



April 2022

SECOND CHANCE REENTRY GRANTS

DOJ Should Report Limitations When Publishing Performance Data

Accessible Version

GAO Highlights

Highlights of [GAO-22-104641](#), a report to congressional committees

Why GAO Did This Study

More than 600,000 individuals were released from U.S. prisons in 2019 after serving their sentences. DOJ awards grants to organizations that assist these individuals in obtaining employment, housing, and mental health treatment, among other services.

The Second Chance Reauthorization Act of 2018 includes a provision for GAO to review DOJ's reentry grants. This report (1) describes Second Chance Reauthorization Act grants awarded by DOJ from fiscal years 2019 to 2020, (2) examines steps that DOJ is taking to evaluate the effectiveness of these grants, and (3) describes the reentry grant performance data that DOJ reported in products shared with external parties and assesses whether DOJ disclosed any limitations of the data.

GAO analyzed DOJ data and documents (e.g., grant solicitations) related to reentry grants awarded in fiscal years 2019 and 2020. GAO also interviewed agency officials to discuss performance data and evaluation planning. GAO interviewed representatives from a nongeneralizable sample of eight grantees. The sample was selected based on factors including organization type (e.g., state government agencies or nonprofit organizations) and population served.

What GAO Recommends

GAO recommends that DOJ ensure that published products that include Second Chance Reauthorization Act performance data clearly identify the limitations of those data. DOJ concurred with the recommendation.

View [GAO-22-104641](#). For more information, contact Gretta L. Goodwin at (202) 512-8777 or GoodwinG@gao.gov.

April 2022

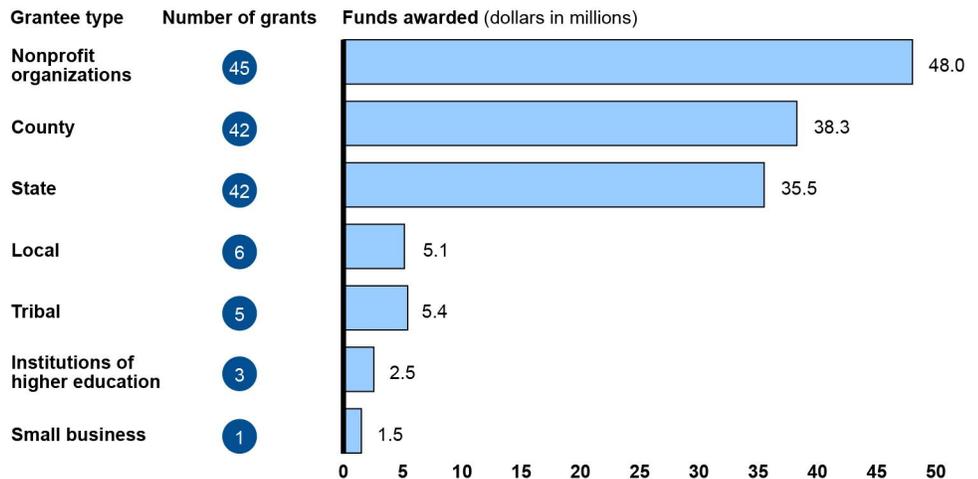
SECOND CHANCE REENTRY GRANTS

DOJ Should Report Limitations When Publishing Performance Data

What GAO Found

The Department of Justice (DOJ) awarded \$136 million in grants from fiscal years 2019 to 2020 to entities that assist individuals reentering society after serving their prison sentence under the Second Chance Reauthorization Act of 2018. Specifically, DOJ awarded 144 grants to entities such as state and local governments and nonprofit organizations (see figure below). Grantees are to use funds to deliver services (e.g., employment and housing assistance), build local partnerships, and evaluate the effectiveness of their programs.

Second Chance Reauthorization Act of 2018 Grant Awards, by Grantee Type, Fiscal Years 2019 to 2020



Source: GAO analysis of Department of Justice (DOJ) data. | [GAO-22-104641](#)

Accessible Information for Second Chance Reauthorization Act of 2018 Grant Awards, by Grantee Type, Fiscal Years 2019 to 2020

Grantee type	Number of grants	Funds awarded (dollars in millions)
Nonprofit	45	48.0
County	42	38.3
State	42	35.5
Local	6	5.1
Tribal	5	5.4
Institutions of higher education	3	2.5
Small business	1	1.5

DOJ has two approaches to evaluate the effectiveness of the reentry grants on individuals' success at reentering the community and avoiding recidivism. First, DOJ is funding an evaluation designed to provide evidence of the effectiveness of three selected grantees. Second, some grantees are required to evaluate their programs, and others may choose to do so. However, grantees have latitude in some cases to determine the type and focus of their evaluation. Generally, these

evaluations are due after the grant period ends, and it is too soon to know what these evaluations will show regarding grant effectiveness, according to DOJ.

