United States Government Accountability Office
Washington, DC 20548

July 14, 2010

The Honorable Barbara Mikulski
Chairman
The Honorable Richard Shelby
Ranking Member
Subcommittee on Commerce, Justice, Science, and Related Agencies
Committee on Appropriations
U.S. Senate

The Honorable Alan Mollohan
Chairman
The Honorable Frank R. Wolf
Ranking Member
Subcommittee on Commerce, Justice, Science, and Related Agencies
Committee on Appropriations
House of Representatives

Subject: *Federal Bureau of Prisons: BOP Has Mechanisms in Place to Address Most Second Chance Act Requirements and Is Working to Implement an Initiative Designed to Reduce Recidivism*

This letter formally transmits the enclosed briefing in response to the Conference Report accompanying the Fiscal Year 2010 Consolidated Appropriations Act (H.R. Rep. No. 111-366, at 673-74 (2009) (Conf. Rep)), which directed us to evaluate BOP's strategic approach to budgeting for its inmate re-entry programs, including activities related to the Second Chance Act (SCA). To conduct this work, we analyzed the Federal Bureau of Prison's (BOP) programs, activities, and management initiatives that play a key role in implementing SCA requirements, such as the Inmate Skills Development Initiative (ISDI). Through ISDI, BOP intends to measure skills inmates acquired through effective reentry programs with the goal of reducing rates of recidivism. We also evaluated BOP's processes and initiatives that play a key role in implementing SCA, such as ISDI, to determine the extent to which BOP followed leading practices for planning, implementing, and identifying resources needed for projects.

In summary, BOP has mechanisms in place to address most SCA requirements and is working to implement ISDI to meet the remaining requirements, estimated to be complete in 2014 at the earliest. However, BOP has not fully applied leading program management practices to its efforts to implement ISDI, an initiative which could

strengthen BOP's ability to facilitate the successful re-entry of inmates into their communities by addressing inmate skills gaps. Specifically, BOP has not fully developed a detailed ISDI implementation plan, including a comprehensive cost estimate. BOP officials stated that they have not fully developed a detailed ISDI implementation plan, including a cost estimate, because key decisions that would affect the project plan and schedule are pending. Until BOP develops an implementation plan and cost estimate, it may be difficult to assess BOP's progress towards realizing ISDI and identify ISDI's impact on the successful reentry of inmates into their communities. Thus, we are recommending that BOP establish a plan for the remaining steps needed to implement SCA requirements, specifically ISDI, and develop a comprehensive cost estimate for the remaining ISDI requirements that should include costs associated with data validation and program evaluation, among others. For additional information and a summary of the results of our work, see slide 10.

In commenting on a draft of this briefing, the Department of Justice concurred with our recommendations and provided technical comments that we incorporated where appropriate.

We are sending copies of this report to the appropriate congressional committees. We are also sending copies to the Attorney General of the United States, as well as the Director of the Federal Bureau of Prisons. This report will also be available at no charge on our Web site at http://www.gao.gov. Should you or your staff have questions concerning this report, please contact me at (202) 512-8777 or MaurerD@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report were Glenn Davis, Assistant Director; Karen Richey, Assistant Director; Janet Temko, Senior Attorney; Pedro Almoguera, Senior Economist; Lori Kmetz, Senior Analyst; Anthony Fernandez, Senior Analyst; and Darreisha Bates, Analyst.

David C. Maurer
Director, Homeland Security and Justice

Enclosure

Enclosure

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Federal Bureau of Prisons: BOP Has Mechanisms in Place to Address Most Second Chance Act Requirements and Is Working to Implement an Initiative Designed to Reduce Recidivism

Briefing for
Subcommittees on Commerce, Justice, Science, and Related Agencies, Committees on Appropriations, United States Senate and House of Representatives
June 30, 2010

Briefing Overview

- Introduction
- Objectives, Scope, and Methodology
- Summary
- Background
- Findings
- Conclusions
- Recommendations
- Agency Comments and Our Evaluation
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- Appendix II

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Introduction

- The *Second Chance Act of 2007: Community Safety through Recidivism Prevention* (SCA),[1] which imposed new requirements on the Federal Bureau of Prisons (BOP) to facilitate the successful re-entry of offenders into their communities and reduce the rate of recidivism, was enacted in April 2008.[2]

- BOP's SCA requirements include, among others, identifying, tracking, addressing, and reporting on inmate skills needs; providing medical support to inmates for re-entry, including through community partnerships; and reporting to Congress on recidivism rates.

- In December 2009, Congress raised questions regarding the cost—estimated by BOP earlier that year to be approximately $75 million—to implement BOP's requirements under SCA.

- Congress directed BOP to provide a detailed description of the coordinated prisoner re-entry strategy required by SCA, along with the estimated costs of full implementation of the strategy as part of its fiscal year 2011 budget submission.

[1] Pub. L. No. 110-199, 122 Stat. 657.
[2] Recidivism is the act of committing new criminal offenses after having been arrested or convicted of a crime.

