As a government-wide council, the PIC’s mission is to advance and expand the practice of performance management and improvement.

We do this by creating opportunities where government employees working to achieve progress learn from breakthroughs achieved elsewhere and collaborate to solve complex challenges.

The Performance Improvement Council (PIC), an inter-agency body that supports cross-agency collaboration and best practice sharing, was established under Executive Order 13450 in 2007 and codified in law under the GPRA Modernization Act of 2010. The PIC is chaired by the Deputy Director for Management at the Office of Management and Budget within the Executive Office of the President and is supported by a number of full-time staff at the General Services Administration. The membership of the PIC includes Performance Improvement Officers (PIOs) and associated staff. The Council meets regularly and convenes a number of inter-agency working groups in between meetings to foster dialogue and best practice sharing between agencies.
Introduction

In 2014, the Performance Improvement Council (PIC) conducted an assessment of federal agencies (Agency Baseline Assessment). In the course of the assessment, all of the 24 Chief Financial Officer (CFO) Act agency performance offices were interviewed and surveyed to understand the strengths of their members and the challenges they face. During the interviews, specific challenges around measuring law enforcement performance surfaced. Interviewees talked about problems such as their difficulty communicating the successes achieved in complex enforcement efforts, the challenge of measuring effectiveness when success means that nothing bad happened, and the risk of creating unintended consequences by setting targets for enforcement activities.

The PIC conducted a follow-up survey in which one-third of the CFO Act agencies indicated that they had law enforcement related measures and that over one-third of agency components also had law enforcement measures.

These assessments highlighted the need for problem-solving around law enforcement performance measures. As a result, in January 2015, the Law Enforcement Measures Working Group (LEWG) was established by the PIC for this subset of the federal performance community.

Twelve federal agencies and multiple agency components participated in the LEWG. The Department of Justice (DOJ) offered to co-sponsor the working group.

The PIC and DOJ co-hosted five LEWG meetings over the course of seven months. While working group discussions primarily focused on criminal law enforcement, the group also included organizations that are involved in administrative law enforcement.
CHAPTER 1
FORMING the Working Group

UNDERSTANDING THE CONTEXT

On January 15, 2015, the PIC and DOJ held the first LEWG meeting, which was a brainstorming session around the common challenges of measuring law enforcement services and their outcomes.

Participants shared their desired goals for the group, as well as for their agencies (see Figure 2). The goals and objectives for the working group were grouped into four theme areas:

- **Exchange Stories and Identify Best Practices** - Learn and understand what everyone else is doing, how they are measuring outcomes, and the challenges they are facing. Document best practices.

- **Network** - Build relationships and develop a community that can encourage continuous learning.

- **Understand Commonalities** - Develop shared terminology and a framework for action.

- **Learn** - How to measure outcomes, how to measure different types of enforcement, and approaches used by others to address measures challenges.

CHALLENGES WITH LAW ENFORCEMENT MEASURES

Participants brainstormed the challenges their agencies experience in measuring the effectiveness, outcomes, and impact of law enforcement efforts (see Figure 3). The group voted on the top three issues they deemed to be the highest priorities.

Of the issues identified, many were measurement challenges shared across the performance community while some were more specific to law enforcement. Table 1 lists the challenges identified by the community.
<table>
<thead>
<tr>
<th>Law Enforcement Measures Challenges</th>
<th>General Measures Challenges</th>
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<tbody>
<tr>
<td>• Measuring prevention and safety</td>
<td>• Balancing quality and quantity</td>
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<td>• Lags in data needed to measure outcomes</td>
<td>• Data analytics</td>
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<td>• Measuring when service is support</td>
<td>• Focusing on priorities over reactionary needs</td>
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<td>• Arriving at shared outcomes and processes (across agencies, components, and jurisdictions)</td>
<td>• Engaging stakeholders in performance management</td>
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<td>• Determining the right balance for deterrence</td>
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<td>• Integrating enforcement and prevention</td>
<td>• Having high quality data to drive decisions</td>
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<td>• Building capacity to measure across jurisdictions</td>
<td>• Turning from measures to accountability</td>
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<tr>
<td>• Sharing common definitions for enforcement data</td>
<td>• Measuring and managing transparency</td>
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<tr>
<td>• Tailoring measures to the context</td>
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Table 1: Measures Challenges