Second Chance grantees are generally required to submit performance data to DOJ, and DOJ has published the data it received in congressional budget justifications and grant program fact sheets that GAO reviewed. However, DOJ did not identify limitations of the data or discuss what conclusions could or could not be drawn from the data in these products. DOJ has previously stated that these performance data cannot be used as evidence of the effectiveness of Second Chance grant programs. Taking steps to identify limitations of the data in published documents, consistent with leading practices for transparently reporting performance information, would provide the necessary context for Congress and other readers to appropriately interpret the information and make informed decisions about Second Chance grant programs.

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Abbreviations

BJA	Bureau of Justice Assistance
DOJ	Department of Justice
NIJ	National Institute of Justice
OJJDP	Office of Juvenile Justice and Delinquency Prevention
OJP	Office of Justice Programs

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April 6, 2022

The Honorable Dick Durbin
Chair
The Honorable Chuck Grassley
Ranking Member
Committee on the Judiciary
United States Senate

The Honorable Jerrold Nadler
Chairman
The Honorable Jim Jordan
Ranking Member
Committee on the Judiciary
House of Representatives

More than 600,000 individuals were released from state and federal prisons in the U.S. in 2019 after serving their sentences, according to the Bureau of Justice Statistics. Additionally, in response to the COVID-19 pandemic, prisons and jails across the U.S. made efforts to reduce their populations to protect incarcerated people from the virus. The needs of individuals reentering the community are wide-ranging. Such needs may include assistance with education, employment, or housing; treatment for mental health or substance use disorders; and reestablishing positive social support networks. The reentry challenges that individuals face can sometimes lead them to reoffend and return to prison. One Department of Justice (DOJ) study found that approximately 60 percent of people released from state prisons in 2012 were rearrested within 3 years.¹

We have previously reported on the challenges that individuals faced upon reentering society after incarceration and on the federal grant

¹Bureau of Justice Statistics, *Recidivism of Prisoners Released in 34 States in 2012: A 5-Year Follow-Up Period (2012–2017)*, NCJ 255947 (Washington, D.C.: July 2021).

programs designed to help reduce recidivism.² In September 2017, we reported on collateral consequences that individuals may face after a criminal conviction and on stakeholder views on whether the federal government should take action to reduce the severity of these consequences.³ These consequences can affect many aspects of an individual's life, such as the ability to obtain or maintain employment, business licenses, education, government benefits, civic participation, and parental rights. For example, federal and state laws or regulations may place limitations or prohibitions on the ability of formerly incarcerated individuals to obtain certain employment credentials or certifications, such as a flight engineer certification.⁴

Title V of the First Step Act of 2018, entitled the "Second Chance Reauthorization Act of 2018," authorizes the Attorney General to provide reentry grants in fiscal years 2019 through 2023.⁵ For example, the grants can be awarded to entities (e.g., state governments, nonprofit organizations) to provide reentry services like education and employment assistance, substance use disorder and mental health treatment, and mentoring.

Generally, the Second Chance Reauthorization Act of 2018 also includes a provision for us to review grant programs amended by the Act or making awards pursuant to the Act.⁶ This report (1) describes grants awarded under the Second Chance Reauthorization Act reentry programs from fiscal years 2019 to 2020, (2) examines steps that DOJ is taking to evaluate the effectiveness of Second Chance Reauthorization Act grant programs (referred to in this report as "Second Chance grant programs") in supporting individuals' reentry to the community and reducing

²GAO, *Department of Justice: Continued Action Needed to Address Incarceration Challenges and Offenders' Reentry*, [GAO-18-275T](#) (Washington, D.C.: Dec. 13, 2017); *Nonviolent Drug Convictions: Stakeholders' Views on Potential Actions to Address Collateral Consequences*, [GAO-17-691](#) (Washington, D.C.: Sept. 7, 2017); and *Inmate Reentry Programs: Enhanced Information Sharing Could Further Strengthen Coordination and Grant Management*, [GAO-13-93](#) (Washington, D.C.: Dec. 14, 2012).

³"Collateral consequences" are the penalties and disadvantages that can be imposed upon an individual with a criminal conviction, in addition to those directly associated with a sentence (such as a fine, prison, or community service).

⁴For example, see 14 C.F.R. § 63.12 and 42 U.S.C. § 13041.

⁵First Step Act of 2018, Pub. L. No. 115-391, tit. V, 132 Stat. 5194, 5222-37.

⁶Pub. L. No. 115-391, § 508, 132 Stat. 5222, 5237.

recidivism, and (3) describes the reentry grant performance data that DOJ reported in products shared with external parties and assesses whether DOJ disclosed any limitations of the data.

To address our first objective, we analyzed data from DOJ's Grants Management System regarding Second Chance grant program awards from fiscal years 2019 to 2020.⁷ We analyzed these data to understand the amount of funding and how many grants were awarded in each of the 12 programs and overall. We also analyzed data on the characteristics of grantees, such as the type of organization, their location, and descriptions of their planned interventions. We focused on grants awarded by DOJ and accepted by grantees from fiscal years 2019 to 2020 because they were the most recent data available at the time of our analyses.⁸ To assess the reliability of these data, we performed electronic and manual testing for missing data and obvious errors, reviewed DOJ documentation on the Grants Management System, and interviewed DOJ officials with knowledge of the system and how the accuracy and reliability of the data are maintained. We found the data reliable for the purposes of reporting on the number of grants awarded, the amount of funds awarded, and the characteristics of grantees under the Second Chance grant programs. We also reviewed the grant solicitations for fiscal years 2019 and 2020 to better understand the grant programs' goals and allowable grant-funded activities.