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Objectives

The Conference Report accompanying the Fiscal Year 2010 Consolidated Appropriations Act directed us to evaluate BOP's strategic approach to budgeting for its inmate re-entry programs, including SCA activities.[3] In accordance with this mandate, this briefing addresses the following two objectives:

1. To what extent has BOP developed mechanisms to implement programs and activities pursuant to SCA?

2. To what extent has BOP followed leading practices of program management, including estimating cost, to implement its process to facilitate the successful re-entry of inmates into their communities?

[3] H.R. Rep. No. 111-366, at 673-74 (2009) (Conf. Rep).

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Scope and Methodology: Objective 1

To determine the BOP mechanisms in place to implement the required SCA programs and activities, we:

- analyzed the SCA and identified 12 requirements within the legislation that require BOP implementation;

- analyzed BOP documentation of policy changes related to the SCA, including federal regulations, policy papers, statements of work, memoranda for chief executive officers, and BOP program statements, which set out program changes and guidance, to determine if BOP established mechanisms to implemented SCA requirements;

- analyzed the status of specific BOP processes or management initiatives that play a key role in implementing SCA requirements, such as the Inmate Skills Development Initiative (ISDI), which is BOP's process that measures skills inmates acquire through effective re-entry programs with the goal of reducing rates of recidivism; and

- interviewed knowledgeable officials to learn how BOP implemented its SCA responsibilities.

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Scope and Methodology: Objective 1

- We compared the information provided in BOP documents and reported by officials with the SCA requirements and identified the mechanisms BOP has in place to enable it to meet SCA requirements and those for which it is developing mechanisms. We did not determine whether BOP had fully complied with all SCA requirements nor did we evaluate the effectiveness of the actions BOP has taken to implement SCA.

  - Mechanisms in place—BOP has documented policies, regulations, memoranda of understanding, reports or other mechanisms to enable BOP to meet SCA requirements; and

  - Mechanisms in progress—BOP has provided documentation that mechanisms are being developed to enable BOP to meet SCA requirements.

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Scope and Methodology: Objective 2

To determine the extent to which BOP has followed leading practices of program management, including estimating cost, to implement its process to facilitate the successful re-entry of inmates into their communities, we:

- analyzed Congressional Budget Office SCA implementation cost estimates and the President's Congressional Budget Justification submissions for BOP from fiscal years 2008 through 2011 to understand the cost implications of the SCA, and BOP's justification for its funding requests;

- reviewed criteria presented in GAO's *Cost Estimating and Assessment Guide*, specifically chapters 7 (Technical Baseline Description, Definition and Purpose) and 18 (Managing Program Costs: Planning), as well as *The Standard for Program Management* to determine leading practices for planning, implementing, and identifying resources needed for projects;[4]

- evaluated BOP's processes and initiatives that play a key role in implementing SCA, such as ISDI, to determine the extent to which BOP followed leading practices for planning, implementing, and identifying resources needed for projects.

[4] GAO, *Cost Estimating and Assessment Guide*, GAO-09-3SP (Washington, D.C.: March 2009); and Project Management Institute's *The Standard for Program Management* © (2006).

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Scope and Methodology: Objective 2

- relied on BOP data to determine a likely range of costs related to the number of inmates in Residential Reentry Centers (RRC, known as halfway houses) and length of stay;

- interviewed BOP officials about the sources of the data and the controls BOP had in place to maintain the integrity of the data and determined that the data were sufficiently reliable for the purposes of our report; and

- interviewed BOP budget and program officials and reviewed available documentation of the activities BOP has taken to implement SCA requirements, and compared these efforts with select program management and cost estimating criteria, to determine additional actions, if any, needed to fully implement SCA requirements.

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Scope and Methodology

- We conducted this performance audit from January 2010 through June 2010 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the work to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our objectives.

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Summary

- BOP has mechanisms in place to address most SCA requirements and is working to implement ISDI to meet the remaining requirements, estimated to be complete in 2014 at the earliest. Through ISDI, BOP intends to assess inmate skill levels, target programming recommendations, and measure skills inmates acquire through effective re-entry programs, with the goal of reducing rates of recidivism.

- BOP is developing ISDI to facilitate the successful re-entry of inmates into their communities by addressing inmate skills deficits. Applying leading management practices—including an implementation plan for the remaining ISDI work, and cost estimate—could strengthen BOP's ability to facilitate the successful re-entry of inmates into their communities. BOP officials stated that they have not developed a detailed ISDI implementation plan and cost estimate for the remaining ISDI work because key decisions that would impact the project plan and schedule are pending. Until BOP does so, it may be difficult to assess BOP's progress towards realizing ISDI and identify ISDI's impact on the successful re-entry of inmates into their communities.

- We recommend that BOP establish a plan for the final steps to implement SCA requirements, specifically ISDI, and develop a comprehensive cost estimate for the remaining ISDI requirements.

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Background

- Congress passed SCA, among other things, to encourage the development and support of, and to expand the availability of, programs that enhance public safety and reduce recidivism.
- BOP uses inmate re-entry programs to reduce recidivism. Re-entry programs assist inmates in acquiring skills needed for reintegration into the community through various services, including educational and vocational training, work programs, and drug rehabilitation.
- According to the fiscal year 2011 President's Congressional Budget Justification for BOP, in fiscal years 2009 and 2010, BOP reported that funding for its inmate re-entry programs was about $500 million and $560 million, respectively, and its inmate re-entry program funding request for fiscal year 2011 is for about $580 million.
- BOP officials report that as of June 2010, they are responsible for the custody and care of about 211,000 federal inmates.

