestic services, but also to protect the U.S. against the threat of terrorism and international crime, the Department of Justice cannot afford to waste valuable resources on unnecessary programs and costly management errors.
- Law enforcement personnel know that a coordinated, informed, and well-run operation is essential to success. Yet, billions of taxpayer dollars at DOJ are funneled into programs and efforts that duplicate existing government projects, lack clearly defined goals, are non-essential and/or operate without any form of measurability or accountability.
- For the past six years, the IG has consistently identified “grant management” as one of DOJ’s top 10 management and performance challenges.

- There are sufficient resources in DOJ's current budget for white collar federal criminal investigations and prosecutions — such as for financial crimes and mortgage fraud— if the agency reprioritizes non-essential spending and internal oversight.
- These inefficiencies not only cost taxpayers millions of dollars, but siphon funding away from the Department's efforts to protect the country from terrorist threats at home and abroad.
- The recent economic turmoil has highlighted the Justice Department's need to prioritize the pursuit of white collar criminals — such as those responsible for sub-prime mortgage schemes and nationwide real estate fraud — which could be accomplished by reprioritizing some non-priority spending highlighted in this report.
- Given DOJ's crucial mission, the consequences of Justice's negligence reaches even beyond fiscal concerns and the budgetary impact of such waste. Each of the millions of dollars thrown away every year represent one less dollar being used to fight crime, combat terrorism, prosecute fraud, and ensure the safety of each and every American.