To address our second objective, we reviewed documentation regarding Second Chance grant program awards from fiscal years 2019 to 2020, including grant solicitations, grant applications, and evaluation planning documents. We reviewed these documents to understand steps that DOJ is taking to evaluate the effectiveness of Second Chance grant programs. We also interviewed officials within DOJ's National Institute of Justice (NIJ), Bureau of Justice Assistance (BJA), and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to further understand actions that DOJ has underway or is planning to take to determine the

⁷According to DOJ, the Office of Justice Programs (OJP) legacy Grants Management System is a web-based, data-driven computer application that provides cradle-to-grave support for the application, award, and management of grants and cooperative agreements at OJP. The system has two interfaces. The internal interface allows OJP staff to access the system, and the external interface allows grant applicants and recipients to access the system.

⁸The scope of our review included Second Chance grant program reentry grants awarded by DOJ from fiscal years 2019 to 2020 and that were ultimately accepted by the grantees. We reviewed DOJ data as of December 13, 2021.

effectiveness of Second Chance grant programs. Finally, we spoke with organizations that played a role in the development of the plan to evaluate Second Chance grant programs, including researchers from Georgia State University and RTI International, a nonprofit research institute.

To address the first and second objectives, we spoke to a nongeneralizable sample of eight Second Chance grant program grantees. To select these grantees, we conducted a two-step selection process. First, we selected two of the 12 Second Chance grant programs that, together, accounted for roughly 17 percent of all Second Chance grant program funds awarded from fiscal years 2019 to 2020, allowed a variety of grant-funded services, and awarded grants to a variety of organizations (e.g., state and local government agencies and nonprofit organizations).⁹ Second, we selected grantees from these two programs, ensuring variety with respect to grantee organization type, award year, the target population that the grantee serves, and award amount. In our interviews with grantees, we discussed topics that included how the grantee used or planned to use grant funds and whether and how they plan to evaluate their programs. Although results from these interviews are not generalizable to the entire population of grantees, they give important context and illustrative examples of grantees' experiences in providing reentry services.

To address our third objective, we reviewed DOJ documents related to the collection and reporting of performance data for Second Chance grant programs. For example, we reviewed DOJ's requirements for grantees to provide performance data. We also reviewed publicly available documents, including budget justifications from fiscal years 2019 through 2022, as well as DOJ fact sheets meant for external parties. We assessed the information contained in these products against our body of work on managing for results, particularly the leading practices for including information about data accuracy and reliability when reporting performance data.¹⁰ Additionally, we interviewed DOJ officials regarding their use of performance data.

⁹We selected the Adult and Youth Offender Reentry Demonstration Programs. For a full list of the 12 Second Chance grant programs, see table 1.

¹⁰GAO, *Leading Practices in Managing for Results in Government*, <https://www.gao.gov/leading-practices-managing-results-government>.

We conducted this performance audit from January 2021 to April 2022 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

Second Chance Reauthorization Act

The Second Chance Act of 2007 was signed into law on April 9, 2008, and authorized evidence-based programs that reduce recidivism and assist individuals reentering the community.¹¹ For example, it authorized programs to provide individuals with educational, literacy, vocational, and job placement services to facilitate reentry into the community. The Second Chance Act reauthorized or amended previous grant programs related to reentry, including the Adult and Juvenile Offender State and Local Reentry Demonstration Projects program.¹² It also created new reentry grant programs.¹³

On December 21, 2018, the Second Chance Reauthorization Act of 2018 was enacted as Title V of the First Step Act of 2018. It reauthorized or amended several grant programs in the Second Chance Act of 2007, including the Adult and Juvenile Offender State and Local Reentry Demonstration Projects program and the Offender Reentry Substance Abuse and Criminal Justice Collaboration Program.¹⁴ The Act authorizes grant funding in fiscal years 2019 through 2023.¹⁵

¹¹Pub. L. No. 110-199, 122 Stat. 657.

¹²Pub. L. No. 110-199, § 101, 122 Stat. 657, 661-67.

¹³For example, section 201 of the Act, Pub. L. No. 110-199, § 201, 122 Stat. 657, 678-79, authorized the Offender Reentry Substance Abuse and Criminal Justice Collaboration Program.

¹⁴Pub. L. No. 115-391, § 502, 132 Stat. 5222-32. See 34 U.S.C. §§ 10631, 60521.

¹⁵See 34 U.S.C. §§ 10631(o)(1), 60521(f)(1).