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Objective 1: BOP Has Mechanisms in Place to Address Most of Its SCA Requirements

- BOP has mechanisms in place to address 9 of 12 SCA requirements, as shown in table 1. For example, BOP has a 2008 memorandum of understanding with the Social Security Administration and a December 2007 internal Program Statement for the Inmate Release Preparation Program in place, which outlines actions to help inmates apply for benefits. BOP officials stated that they are developing mechanisms for the remaining SCA requirements.
- BOP provided documentation to demonstrate its progress in meeting SCA requirements, including federal regulations, policy papers, statements of work, memoranda for chief executive officers, and BOP program statements, which set out program changes and guidance.
- In assessing whether BOP had mechanisms in place to address SCA requirements, we did not determine whether BOP had fully complied with all SCA requirements nor did we evaluate the effectiveness of the actions BOP has taken to implement SCA. Therefore, where we state that BOP has "mechanisms in place" to address an SCA requirement, it does not necessarily mean that BOP has done all that is necessary to implement that particular requirement or that it has done so effectively. See appendix I for additional information on BOP's actions taken for the SCA requirements.

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Objective 1: BOP Has Mechanisms in Place to Address Most of Its SCA Requirements

Table 1: GAO Assessment of BOP's 12 Statutory Requirements

Second Chance Act— BOP is required to:	Mechanism in place	Mechanism in progress
§ 213: Adopt and implement a policy to ensure that mentors to inmates are allowed to continue the mentoring relationship once the offender is released, and provide Congress with a status report.	x	
§ 214: Discontinue a program to standardize religious materials available in BOP chapel libraries.	x	
§§ 231(a)(1), 231(d)(2): Establish a strategy that assesses inmates' skills, develops skills development plans, determines program assignments, gives priority to high-risk inmate populations, coordinates with partners nationwide to assist in inmate re-entry, and provides incentives for participation in skills development programs; code and track inmate needs, evaluate and report on progress addressing those needs.[5]		x

[5] Because BOP has indicated that ISDI is both the strategy and the means to measure the removal of obstacles to re-entry (i.e., responsibilities under § 231(a)(1) and § 231(d)(2)), we have assessed its implementation of those SCA provisions together.

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Objective 1: BOP Has Mechanisms in Place to Address Most of Its SCA Requirements

Table 1: GAO Assessment of BOP's 12 Statutory Requirements (continued)

Second Chance Act— BOP is required to:	Mechanism in place	Mechanism in progress
§ 231(b): Assist inmates in obtaining identification, such as a Social Security card or driver's license, prior to release.	x	
§ 231(c): Modify policies and procedures related to the transition of inmates to the community.		x
§ 231(d)(1): Help inmates apply for federal/state benefits, and provide information on education and employment, among other areas.	x	
§ 231(d)(3): Report to Congress on recidivism rates for inmates in re-entry programs compared to general population.[6]		x
§ 231(d)(4): Use common terminology and language on re-entry-related written information BOP provides to inmates.	x	

[6] BOP did not provide a report on recidivism for inmates in re-entry programs compared to the general population for fiscal year 2009, the first reporting year required under SCA. BOP officials stated that they intend to provide a recidivism report by the early part of fiscal year 2011, once they have collected data for a full 3-year post release period. BOP officials stated that they use a 3-year post release period to gauge recidivism rates. Because BOP did not submit the required report for fiscal year 2009, we determined that a mechanism is in progress.

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Objective 1: BOP Has Mechanisms in Place to Address Most of Its SCA Requirements

Table 1: GAO Assessment of BOP's 12 Statutory Requirements (continued)

Second Chance Act— BOP is required to:	Mechanism in place	Mechanism in progress
§ 231(d)(5): Alert probation system of the medical/mental health needs of releasing inmates and provide necessary medications.	x	
§ 231(f): Give inmates in community confinement facilities access to medical/mental health care through local partnerships.	x	
§ 231(g): Create a pilot program for early release to home detention of eligible elderly inmates.	x	
§ 251: Place eligible inmates in a community confinement for not more than 12 months (previously 6 months or 10% of the inmate's sentence, whichever is less) and issue associated regulations.	x	

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Objective 1: BOP Plans to Complete the Remaining Requirements through Implementation of a Process to Enhance Inmate Skills

- The focal point of BOP's efforts to address the remaining SCA requirements is ISDI, which is estimated to be complete in the year 2014 at the earliest.

- BOP's vision for ISDI (see figure 1) is to target inmate programming recommendations, based on skill deficits identified through the assessment process, with the ultimate goal of reducing recidivism rates by enhancing skills through effective programs.

- Another goal of ISDI, according to BOP officials, is to identify and track programs that meet the skills needs of inmates and reduce recidivism, expand access to those effective programs, and eliminate programs that are found not to meet the skills needs of inmates.