Figure 2: Goals and intentions for the LEWG
CHAPTER 2

PRIORITY CHALLENGES

CHALLENGES

At the conclusion of the kick-off meeting, the participants agreed to focus the next three sessions on the top three law enforcement measurement challenges:

- Challenge 1: Measuring Prevention and Safety;
- Challenge 2: Managing Lags in Outcome Data; and
- Challenge 3: Measuring Impact When Service is Support.

MEASURING PREVENTION & SAFETY

Many people are aware of the actions law enforcement organizations take to respond to criminal activity, but are less aware of law enforcement actions such as:

- Preventing criminal activity;
- Encouraging compliance with laws and regulations; and
- Providing for the safety of those who are engaged in the justice system.

The measurement challenge comes when these efforts are successful.

Measures for prevention and safety generally target zero incidents. When these targets are achieved, it is easy to believe that the problem is solved, and the reaction is to switch focus and allocate resources elsewhere.

During this LEWG session, members shared ideas and talked about approaches, such as the use of alternative or proxy measures (when the ‘right measure’ is not available) to estimate the threat levels and the development of indexes that can provide a comprehensive view of the factors that cause threats.

Figure 3: Measuring Prevention & Safety
Small Group Report Out
According to Keith Downey, a Program Analyst in the Planning and Performance Group at DOJ, the USMS’s approach to measurement focuses on the actions taken to prevent unwanted outcomes and the activities that indicate the potential for threats. These indicators act as proxies, giving insight into the degree of risk that is being faced by individuals under their protection. The following are examples of the measures in use by USMS currently:

- Inappropriate communications/threats to protected court family members (output proxy);
- Threats to protected court family members that USMS investigated (output proxy);
- Protective details required/provided to court family members (input); and
- Assaults against protected court family members (outcome).

USMS focused on building these proxy measures to better show both program activities and results.

"With a prevention measure, zero is the ultimate goal. If you reach the goal of zero, does that mean that you were effective or that there is no longer a threat?" - Keith Downey

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4. Assaults against protected court family members (outcome).

USMS focused on building these proxy measures to better show both program activities and results.

1 A proxy measure is a figure used in the absence of a direct measure. Using a proxy is an indirect way to measure something that is difficult to measure.
The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is a law enforcement and regulatory agency charged with protecting communities from violent criminals, criminal organizations, the illegal use and trafficking of firearms, the illegal use and storage of explosives, acts of arson and bombings, acts of terrorism, and the illegal diversion of alcohol and tobacco products. When revising their strategic plan, ATF realized that their performance measures did not fully convey the impact the organization had on reducing violent crime, nor did they provide ATF with actionable information to manage performance. ATF recognized the need for a performance management tool that would give them broader visibility into the factors that work together to create their outcomes.

One challenge in measuring law enforcement is developing outcome measures. This challenge has several aspects:

- It is difficult to control all of the factors and activities that contributed to the outcomes;
- It is challenging to determine the contribution of each factor and activity to the outcomes; and
- It is difficult tying resources expended to funding allocations if there are other actions contributing to the outcomes.

For example, ATF could greatly impact the crime rate related to the illegal use of firearms in an area by increasing enforcement investigations and regulatory inspections. However, external factors, such as state and local efforts, community outreach, or social programs may also contribute to and effect this outcome.

The solution for ATF was to create a performance index system that links performance measures to their strategic plan, allowing ATF to focus on measuring strategic priorities. According to Shaunnecy Coleman and Jacqueline Pitts, Management Analysts in the Office of Strategic Management (OSM) at ATF, the overall goal in developing a performance index was to provide a complete view of the core functions, programs and activities that contribute to accomplishing their desired performance goals. The index painted an overall picture for ATF leadership, allowing them to recognize performance trends, and help them make decisions informed by a broader set of information.