DOJ Component Roles and Responsibilities

According to DOJ, its Office of Justice Programs (OJP) provides federal leadership, grants, and other resources to prevent and reduce crime and strengthen the criminal and juvenile justice systems. OJP components award grants to state, county, local, and federally recognized tribal government agencies, as well as to nonprofit organizations, institutions of higher education, and small businesses. Three OJP components have a role in administering and evaluating the Second Chance grant programs:

- BJA administers grants that provide reentry services that screen, assess, and meet various reentry needs of individuals returning to their communities. For example, the services may relate to education, employment, housing, substance abuse treatment, mentoring, and other social service and family supports for adults both before and after their release.
- OJJDP administers reentry grants to help prevent and respond to juvenile delinquency and victimization. For example, it supports local and state efforts to prevent delinquency and improve the juvenile justice system.
- NIJ is the research, development, and evaluation agency of DOJ. It supports research on crime and justice issues, regularly engages with criminal and juvenile justice researchers and professionals, and informs the national conversation on issues related to criminal and juvenile justice and public safety, according to NIJ.

DOJ Awarded \$136 Million in Second Chance Grants from Fiscal Years 2019 to 2020

DOJ Awarded 144 Grants, Primarily to Nonprofit Organizations and State and County Government Agencies

From fiscal years 2019 to 2020, DOJ awarded 144 grants, totaling \$136 million, across the Second Chance grant programs.¹⁶ The Comprehensive Community-Based Mentoring and Transitional Service Grants to Nonprofit Organizations Program awarded the highest amount of funding across the 2 fiscal years, with 30 grants totaling more than \$23 million.¹⁷ Table 1 shows the number of grants awarded and the amount of funds awarded in each of the 12 programs.¹⁸ Appendix I provides more information about each of the 12 Second Chance grant programs and grantees and gives examples of services provided by grantees to assist people reentering communities.

¹⁶DOJ administered 12 reentry grant programs from fiscal years 2019 to 2020 that made grant awards under or were amended by provisions of the Second Chance Reauthorization Act of 2018. BJA administered 10 of the 12 Second Chance grant programs, including those that focused on adult offender populations and that supported grantees via training, technical assistance, or evaluation support. OJJDP administered two of the programs that focused on juvenile offenders and children of incarcerated parents.

¹⁷For some programs, DOJ awarded grants in one of the 2 fiscal years, while in others, it awarded grants in both.

¹⁸NIJ also awarded one grant for a third-party evaluation of Second Chance grant programs. This evaluation is required by the Second Chance Reauthorization Act of 2018. Section 507 of the First Step Act, Pub. L. No. 115-391, § 507, 132 Stat. 5194, 5235-37, requires NIJ to evaluate the effectiveness of grants used by DOJ to support offender reentry and recidivism reduction programs at the state, local, tribal, and federal levels.

Table 1: Second Chance Reauthorization Act of 2018 Grant Awards, by Grant Program, Fiscal Years 2019 to 2020

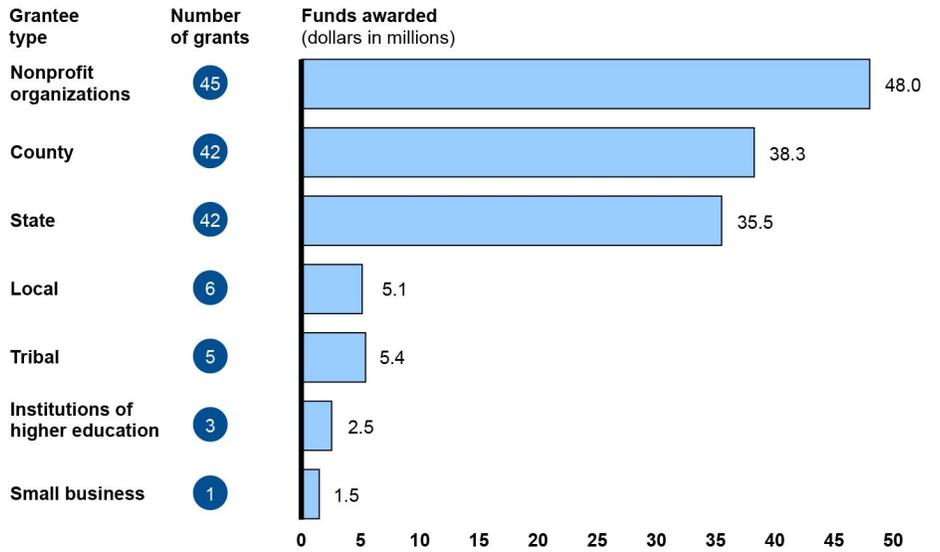
Department of Justice (DOJ) component that administers grant program	Grant program name	Funds awarded (dollars)	Number of grants
Bureau of Justice Assistance	Comprehensive Community-Based Mentoring and Transitional Service Grants to Nonprofit Organizations Program	23,035,785	30
Bureau of Justice Assistance	Offender Reentry Substance Abuse and Criminal Justice Collaboration Program	22,188,867	24
Bureau of Justice Assistance	Innovations in Reentry Initiative: Adult Offender Reentry Demonstration Program	14,351,501	17
Bureau of Justice Assistance	Comprehensive Corrections Training and Technical Assistance	13,336,830	4
Bureau of Justice Assistance	Pay for Success: Outcomes-based Contracting to Lower Recidivism and Homelessness	13,029,564	6
Bureau of Justice Assistance	Innovations In Supervision Initiative: Building Capacity To Create Safer Communities	9,958,594	12
Bureau of Justice Assistance	Correctional Adult Reentry Education, Employment, and Recidivism Reduction Strategies	6,884,979	8
Bureau of Justice Assistance	Second Chance Act Training and Technical Assistance	4,999,959	3
Bureau of Justice Assistance	Improving Community Supervision Outcomes Through Swift, Certain, and Fair Responses	3,744,160	5
Bureau of Justice Assistance	Second Chance Act Evaluation Participation Support Program	2,400,000	3
Office of Juvenile Justice and Delinquency Prevention	Children of Incarcerated Parents	14,221,897	21
Office of Juvenile Justice and Delinquency Prevention	Youth Offender Reentry Demonstration Program	8,229,900	11
Total	n/a	136,382,036	144

