

The Department of Justice (DOJ) Office of the Inspector General (OIG) announced today the release of a report examining the efforts of the U.S. Attorneys' Offices (USAO) and the Executive Office for U.S. Attorneys (EOUSA) to collect debts resulting from criminal and civil cases that are owed to the United States and federal crime victims. Collecting these debts is an important part of the USAOs' mission, and the DOJ has indicated that it places a high priority on improving debt collection efforts and ensuring that crime victims receive full and timely restitution. However, the OIG's review found that, in many cases, USAOs have not devoted the resources or put in place the policies and procedures needed to make this a reality. Rather, we found that many USAOs have failed to appropriately prioritize debt collection, and that this has resulted in insufficient staffing of both Assistant U.S. Attorney (AUSA) and support positions, as well as ineffective collaboration between Financial Litigation Units and other units in the USAOs, all of which hinders the ability of the USAOs to fulfill their mission to collect debts.

The OIG's specific findings in the report released today include:

- **Most USAOs are hampered in fulfilling their mission to collect debts because of insufficient allocation of staffing resources to the Financial Litigation Units.** The outstanding federal criminal and civil debt balance is very large, totaling \$114.6 billion as of the end of fiscal year (FY) 2014. In addition, the outstanding criminal debt balance has been growing for years. According to the USAOs, in the two decades from the end of FY 1994 to the end of FY 2014, the criminal debt balance increased 23-fold, from \$4.4 billion to \$101.5 billion. Even though EOUSA considers a large portion of this debt to be uncollectible, the outstanding debt balance has resulted in large caseloads for the USAOs' Financial Litigation Units (FLUs), the units within the USAOs that are largely responsible for debt collection. We found that most USAOs have less than one full-time AUSA position devoted to FLU work, and that the time of those AUSAs is often divided between debt collection and other activities that they or their offices view as higher priorities. We also found that, at the time of our review, a third of the FLUs were operating with only one or two support staff members, and that these employees' time is often consumed with time-sensitive administrative tasks required for processing each new case in their ever-increasing caseloads, rather than on enforcement actions.
- **Ineffective collaboration among units in many USAOs hinders the FLU's ability to recover assets for victims.** We found that in many USAOs, the FLU, Criminal Division, and Asset Forfeiture unit were not communicating and coordinating consistently and effectively, resulting in missed opportunities to identify and recover assets for victims. We identified three factors that contributed to this ineffective collaboration: a lack of awareness and appreciation of the FLU's mission within the USAOs, inadequate time some FLU AUSAs devote to debt collection, and a lack of policies and procedures in the USAOs directing how their units should collaborate with the FLU during the pre-judgment phase of criminal cases.
- **The USAOs and EOUSA cannot rely on the DOJ's debt collection case tracking system to accurately assess FLU performance and determine how to allocate resources to increase collections.** We identified several problems with the DOJ's debt collection case tracking system, including that it contains inaccurate data because it lacks sufficient data entry controls and FLU staff members do not always follow correct data entry procedures. The problems we identified limit the system's usefulness as a case management and reporting tool for the USAOs and EOUSA.

- **Some USAOs have adopted practices that prioritize debt collection work and enhance their ability to collect debts.** These practices include merging the Asset Forfeiture unit and FLU so that they report to a common supervisor, employing asset investigators, and implementing a division of labor between FLU support staff who perform administrative tasks and enforcement actions. We believe these practices can be replicated in other USAOs to enhance those offices' ability to collect debts.

Today's report makes five recommendations to EOUSA to improve the ability of the USAOs to fulfill their mission to collect debts. EOUSA agreed with all of the recommendations.

The report released today can be found on the OIG's website at the following link: <https://oig.justice.gov/reports/2015/e1506.pdf>.

In addition, the OIG has released a short video message to accompany today's report. The six minute video, in which the Inspector General and two members of the OIG Division that conducted the review discuss the report's findings, may be accessed on our website or at the following link: <https://oig.justice.gov/multimedia/>.