To create the index, ATF reviewed over 100 indicators. To be included in the index, each indicator was assessed against a set of selection criteria. Indicators that met the four criteria were then weighted based on the indicator’s impact on its respective performance goal measure. This afforded ATF leadership a way to see the larger trends across the broad set of factors and influencers and to dive deeper into each factor to determine where they need to allocate resources, change policies, and coordinate with partners.

There are a few indicators outside of ATF’s control that are included in the index at a lower weight in order to provide a complete perspective of what impacts the measures. For example “If the performance goal measure is to reduce illegal firearms trafficking, we (ATF) would want to consider an indicator, such as illegal firearms trafficking cases referred for prosecution and

“In our index, we consider the things that are both in and out of our control that impact the outcome. The index helps our leadership to understand what is happening, have a meaningful conversation, and make decisions.”

– Shaunnecy Coleman
ultimately indicted, which is fully within our control. We would also want to consider the indicator of illegal trafficking cases referred for prosecution ultimately convicted, which is outside of our control. The convictions reflect our contribution to reducing illegal firearms trafficking. The data from these indicators makes us aware if we need to implement internal corrective actions or communicate with our external stakeholders and law enforcement partners.”

The information in the index provides an opportunity for better and more informed communication between OSM staff and ATF’s executives, as well as reporting to the Department of Justice. Each indicator shows the contribution toward meeting a performance goal, and points to potential causes as to why a performance goal is or is not met.

The ATF team recognized that the index should be meaningful to external stakeholders and customers as well. They addressed this need by providing briefings and discussions about the index’s underlying indicators’ contribution to achieving the performance goal measures. This helps external stakeholders better understand how ATF uses the index as a management tool.

ATF’s next steps involve continuing to communicate the value and understanding of the index both internally and externally. In order for the index to be truly successful, buy-in is required at all levels. ATF leadership is engaged and meeting quarterly about the performance index. Program managers and subject matter experts currently contribute performance data at the indicator level to the index. The next step is to help them better understand how their data is reflected in the index and how it contributes to accomplishing the overall performance goals. The more managers know about how the information in the index is used, the better they can provide useful information to their leadership.

The index can be found in the ATF FY 2010 - FY 2016 Strategic Plan, Appendix B: Measuring ATF’s Performance, which can be accessed through the following link:


Key Takeaways from ATF

- **Bigger Picture.** Using indicators may help to formulate a larger view of the outcomes in situations where multiple factors work in concert to drive results. Telling the full story with an index may require including some indicators that are out of your control.

- **Stakeholder Buy-in.** Indexes are useful, but complex to understand. Engage and communicate with leadership and program managers so they understand the tool and can interpret the information it provides.
In an ideal performance management system, data is collected in real time or with minimal lag to enable informed budgetary, policy, and strategy decisions based on current program outputs and outcomes. This works well when reporting and decision-making cycles match budget cycles because decisions about future expenditures are based on outcomes generated in the most recent cycle. It does not work well when budget decisions are being made on an annual basis about programs that will take two, three, or even more years to yield results.

It is not uncommon in the federal environment for programs to take several years to yield results because a sizable amount of money is allocated to grant programs. Grant programs can have delays in data for several reasons. For example, grantee reporting may be limited to once or twice a year or may only occur only after some ramp-up period. These types of lags in access to data can pose challenges for effective decision making and resource allocation.

Lags in outcome data can happen for two reasons:
1. Delayed data; and
2. Long results cycle.

In a delayed data cycle, results occur quickly, but data collection takes a long time. Decisions are informed by data from prior cycles that may not accurately reflect the impact of recent programs and improvement efforts. This can result in decisions that create unintended negative consequences for program performance.

In a long results cycle, the program requires a long time to achieve results. Decisions need to be made while activities are still in process. In this situation, annual budget and policy decisions are based on limited, interim information without an evidenced view of the efforts, because final outcomes have not yet occurred.

