

Why GAO Did This Study

The federal inmate population has increased more than eight-fold since 1980, and DOJ has identified prison crowding as a critical issue since 2006. BOP's rising costs and offender recidivism present incarceration challenges to both DOJ and the nation. For example, BOP's operating costs (obligations) have increased over time, and in fiscal year 2014 amounted to more than \$7 billion, or 19 percent of DOJ's total obligations. In recent years, DOJ has implemented targeted initiatives in response, and Senate Report 113-78 included a provision for GAO to review these efforts.

This report discusses (1) DOJ's initiatives to address federal incarceration challenges, (2) the extent to which DOJ is measuring its efforts, and (3) the extent to which DOJ is coordinating across its components to implement the Smart on Crime Initiative. GAO reviewed DOJ documentation, interviewed DOJ officials, and compared DOJ efforts with performance measurement and coordination best practices GAO has previously identified.

What GAO Recommends

GAO recommends that DOJ explore additional data collection opportunities and modify its Smart on Crime indicators, track and address delays in the sentence commutation process, and modify its current evaluation plan to prioritize evaluations among all 18 of BOP's national reentry programs. DOJ partially concurred with GAO's recommendation that it modify its Smart on Crime indicators and agreed with the other two. GAO continues to believe the Smart on Crime recommendation is valid, as discussed in the report.

View [GAO-15-454](#). For more information, contact David C. Maurer, 202-512-9627, maurerd@gao.gov.

FEDERAL PRISON SYSTEM

Justice Could Better Measure Progress Addressing Incarceration Challenges

What GAO Found

The Department of Justice (DOJ) has implemented three key initiatives to address the federal incarceration challenges of overcrowding, rising costs, and offender recidivism, which includes the return of offenders to prison after release. The Smart on Crime Initiative involves multiple DOJ components and has five key goals, one of which involves prioritizing the prosecution of the most serious cases. The Clemency Initiative is intended to encourage federal inmates who meet criteria that DOJ established to petition to have their sentences commuted, or reduced, by the President. DOJ is now more focused on prioritizing its review of these petitions, which have increased from about 1,600 in 2011 to about 6,600 in 2014. Finally, DOJ's Bureau of Prisons (BOP) recently established a Reentry Services Division (RSD) to facilitate a more centralized approach to overseeing reentry programs and better assisting offenders in their reentry to society.

DOJ has several early efforts under way to measure the success of these initiatives, but its current approach could be enhanced. In particular:

Smart on Crime Initiative: GAO found that DOJ's 16 recently established Smart on Crime indicators were well linked to the effort's overall goals. However, in many cases, the indicators lacked other key elements of successful performance measurement systems GAO has previously identified, such as clarity and context. For example, 7 of the 16 indicators are confusing or do not represent the information the indicator name implies, and 13 of the 16 indicators lack contextual information needed to appropriately interpret their results. DOJ officials said they focused their initial indicators on data already available rather than developing new indicators. Although measuring performance can be a challenge for prosecutorial agencies such as DOJ, research indicates that improved data collection and clearly defined goals and progress measures can help agencies develop effective performance measurement systems. By exploring such options, DOJ would be better positioned to more effectively measure its efforts through the Smart on Crime Initiative.

Clemency Initiative: DOJ tracks some statistics related to its Clemency Initiative, such as the number of petitions received and the disposition of each, but it does not track how long, on average, it takes for petitions to clear each step in its review process. Such tracking would help DOJ identify processes that might be contributing to any delays. Without this tracking, DOJ cannot be sure about the extent to which the additional resources it is dedicating to this effort are helping to identify and expedite the review of inmate petitions.

Reentry programs: BOP has recently developed a plan to conduct evaluations of some of its reentry programs related to psychology treatment services, but it does not have a plan to prioritize evaluations among all 18 of the programs it lists in its national reentry directory. Modifying its current evaluation plan to consider all of these programs would better position DOJ to know the extent to which its investments in programs intended to reduce recidivism are effective.

DOJ's early efforts to implement the Smart on Crime Initiative are consistent with GAO's key collaboration best practices, such as establishing mutually reinforcing strategies. For example, DOJ directed its law enforcement components and United States Attorneys' Offices to coordinate on establishing prosecution priorities and antiviolence strategies nationwide.