- BOP has begun to implement ISDI by conducting baseline inmate skills assessments of inmates in the federal prison system. Assessments are conducted through a structured interview, behavioral observations, and use of supplemental assessment instruments (e.g., Test of Adult Basic Education).

- According to BOP officials, the additional phases of ISDI are intended to match the inmate's assessed needs against re-entry programs designed to meet those identified inmate needs.

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Objective 1: BOP Plans to Complete the Remaining Requirements through Implementation of a Process to Enhance Inmate Skills

Figure 1: BOP's Vision for the Inmate Skills Development Initiative

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┌─────────────────┐    ┌─────────────────┐    ┌─────────────────┐    ┌─────────────────┐    ┌─────────────────────┐
│ Incarceration   │───▶│ BOP Conducts    │───▶│ BOP Targets     │───▶│ BOP Generates   │───▶│ BOP Transitions     │
│ Begins,         │    │ Baseline Inmate │    │ Programs to     │    │ Inmate's        │    │ Inmate to Community │
│ Inmate Placed   │    │ Skills          │    │ Address Skill   │    │ Individual      │    │ Typically Through   │
│ in BOP Facility │    │ Assessment      │    │ Needs           │    │ Development Plan │    │                     │
│                 │    │ Against Nine    │    │                 │    │                 │    │ ➢ Residential       │
│                 │    │ Competencies    │    │                 │    │                 │    │   re-entry Center   │
└─────────────────┘    └─────────────────┘    └─────────────────┘    └─────────────────┘    │   (RRC) and/or      │
                                                                              │              │ ➢ Home Confinement  │
         ┌──────────────────────────────┐                                     ▼              └─────────────────────┘
         │        Daily Living          │                           ┌─────────────────┐                │
         │                              │                           │ BOP Tracks      │                ▼
         │        Cognitive             │                           │ Progress to     │      ┌─────────────────────┐
         │                              │                           │ Address Inmate's│      │ BOP Releases Inmate │
         │        Mental Health         │                           │ Skill Needs     │      │                     │
         │                              │                           │ through Regular │      │ Desired Outcome:    │
         │        Wellness              │                           │ Program Reviews │      │ Reduce Recidivism   │
         │                              │                           └─────────────────┘      └─────────────────────┘
         │        Interpersonal         │
         │                              │
         │        Academic              │
         │                              │
         │        Vocational            │
         │                              │
         │        Leisure               │
         │                              │
         │        Character             │
         └──────────────────────────────┘
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Key Facts

- BOP officials reported that they release approximately 45,000 inmates per year back into U.S. communities.
- BOP prioritizes the inmate skills assessment process, focusing on new inmates, followed by prisoners slated for release within 1 to 4 years.
- BOP reported plans to undertake agencywide activities for the Inmate Skills Development Initiative, such as validating the quality of data collected on inmate skills needs, building community partnerships to strengthen re-entry programs, and measuring re-entry program outcomes.

Source: GAO analysis of BOP documents.

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Objective 2: BOP's Use of Leading Program Management Practices Could Strengthen Its Ability to Facilitate the Successful Re-entry of Inmates into Their Communities

- BOP is developing ISDI to facilitate the successful re-entry of inmates into their communities by addressing inmate skills deficits.
- In our review of select leading practices for program management, effective and efficient operations require detailed plans that capture key activities, delineate the program schedule, identify personnel requirements, and provide a comprehensive cost estimate. Applying these leading management practices to the work remaining in developing and implementing ISDI could strengthen BOP's ability to facilitate the successful re-entry of inmates into their communities, as shown in table 2.
- BOP has made progress in carrying out actions to fully implement ISDI, such as loading data for at least 78 percent of the inmate population in the ISDI database. According to BOP officials, while data for each inmate entered in the system may not be complete, staff are able to use the information in conjunction with other documentation as a basis for programming recommendations in preparation for re-entry. Work remains to increase the completeness of the data, assess the quality of the data, and identify additional programs for linkage to skill deficits identified. See appendix II for a detailed description of BOP's work completed and work remaining for the actions necessary to fully implement ISDI.

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Objective 2: BOP's Use of Leading Program Management Practices Could Strengthen Its Ability to Facilitate the Successful Re-entry of Inmates into Their Communities

Table 2: ISDI Program Management Compared to Leading Practices

Leading practice	Explanation	GAO analysis
Capturing key activities	Planning processes should identify key activities of a program with the needed operational details and serve as a plan for how the program will be managed.	• In planning documents we have reviewed, BOP has not fully identified the discrete activities that need to be completed related to ISDI work, such as for data validation. BOP developed a general strategy for ISDI in 2001 (with updates from 2004 through May 2010). These documents include summary-level phases, rather than key activities, and lack operational details. • BOP has completed a number of activities to implement ISDI. For example, a skills assessment instrument to collect information from inmates across the nine competency areas has been put into place along with training on its use. BOP has also identified ISDI work that remains to be completed, for example, the validation of the data used in the inmate assessments. • Capturing key activities—like those related to data validation—may help BOP plan, track, and maintain project control and ensure that all intended activities are completed and outcomes achieved.