The LEWG offered some approaches they’ve used that may be helpful to agencies that also experience a delayed data cycle:

- **Projections** – Build a body of historical knowledge by capturing and preserving data over time from prior years or performance periods. This data can be used to build predictive models that can project possible results and identify the factors that have the most impact on case outcomes. For example, by collecting data over a 10-year period on the disruption and dismantlement of Priority Target Organizations, DOJ was able to build a model that informs decisions about which cases to select and the best timing for initiating them.

- **Trend analysis** – Collect data over time to determine the overall direction of program results. For example, data collected over time regarding groups such as males 18-34, has helped document the need of resources and programs to address the issues of this high risk group.

- **Cross program assessments** – Look beyond the data from one program to see larger implications. For example, Data-Driven Approaches to Crime and Traffic Safety (DDACTS)\(^1\) overlaps crime and transportation safety data, providing targets in which local law enforcement can double down for greater results.

Case Study

DELAYED DATA
National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation

The National Highway Traffic Safety Administration (NHSTA) is a research and data-based organization that focuses on road safety, collecting data through the Fatality Analysis Reporting System (FARS). According to Wil Price, a Highway Safety Specialist for the Enforcement and Justice Services Division at the NHTSA, the organization relies heavily on accurate and timely data. One of the challenges the organization faces is the time required to collect fatality data. It can typically take a year and a half to two years in order to collect the most complete information.

A part of the challenge, and the reason for the delay, is that the NHTSA collects data from each state. The delay can be caused by a number of factors: different reporting cycles, the size and complexity of the state, and different data collection methods. An additional piece of the challenge is that even though the data is collected in a standard format, each state may interpret the data in a different way. According to Price, engineering issues are one factor that might affect traffic movement or crashes. Additionally, how roadways are designed or how speed limits are set can also contribute to a complex set of issues that have to be considered when reporting and investigating incidents. Additionally, the quality of data informs grants and resources that the states receive from the national level.

Overall, the ability to collect data in a timely manner is dependent on getting all of the stakeholders on the same page. The NHTSA continually looks at and updates the Model Minimum Uniform Crash Criteria (MMUCC) reporting standards. In order to do this, they pull all of the interested parties together to understand the type of crash information to collect and what data elements should be examined. Every state has a different interpretation for crash reporting standards, and there is no uniform structure. Price used speeding as an example. The NHTSA reviews behavioral, educational and enforcement factors that can be applied to how the issue is addressed, while external stakeholders might focus on the engineering aspects of that same issue. Bringing all of the stakeholders together ensures that diverse perspectives and practices are represented. Additionally, it creates greater transparency and commonality about what is being reviewed, discussed, and decided. Ideally, stakeholders would share a common understanding, methodology and instrument to collect data quickly and consistently.

On stakeholder engagement: “Sometimes, there are different interpretations by the people who collect or report data. The benefits of these discussions and refinements is a continual movement toward a common understanding which can really enhance the quality of the data we receive.” – Wil Price

Figure 4: Lags in Outcomes Small Group Report Out
The overall goal of OCDETF is to bring together federal, state and local agencies to dismantle transnational, national and regional criminal organizations responsible for the illegal drug supply in the U.S., the diversion of pharmaceutical drugs, and the violence associated with the drug trade. OCDETF has an average caseload of 5,000 active cases. Approximately 1,000 of those cases are closed annually. Within this caseload, OCDETF collects a variety of measures including the following:

- Percentage of cases that are linked to priority targets;
- Convictions for financial charges as well as other financial indicators;
- Geographic scope of investigations; and
- Dismantled or disrupted Consolidated Priority Organization Target (CPOT) linked drug trafficking organizations.

Every case includes many indicators that reflect the quality and complexity of the investigation, as well as the charging and conviction of defendants throughout the duration of a case. Each case must meet a certain set of standards in order to become an OCDETF-sponsored investigation. According to Jill Aronica, the Chief of the OCDETF Management Information System, once a case transitions into an OCDETF investigation, it may take several years to complete.