Source: GAO analysis of Department of Justice (DOJ) data. | GAO-22-104641

Note: This table includes reentry grants that were awarded by DOJ from fiscal years 2019 to 2020 and that were ultimately accepted by the grantees. DOJ provided the data as of December 13, 2021.

Together, nonprofit organizations, state government agencies, and county government agencies received the majority of the awards (129 of 144) and 89 percent of the total funds awarded across the 2 fiscal years. Figure 1 shows the number of grants and the amount of funds awarded for each grantee type.

Figure 1: Second Chance Reauthorization Act of 2018 Grant Awards, by Grantee Type, Fiscal Years 2019 to 2020



Source: GAO analysis of Department of Justice (DOJ) data. | GAO-22-104641

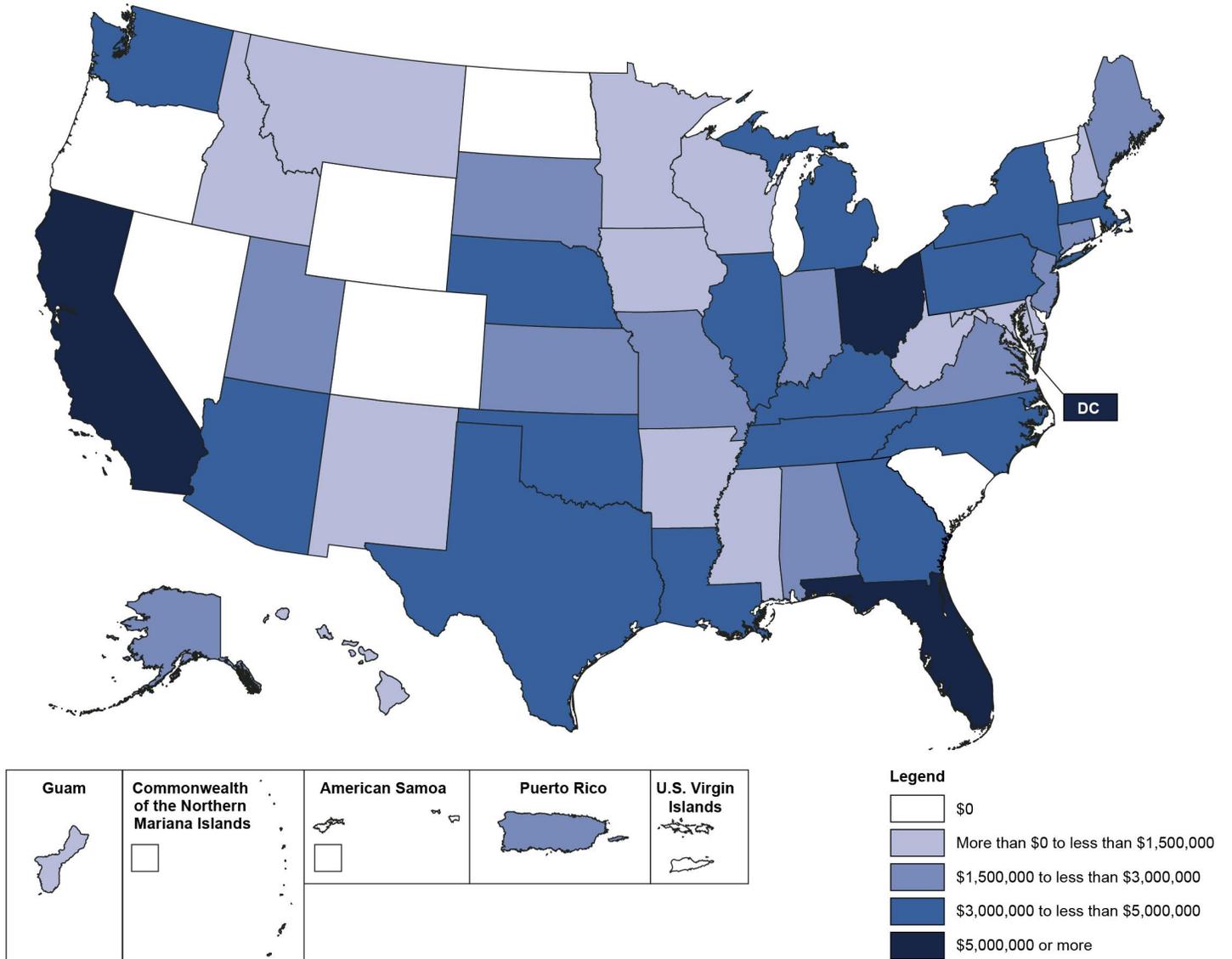
Accessible Information for Figure 1: Second Chance Reauthorization Act of 2018 Grant Awards, by Grantee Type, Fiscal Years 2019 to 2020