Source: GAO analysis based on evaluating BOP's provided documentation against select leading practices contained in GAO, *Cost Estimating and Assessment Guide*, GAO-09-3SP (Washington, D.C.: March 2009) and Project Management Institute's *The Standard for Program Management* © (2006).

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Objective 2: BOP's Use of Leading Program Management Practices Could Strengthen Its Ability to Facilitate the Successful Re-entry of Inmates into Their Communities

Table 2: ISDI Program Management Compared to Leading Practices (continued)

Leading practice	Explanation	GAO analysis
Delineating the program schedule	Program schedules should identify key events, such as milestone reviews, and address key program activities, including their duration and sequence.	• In planning documents we have reviewed, BOP has not fully delineated an ISDI program schedule with discrete activities and their duration and sequence, including for activities to link an inmates' skill deficits with programs to fill those deficits. BOP has provided time frames for a number of activities it has completed to implement ISDI. For example, in December 2002 the nine competencies were finalized; in August 2006, the inmate skills assessment instrument was developed. • In the 2010 strategic plan, scheduling for program linkage to skill deficits was categorized as ongoing or to be decided. This key aspect of ISDI renders it more than an automated case management system. • Delineating a complete program schedule may help BOP ensure that programs shown to meet inmates' skill deficits through ISDI are expanded as soon as practicable.

Source: GAO analysis based on evaluating BOP's provided documentation against select leading practices contained in GAO, *Cost Estimating and Assessment Guide*, GAO-09-3SP (Washington, D.C.: March 2009) and Project Management Institute's *The Standard for Program Management* © (2006).

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Objective 2: BOP's Use of Leading Program Management Practices Could Strengthen Its Ability to Facilitate the Successful Re-entry of Inmates into Their Communities

Table 2: ISDI Program Management Compared to Leading Practices (continued)

Leading practice	Explanation	GAO analysis
Identifying personnel requirements	Roles and responsibilities for execution and management of the program should be identified, and linked to key activities and time frames.	• In planning documents we reviewed, BOP offices or individuals responsible for completing key implementation activities are not identified. For example, BOP has not identified who is responsible for ISDI's key activities, such as conducting data validation and developing performance measures for BOP programs. BOP has identified the general responsibilities of the Program Linkage Committee (that is to complete program worksheets that identify skill areas/deficits) but its composition and roles and responsibilities of members are not yet known. • BOP officials report that regular, internal ISDI meetings include all relevant personnel needed to implement ISDI activities. • Identifying personnel requirements may help BOP instill accountability and responsibility for the ISDI activities that need to be completed.

Source: GAO analysis based on evaluating BOP's provided documentation against select leading practices contained in GAO, *Cost Estimating and Assessment Guide*, GAO-09-3SP (Washington, D.C.: March 2009) and Project Management Institute's *The Standard for Program Management ©* (2006).
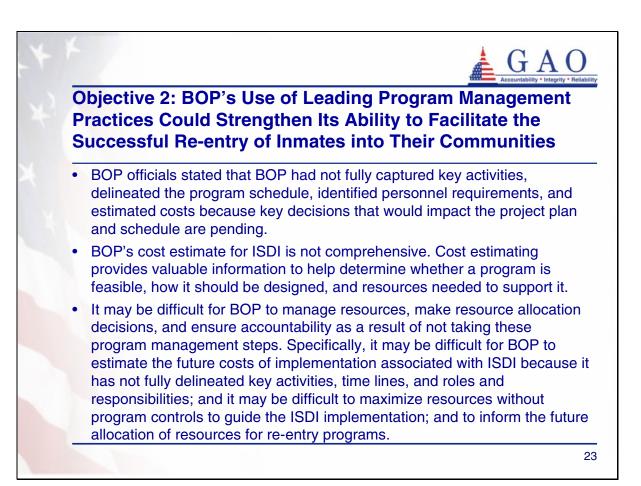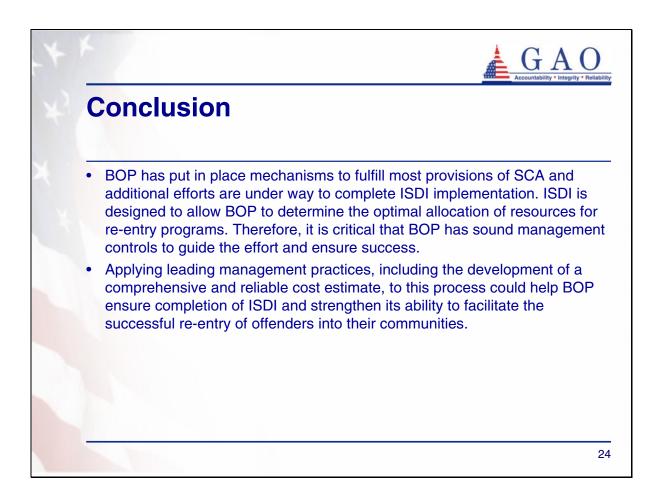
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Objective 2: BOP's Use of Leading Program Management Practices Could Strengthen Its Ability to Facilitate the Successful Re-entry of Inmates into Their Communities

Table 2: ISDI Program Management Compared to Leading Practices (continued)

Leading practice	Explanation	GAO analysis

Estimating costs	A cradle-to-grave cost estimate provides a comprehensive accounting of all resources required to develop and sustain a particular program.	• BOP has not developed a cost estimate for implementing ISDI in future years. BOP is currently gathering data to better inform a future cost estimate related to ISDI implementation.
		   • BOP provided us a cost estimate for ISDI through fiscal year 2011, which states that future costs for program linkage have not yet been developed.
		   • In addition, BOP has not yet identified future costs associated with data validation, training, program evaluations, development, and programming implementation, among other key activities.
		   • BOP has identified funding for ISDI requested through the regular budget cycle that could be included in a comprehensive cost estimate.