A long results cycle can present a challenge when reporting results. With investigations taking as long as they do, the data may lag up to one year after a criminal organization is dismantled. Acquiring resources and leadership support for long results cycle programs may present a challenge, because quick results are often desired and justifications...
“We look at priority targeting, geographic scope and financial indicators to make sure that we are disrupting criminal organizations that have a far reach. Ultimately we want to dismantle the criminal organizations, which is the outcome.”
- Jill Aronica
MEASURING IMPACT WHEN SERVICE IS SUPPORT

While federal law enforcement agencies conduct investigations, identify violations, and take proactive enforcement actions, there are also many federal efforts that provide support such as information, capacity building, and resources. These support activities are part of the larger enforcement and prevention processes that can span State, Local, Tribal and Territorial (SLTT) jurisdictions. The challenge with these efforts comes in tying these activities to law enforcement outcomes, such as prosecutions or reduced crime rates. These organizations often lack information about the outcomes they support, sometimes as a result of the delayed data for these outcomes. This lack of information can make it difficult to target resources to the most effective efforts and justify resource expenditures in tight budget times. In the LEWG session to discuss this topic, the members identified the types of support they provide and talked about potential ways to tie their efforts to outcomes (see Table 2).

The participants also identified several approaches that could be used to begin measuring the impact of support. Suggested approaches for measuring support:

- **Develop data sharing agreements** – When partnering on programs and investigations with other law enforcement organizations, create agreements in advance that define success and specify how measures data will be shared. Assess outcomes after the fact to agree on ways to allocate the contribution of the partners to the outcomes achieved.

- **Develop indexes** – Measure outcomes as a partnership by developing indexes that can be used on an on-going basis that consider all of the contributions and inputs to achieving programmatic outcomes.

- **Look downstream** – Provide resources that can capture data downstream and feed output and outcome information back to your organization.

- **Use logic models** – Logic models can tell the larger story across the duration of a case or a program. Use a logic model to identify and measure the contribution made by each organization in each step of the process.

- **Create incentives** – Organizations can motivate behavior through positive incentives, such as agreeing to share resources and information mutually, or create disincentives, such as establishing agreement to withhold funds if measures data is not provided.

Increasing efficiency, improving effectiveness, and justifying resources all require data to demonstrate impact on outcomes. Law enforcement efforts typically involve multiple actors, whether it is a single criminal case or a nation-wide safety program. A major takeaway from this discussion was the need to recognize the contributions of multiple players in law enforcement efforts and to create mechanisms that allow agencies to share data more freely.

Agencies might consider a mandate on organizations across the law enforcement system that requires frequent follow-up and information sharing to fill the outcome data gap that so many agencies experience. This might help to close the gaps and create a system where the agencies can share information more proactively and timely.
Providing information, such as alerts, data bases, and case information that is used by other agencies and local jurisdictions to support investigations and prosecutions.

Leading and partnering on shared efforts, such as federal case investigations that require more than one agency or law enforcement activities that involve local jurisdictions.

Building capacity by providing guidelines, policies, tools and training for SLTT to improve execution of a shared mission.

Providing capacity, including staff, to conduct research, conduct investigations, participate in task forces, and prosecute cases.

Providing incentives, such as money or other resources, that can get information to solve cases.

Bring focus by raising awareness locally or nationally to risks, such as terrorist threats and Amber alerts.

Issuing grants that provide funding to purchase equipment, supplies, technology, labor, and services that increase the effectiveness of local law enforcement organizations.

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Table 2: Law Enforcement support provided by Federal Agencies

Figure 7: Identifying Top Challenges
The primary benefit of working groups, such as the LEWG, is the opportunity it affords for the community to come together. In this case, the LEWG members recognized the existence of commonalities between their organizations, discussed their challenges, and found benefit from sharing ideas and potential solutions. The working group allowed participants an opportunity to expand their networks both within their agencies and across government.