Grantee type	Number of grants	Funds awarded (dollars in millions)
Nonprofit	45	48.0
County	42	38.3
State	42	35.5
Local	6	5.1
Tribal	5	5.4
Institutions of higher education	3	2.5
Small business	1	1.5

Note: County government agencies include grantees who identified themselves as a county government agency or a Parish Sheriff's office. Local government agencies include grantees who identified themselves as a special purpose local government or a township. Tribal entities include grantees who identified themselves as a federally recognized Indian or Native American tribal government or an Indian or Native American tribally designated organization. Nonprofit organizations include grantees who identified themselves as a nonprofit organization with 501(c)3 IRS status (other than an institution of higher education). This figure includes reentry grants that were awarded by DOJ from fiscal years 2019 to 2020 and that were ultimately accepted by the grantees. DOJ provided the data as of December 13, 2021.

Second Chance grant program grantees were located in 45 states and territories across the U.S. Figure 2 shows the location of grant recipients and the combined dollar amount of all grants awarded in that state or territory. For example, grantees located in three states (California, Florida, and Ohio) and Washington, D.C. received a total of \$5 million or more in grant funding from fiscal years 2019 to 2020. Grantees may serve individuals or entities beyond the state in which they are located.

Figure 2: Second Chance Reauthorization Act of 2018 Grant Awards, by Location, Fiscal Years 2019 to 2020



Source: GAO analysis of Department of Justice (DOJ) data.. | GAO-22-104641

Accessible Information for Figure 2: Second Chance Reauthorization Act of 2018 Grant Awards, by Location, Fiscal Years 2019 to 2020

Location	Funds Awarded
AK	\$2,323,700
AL	\$2,397,260
AR	\$750,000
AZ	\$3,732,713
CA	\$7,992,619
CT	\$2,719,443
DC	\$12,574,321
DE	\$1,000,000
FL	\$5,325,770
GA	\$4,017,776
GU	\$263,341
HI	\$800,000
IA	\$775,775
ID	\$1,000,000
IL	\$4,425,775
IN	\$2,588,689
KS	\$2,251,136
KY	\$4,057,041
LA	\$3,948,796
MA	\$4,999,382
MD	\$745,969
ME	\$1,525,361
MI	\$3,750,000
MN	\$1,426,455
MO	\$2,930,250
MS	\$1,000,000
MT	\$675,000
NC	\$4,493,129
NE	\$3,452,901
NH	\$628,472
NJ	\$1,864,995
NM	\$680,391
NY	\$3,630,230
OH	\$10,790,530
OK	\$3,399,393

Letter

Location	Funds Awarded
PA	\$4,661,455
PR	\$1,900,000
SD	\$1,999,702
TN	\$4,758,582
TX	\$3,869,433
UT	\$2,497,534
VA	\$2,615,410
WA	\$3,493,369
WI	\$249,938
WV	\$1,400,000

Note: This figure shows the combined dollar amount awarded to all grantees within a state or territory. Grantees include state government agencies, county government agencies, local government agencies, tribal government entities, nonprofit organizations, institutions of higher education, and small businesses. Grantees may be serving entities or individuals in states other than the one in which the grantee is located. This figure includes reentry grants that were awarded by DOJ from fiscal years 2019 to 2020 and that were ultimately accepted by the grantees. DOJ provided the data as of December 13, 2021.

Second Chance Grant Programs Support a Variety of Reentry Activities; COVID-19 Disrupted Provision of Services

DOJ's Second Chance grant programs support a variety of activities during the grant periods, which range from 36 to 55 months. For example, grantees in some programs may provide reentry services directly to individuals leaving prisons and jails, or they may use the funds to make improvements to the broader system of services for people reentering their communities. Below are examples of activities that may be supported, depending on the specific program under which the funds were awarded.

Examples of Planned Activities among Fiscal Years 2019 and 2020 Second Chance Grant Program Grantees

One grantee plans to use funds to open a housing unit at one prison to provide treatment and pro-social supports for approximately 315 individuals. Participants will be linked to treatment and enhanced support, following reentry. Priority will be given to individuals with moderate to severe opiate, alcohol, and amphetamine use disorders.