Source: GAO analysis based on evaluating BOP's provided documentation against select leading practices contained in GAO, *Cost Estimating and Assessment Guide*, GAO-09-3SP (Washington, D.C.: March 2009) and Project Management Institute's *The Standard for Program Management* © (2006).

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Objective 2: BOP's Use of Leading Program Management Practices Could Strengthen Its Ability to Facilitate the Successful Re-entry of Inmates into Their Communities

- BOP officials stated that BOP had not fully captured key activities, delineated the program schedule, identified personnel requirements, and estimated costs because key decisions that would impact the project plan and schedule are pending.

- BOP's cost estimate for ISDI is not comprehensive. Cost estimating provides valuable information to help determine whether a program is feasible, how it should be designed, and resources needed to support it.

- It may be difficult for BOP to manage resources, make resource allocation decisions, and ensure accountability as a result of not taking these program management steps. Specifically, it may be difficult for BOP to estimate the future costs of implementation associated with ISDI because it has not fully delineated key activities, time lines, and roles and responsibilities; and it may be difficult to maximize resources without program controls to guide the ISDI implementation; and to inform the future allocation of resources for re-entry programs.

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Conclusion

- BOP has put in place mechanisms to fulfill most provisions of SCA and additional efforts are under way to complete ISDI implementation. ISDI is designed to allow BOP to determine the optimal allocation of resources for re-entry programs. Therefore, it is critical that BOP has sound management controls to guide the effort and ensure success.

- Applying leading management practices, including the development of a comprehensive and reliable cost estimate, to this process could help BOP ensure completion of ISDI and strengthen its ability to facilitate the successful re-entry of offenders into their communities.

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Recommendations for Executive Action

To help ensure that BOP meets its requirements under the SCA, we recommend the Attorney General of the United States direct the BOP Director to take the following two actions:

1. establish a plan for the remaining steps needed to implement ISDI that describes the key tasks necessary for its implementation, assigns responsibility for these tasks, and establishes time lines for implementation; and

2. develop a comprehensive cost estimate for the remaining ISDI requirements that, at a minimum, should include costs associated with data validation, training, program evaluations, development, and implementation, among other key activities.

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Agency Comments

- We provided a draft of these briefing slides to the Department of Justice (DOJ) and BOP for review and comment. In an e-mail received on June 25, 2010, DOJ concurred with the recommendations in our report and did not provide written comments to include in this report. DOJ also provided technical comments which we incorporated as appropriate.

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Appendix I: BOP's Actions to Address SCA Requirements

Table 3: GAO Assessment of BOP's Actions Taken to Address 12 Statutory Requirements

Second Chance Act— BOP is required to:	Mechanism in place	Mechanism in progress	Actions taken
§ 213: Adopt and implement a policy to ensure that mentors to inmates are allowed to continue the mentoring relationship once the offender is released, and provide Congress with a status report.	x		BOP has a March 2009 policy expanding post release mentoring.
§ 214: Discontinue a program to standardize religious materials available in BOP chapel libraries.	x		BOP has a September 2007 Memorandum for Chief Executive Officers titled "Chapel Library Project update," which discontinued the program.

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Appendix I: BOP's Actions to Address SCA Requirements

Table 3: GAO Assessment of BOP's Actions Taken to Address 12 Statutory Requirements

Second Chance Act— BOP is required to:	Mechanism in place	Mechanism in progress	Actions taken
§§ 231(a)(1), 231(d)(2): Establish a strategy that assesses inmates' skills, develops skills development plans, determines program assignments, gives priority to high-risk inmate populations, coordinates with partners nationwide to assist in inmate re-entry, and provides incentives for participation in skills development programs; code and track inmate needs, evaluate and report on progress addressing those needs.		x	See appendix II.

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Appendix I: BOP's Actions to Address SCA Requirements

Table 3: GAO Assessment of BOP's Actions Taken to Address 12 Statutory Requirements

Second Chance Act—BOP is required to:	Mechanism in place	Mechanism in progress	Actions taken
§ 231(b): Assist inmates in obtaining identification, such as a Social Security card or driver's license, prior to release.	x		BOP has a 2008 memorandum of understanding (MOU) with the Social Security Administration and a December 2007 internal Program Statement (PS) for the Inmate Release preparation program, which outlined actions to assist inmates in obtaining identification.
§ 231(c): Modify policies and procedures related to the transition of inmates to the community.		x	See appendix II.