Many LEWG participants expressed the feeling that they were alone in struggling with issues around measuring the impact of law enforcement. Throughout the course of the working group, most seemed to find validation in their experiences – finally feeling like they had peers struggling with the same challenges. While in some cases the challenges were too large to solve with a discussion among these peers, for others it was nice to know that they had not overlooked some solution in existence. LEWG participants are still left with questions such as the best approach for working with stakeholders to determine standard definitions, how to best provide useful information to stakeholders, and whether or not standard templates could be tailored to the specific needs of organizations.

There is no question that there are struggles in every field around how to measure performance of programs in order to determine the most meaningful and useful measures to allow managers to capture programmatic impact and make continuous improvement decisions. The high level of participation in the LEWG only reinforces how significant these issues are to the community. Many of the performance measurement challenges identified by the LEWG are not isolated to the field of law enforcement. The deeply difficult distal and indirect outcomes, notable data lags and long results cycles are not uncommon in such as public health, emergency response, weather and natural disaster safety, and cybersecurity.

The PIC and its staff will continue to delve into issues such as these by establishing working groups, convening all day summits, and continuing discussions at standing community meetings. Through these avenues the PIC will bring together community members with common struggles to work towards finding solutions for the federal government.
Graphic Recordings
our top challenges

- How to stay focused on organizational priorities in the midst of reactionary needs
- How to measure safety & prevention
- How to obtain high quality data to drive decisions
- How to integrate enforcement & prevention
- Getting public engagement
- Building capacity & capability
- Investing in introduction
- Data analytics
- Supporting outcomes (how to reach outcomes when there is a lag for data acquisition)

- How to measure & drive transparency
- How to measure & define shared & common definitions
- Tailoring measures to context
- Now what? Turning infrastructure of measurement to accountability
- How to have right data, right time that is actionable
- How to have appropriate level of engagement in performance management
- How to obtain right data, right time that is actionable
- How to determine right balance for deterrence
- How to determine right balance for deterrence
- How to determine what are good outcome measures - we don't know what we want, we are interdependent
- Getting stakeholders to have appropriate level of engagement in performance management

Stephanie Brown @eric.gov
Contributors

The Performance Improvement Council (PIC) and the U.S. Department of Justice (DOJ) co-sponsored the LEWG. Because the federal law enforcement community is large and diverse, the PIC and DOJ recognize that addressing measurement challenges could benefit many agencies and components. Representatives from the following agencies and components made up this working group:

- Court Services and Offender Supervision Agency for the District of Columbia (CSOSA)
  - Office of Research and Evaluation (ORE)
- Department of Agriculture (USDA)
  - Forest Service (FS)
- Department of Commerce (DOC)
  - Bureau of Industry and Security (BIS)
  - National Oceanic and Atmospheric Administration (NOAA)
- Department of Homeland Security (DHS)
- Department of Interior (DOI)
- Department of Justice (DOJ)
  - Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
  - Drug Enforcement Administration (DEA)
  - Federal Bureau of Investigation (FBI)
  - INTERPOL Washington
  - Office of Justice Programs (OJP)
  - Organized Crime Drug Enforcement Task Forces (OCDETF)
  - U.S. Marshals Service (USMS)
- Department of Labor (DOL)
  - Mine Safety & Health Administration (MSHA)
  - Wage and Hour Division (WHD)
- Department of State (DOS)
  - Bureau of Diplomatic Security (DS)
- Department of the Treasury (TREAS)
  - Financial Crimes Enforcement Network (FinCEN)
  - Internal Revenue Service (IRS)
- Department of Transportation (DOT)
  - Federal Motor Carrier Safety Administration (FMCSA)
  - National Highway Traffic Safety Administration (NHTSA)
- Federal Trade Commission (FTC)
- National Aeronautics and Space Administration (NASA)

Thank you to all of our contributors who have participated in the Law Enforcement Working Groups (LEWG) workshops. The ideas and insights included in this book were crowdsourced from this Performance Community for the Performance Community.

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