One grantee plans to use funds to support expanding permanent supportive housing with intensive case management to 140 individuals experiencing homelessness. To measure intervention outcomes, the grant recipient will statistically compare participant outcomes with those of a comparison group.

One grantee plans to use funds to establish a program for adjudicated youth with Traumatic Brain Injury in four pilot-site residential programs. The program will begin prior to release, in conjunction with vocational rehabilitation, and continuing postrelease to promote successful community reentry.

Source: Department of Justice. | GAO-22-104641

Provision of reentry services. To support services such as education and employment assistance, housing, mental health care, and substance use disorder treatment.

Collaboration with external stakeholders. To build task forces or other kinds of formal partnerships with local reentry stakeholders, such as nonprofit organizations, local governments, and employers.

Systems improvement. To identify and implement changes meant to improve reentry systems or build capacity. This might include training grantee staff better to meet the needs of the population being served, identifying and closing gaps in the reentry system, or implementing strategies to help programs serve more individuals.

Training and technical assistance. To provide knowledge, resources, and project management guidance to help Second Chance grant program grantees meet the objectives and deliverables of their projects. For example, technical assistance providers help grantees develop action plans, provide subject matter expertise, and assist with collecting and reporting on their progress.

Evaluation support and performance data. To develop performance measures or track data on participant experiences during and after receiving services.

Each of the 12 Second Chance grant programs requires or allows grantees to use funding for a specific set of activities, according to the related grant program solicitations (see app. I). For example, nine of the 12 programs allow or require grantees to use funds for the provision of reentry services or systems improvement. In addition, two programs fund training and technical assistance for Second Chance grant program grantees. One program funds grantees to participate in NIJ's evaluation of Second Chance grant programs, which we discuss later in this report.

Representatives from Second Chance grant program grantees that we spoke to said that the COVID-19 pandemic has presented a number of challenges to their grant programs, including staffing shortages; technical difficulties in delivering virtual services; and a lack of program materials, due to supply chain delays.¹⁹ One representative told us that their program staff fell ill from COVID-19, causing delays in delivering programming and spending grant funds. Although one representative said that their organization was able to adapt to online classes, others told us they were unable to deliver services virtually, which limited their ability to serve their target populations. For example, one representative said they were starting to implement programming when the pandemic hit, but their technological capabilities could not support virtual provision of services, and they had to halt programming. Another said that their vocational education program could not continue because the courses, such as welding and manufacturing, require hands-on experience. Additionally, one representative at a grantee organization that offers vocational training said that they experienced challenges related to supply chain interruptions; for example, they could not obtain clippers and face shields for their barbering classes.

Similarly, DOJ officials told us that COVID-19 has affected Second Chance grant program grantees and how they have delivered grant-funded services. Specifically, these officials said that COVID-19 has

¹⁹We have reported previously that the COVID-19 pandemic has also had effects on federal prisons. For example, inmates faced reduced access to certain programs, services, visitors, and facility spaces, as well as quarantining procedures that have resulted in reduced staff availability and increased the use of overtime. See GAO, *Bureau of Prisons: BOP Could Further Enhance Its COVID-19 Response by Capturing and Incorporating Lessons Learned*, [GAO-21-502](#) (Washington, D.C.: July 29, 2021).

affected every aspect of corrections, including the Second Chance grant program reentry grants that DOJ awarded. For example, DOJ officials said that some prisons and jails limited the entry of external parties into their facilities to provide grant-funded services, due to COVID-19. Agency officials also highlighted grantee staff illnesses and difficulties in providing virtual services. Also, a DOJ official stated that one grant recipient in California returned grant funding. The grantee told DOJ they were no longer able to meet the requirements of a federal grant, due to COVID-19 and wildfires. Agency officials said that some fiscal year 2018 awards have received extensions of their active award period in order to complete their award activities.²⁰

Ongoing Evaluations Aim to Provide Some Information on Grant Effectiveness

DOJ has two efforts as of December 2021 to evaluate the effectiveness of its Second Chance grant programs: (1) an NIJ-funded evaluation of three grantees and (2) evaluations of individual programs conducted by the grantees and their external evaluation partners.

NIJ-funded evaluation. NIJ is funding an evaluation of the effectiveness of three Second Chance grant program reentry grants.²¹ This evaluation will analyze the extent to which programs improve reentry outcomes, such as employment, education, housing, and reductions in recidivism, relative to comparable individuals not participating in the programs. DOJ has taken or is planning to take the following actions with regard to the evaluation:

- **Grantee selections.** In early 2020, DOJ partnered with RTI International to help identify grantees that could be included in the NIJ

²⁰According to DOJ, grantees have the ability to request an extension of their active award period to complete the award activities, if they can identify the reasons for delayed implementation and demonstrate a plan and capacity to achieve completion of project goals in the additional time requested. As of December 13, 2021, none of the fiscal years 2019 or 2020 awards had received such extensions, according to DOJ.