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Appendix I: BOP's Actions to Address SCA Requirements

Table 3: GAO Assessment of BOP's Actions Taken to Address 12 Statutory Requirements

Second Chance Act—BOP is required to:	Mechanism in place	Mechanism in progress	Actions taken
§ 231(d)(1): Help inmates apply for federal/state benefits, and provide information on education and employment, among other areas.	x		BOP has a 2008 MOU with the Social Security Administration and a December 2007 internal PS for the Inmate Release Preparation Program in place, which outlines actions to help inmates apply for benefits.
§ 231(d)(3): Report to Congress on recidivism rates for inmates in re-entry programs compared to general population.		x	BOP has determined that use of a 3-year post release period is optimal in collecting recidivism data and plans to provide a report to Congress by early fiscal year 2011 once data has been fully collected.

Appendix I: BOP's Actions to Address SCA Requirements

Table 3: GAO Assessment of BOP's Actions Taken to Address 12 Statutory Requirements

Second Chance Act— BOP is required to:	Mechanism in place	Mechanism in progress	Actions taken
§ 231(d)(4): Use common terminology and language on re-entry-related written information BOP provides to inmates.	x		A 1998 Presidential Order requires federal agencies to use plain language. BOP provides staff training to address the use of plain and common language.
§ 231(d)(5): Alert probation system of the medical/mental health needs of releasing inmates and provide necessary medications.	x		BOP developed a PS for Pharmacy Services in January 2005 and has a 1999 MOU in place with the probation system, which addresses inmate medical/mental health alerts.

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Appendix I: BOP's Actions to Address SCA Requirements

Table 3: GAO Assessment of BOP's Actions Taken to Address 12 Statutory Requirements

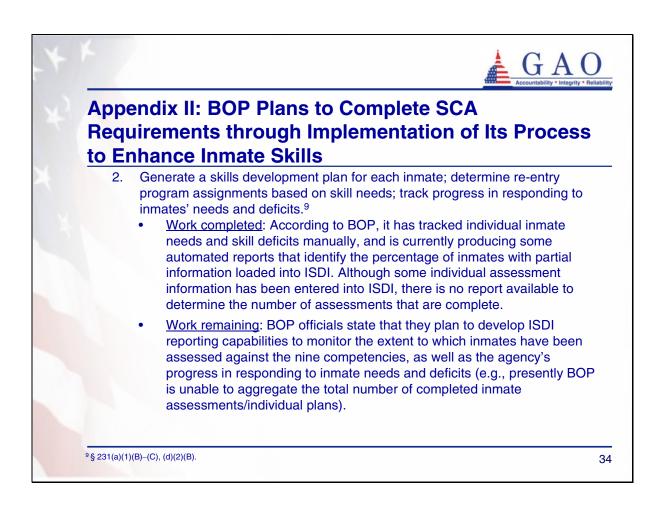| Second Chance Act—BOP is required to:	Mechanism in place	Mechanism in progress	Actions taken
§ 231(f): Give inmates in community confinement facilities access to medical/mental health care through local partnerships.	x		BOP's has an August 2007 statement of work in place with RRC contractors, which includes a requirement to give inmates access to medical/mental health care.
§ 231(g): Create a pilot program for early release to home detention of eligible elderly inmates.	x		BOP has a February 2009 policy, which outlines an early release program for elderly inmates.
§ 251: Place eligible inmates in a community confinement for not more than 12 months (previously 6 months or 10% of the inmate's sentence, whichever is less) and issue associated regulations.	x		BOP has an April 2008 policy and associated regulations, which outline the discretionary authority to place eligible inmates in RRCs for not more than 12 months.

Source: GAO analysis of SCA requirements and BOP documents.

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Appendix II: BOP Plans to Complete SCA Requirements through Implementation of Its Process to Enhance Inmate Skills

BOP reports that it plans to take the following eight actions specified by SCA legislation to fully implement ISDI :

1. Assess each inmate's skill level; identify, code the re-entry needs and deficits of inmates and produce an individual skills development plan for each inmate.[8]

   - Work completed: BOP reports that it has completed some development of the ISDI tool. BOP has loaded biographical data for 78 percent of the inmate population into the ISDI database. According to BOP officials, while data for each inmate entered in the system may not be complete, staff are able to use the information along with other documentation as a basis for programming recommendations to prepare to re-entry.

   - Work remaining: BOP officials plan to complete skills assessment and produce an individual skills development plan for all inmates, develop reporting capabilities in ISDI, and finalize an interface between ISDI and an existing information system. BOP officials report that completing the skills assessment and producing an individual skills development plan for all inmates may be completed in 2012, and they are unsure when the reporting capabilities and planned interface will be completed.

[8] § 231(a)(1)(A), (F), (d)(2)(A).

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Appendix II: BOP Plans to Complete SCA Requirements through Implementation of Its Process to Enhance Inmate Skills

2. Generate a skills development plan for each inmate; determine re-entry program assignments based on skill needs; track progress in responding to inmates' needs and deficits.[9]

    - Work completed: According to BOP, it has tracked individual inmate needs and skill deficits manually, and is currently producing some automated reports that identify the percentage of inmates with partial information loaded into ISDI. Although some individual assessment information has been entered into ISDI, there is no report available to determine the number of assessments that are complete.

    - Work remaining: BOP officials state that they plan to develop ISDI reporting capabilities to monitor the extent to which inmates have been assessed against the nine competencies, as well as the agency's progress in responding to inmate needs and deficits (e.g., presently BOP is unable to aggregate the total number of completed inmate assessments/individual plans).

[9] § 231(a)(1)(B)–(C), (d)(2)(B).

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Appendix II: BOP Plans to Complete SCA Requirements through Implementation of Its Process to Enhance Inmate Skills

3. Give priority to re-entry program participation to certain high-risk inmate populations (e.g., sex offenders, career criminals).[10]

   - Work completed: BOP has recognized the need to give high-risk inmate populations priority placement in re-entry programs.

   - Work remaining: BOP officials state that this goal is on hold pending further implementation of ISDI.

[10] § 231(a)(1)(D).

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Appendix II: BOP Plans to Complete SCA Requirements through Implementation of Its Process to Enhance Inmate Skills

4. Coordinate and collaborate with other federal, state, tribal, and local criminal justice agencies, community- and faith-based organizations to help inmates re-enter communities.[11]

   - Work completed: BOP assisted in creating the National Offender Workforce Development Partnership to bring together a number of federal partners, including the Department of Labor, to enhance inmate re-entry success through career-oriented opportunities. For example, BOP and the U.S. Probation Department have partnered on a program at select institutions to prepare inmates for employment searches upon release from custody, first being offered in December 2007. Further, BOP requires RRC contractors to develop community partnerships to assist with inmate re-entry.

   - Work remaining: BOP officials state that they intend to continue fostering community partnerships through the efforts of ISDI coordinators, who are in the process of being hired. According to the positions descriptions, the coordinators serve as a liaison between BOP facilities and headquarters to facilitate the implementation of ISDI, and provide support and resources for the development of community and other agency partnerships.

[11]§ 231(a)(1)(E).

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Appendix II: BOP Plans to Complete SCA Requirements through Implementation of Its Process to Enhance Inmate Skills

5. Provide incentives for inmate participation in BOP skills development programs.[12]

    • Work completed: According to BOP, it has various incentive systems in place for inmates to participate in skills development programs. For example, an inmate may earn financial awards, preferred living quarters, and access to exercise equipment and movies based on participation in BOP programs.

    • Work remaining: The SCA provided BOP the discretion to use additional time in a RRC as an incentive to participate in ISDI.[13] BOP is also required to follow specific eligibility criteria when evaluating an inmate for RRC placement, such as the resources of the facility contemplated, and the nature of the criminal offense, among others.[14] BOP officials stated that they are in the process of re-examining their RRC policies to focus on implementation of evidence-based research for inmate placement decisions with the goal of reducing recidivism. Specifically, BOP's Executive Committee was provided with a paper/overview on recidivism and RRC placement. According to BOP officials, a guidance memorandum for field operations was issued on June 24, 2010.

[12] § 231(a)(1)(G).
[13] § 231(a)(2)(A).
[14] 18 U.S.C. § 3621(b).

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Appendix II: BOP Plans to Complete SCA Requirements through Implementation of Its Process to Enhance Inmate Skills

6. Submit an annual report to the Judiciary Committees on BOP's progress in addressing re-entry needs and skill gaps of inmates.[15]

    - Work completed: BOP met this annual reporting requirement by providing a report to the House and Senate Judiciary Committees in May 2009.

    - Work remaining: BOP is subject to an annual requirement to provide a report on re-entry needs and deficits of inmates to the House and Senate Judiciary Committees. According to BOP officials, the next report was due to the committees in May 2010, but is expected to be delivered in June 2010.

[15] § 231(d)(2)(C).

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Appendix II: BOP Plans to Complete SCA Requirements through Implementation of Its Process to Enhance Inmate Skills

7. Ensure that BOP facilities' performance in enhancing inmates' skills and resources is evaluated using recognized measures and develop corrective action plans as necessary.[16]

   - Work completed: BOP stated that it has formed a committee that is leading efforts to develop an inventory of BOP's re-entry programs nationwide and is developing preliminary outcome measures (measures that addresses the results of products and services delivered by a program) in collaboration with field staff at each institution.

   - Work remaining: According to BOP officials, BOP plans to complete the development of outcome measures in early 2011, with ongoing refinement. BOP plans to develop corrective actions after the committee identifies and evaluates these programs using its outcome measures.

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[16] § 231(d)(2)(D).

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Appendix II: BOP Plans to Complete SCA Requirements through Implementation of Its Process to Enhance Inmate Skills

8. Modify policies and procedures related to the transition of inmates to the community.[17]

    - Work completed: BOP stated that it is currently reviewing its policies and procedures for modifications based on ISDI.
    - Work remaining: According to BOP officials, no policies and procedures have been modified to date, and any modification will require union review. BOP officials state that they plan to complete the modification of policies and procedures based on the results of ISDI.

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[17] § 231(c).

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