²¹According to DOJ, this evaluation will help address a requirement in the Second Chance Reauthorization Act of 2018. See Pub. L. No. 115-391, § 507, 132 Stat. 5222, 5235-37. NIJ's planned evaluation includes three grants awarded by BJA, including two grants awarded in fiscal year 2018 and one awarded in fiscal year 2019. Although our review focused on grants awarded from fiscal years 2019 to 2020, we have included a discussion of all three grants in this section, including the awards from fiscal year 2018.

evaluation.²² Specifically, RTI International assessed the grantee population and, in collaboration with NIJ and BJA, identified 16 grantees it thought would be best suited to conduct a randomized controlled trial.²³ It categorized these 16 grantees based on their level of suitability, considering factors such as whether they had design weaknesses, anticipated sufficient enrollment, and their openness to random assignment of participants. According to DOJ officials, NIJ used this analysis to identify six preferred grantees. RTI International estimated that including five grantees would provide sufficient participants for statistical analysis to detect smaller program effects. In February 2020, BJA published a solicitation that invited BJA's Second Chance grant program grantees to apply to participate in the evaluation. BJA officials also told us that they reached out to the six preferred grantees to encourage them to apply. BJA received three applications (all from the pool of preferred grantees) and selected all three to participate in the evaluation.

- **Evaluation effort.** In December 2020, NIJ selected Georgia State University to design and ultimately conduct an evaluation of multiple Second Chance grant program grantees. In August 2021, the research team determined that all three selected grantees would be suitable for evaluation. The team provided NIJ with its evaluation plans for each grantee, two of which included plans for randomized controlled trials. Since two of the grantees experienced delays related to COVID-19, the researchers intend to monitor implementation at those locations and deliver to DOJ any necessary updates to the evaluation plans in 2022. Georgia State University's evaluation plans include providing DOJ a draft of the final report in 2025.

The planned evaluation could allow DOJ to report information to Congress and other stakeholders on the effectiveness of the three selected grantee programs. For example, according to the lead researcher, the planned evaluation intends to assess each grantee program's effectiveness across several reentry-related areas, such as recidivism, housing, employment, and education. The team may also assess participants' sense of agency, or, their belief that they have control over their lives and actions.

²²RTI International is an independent, nonprofit institute that provides research, development, and technical services.

²³Randomized controlled trials are studies in which participants are randomly assigned to an intervention group that receives, or is eligible to receive, the intervention and a control group that does not receive the intervention.

NIJ officials told us that they had sought an evaluation that included randomized controlled trials and prioritized grantees that were willing and able to conduct these trials. Agency officials said that one result of prioritizing randomized controlled trials was that the evaluation only includes three out of the hundreds of Second Chance grant program reentry grants awarded. Conducting randomized controlled trials can be logistically complicated and expensive, compared with other, less rigorous methods.²⁴ For example, randomized assignment can require that grantees have a larger number of participants. According to agency officials, some grantees may also not have been able to randomly assign participants due to state law or agency policies. However, randomized controlled trials are generally considered a rigorous methodology, often referred to as the “gold standard” for impact evaluation.²⁵

The sample size and overall methodology of NIJ’s evaluation will influence what conclusions can be drawn from the evaluation. For example, the planned evaluation will not be representative of all Second Chance grant program grantees. The three selected grantees all provide adult reentry services; thus, the evaluation will not provide evidence about the effectiveness of juvenile reentry programs. Further, the number of individuals that grantees serve will not be finalized until sometime in 2022, as at least one grantee plans to recruit participants through early 2022. The number of individuals served will affect the extent to which researchers will be able to detect program effects. However, as described above, the research team intends to include randomized controlled trials. According to the research team, if the studies are completed as planned, the methodology may allow DOJ to say with confidence whether the activities of the selected grantees had measurable effects on participant recidivism and potentially other outcomes of interest.

Evaluations conducted by grantees or their partners. According to DOJ officials and grant solicitations for five of the 12 Second Chance grant programs (accounting for 52 of 144 grants awarded from fiscal

²⁴Pursuant to section 507 of the First Step Act of 2018, Pub. L. No. 115-391, § 507, 132 Stat. 5194, 5235-37, not more than 1 percent of any amounts authorized to be appropriated to carry out the Second Chance Act grant program shall be made available to NIJ each year to evaluate the processes, implementation, outcomes, costs, and effectiveness of the Second Chance Act grant program in improving reentry and reducing recidivism.

²⁵P.H. Rossi, M.W. Lipsey, and H.E. Freeman, “Assessing Program Impact,” in *Evaluation: A systematic approach* (Thousand Oaks, CA: Sage Publications, 2004), 237.

years 2019 to 2020), grantees are generally required to conduct evaluations of their programs.²⁶ Grantees are generally required to submit the evaluation reports within 120 days of the end of the grant period. For example, grantees in the 2020 Innovations in Reentry Initiative: Adult Offender Reentry Demonstration Grant Program are required to submit their preliminary evaluations by October 2023 and their final evaluations by January 2025, according to the grant solicitation.

In December 2021, DOJ officials told us it was not yet clear what effectiveness information they will be able to gather from the grantee evaluations. Grantees required to evaluate their programs can have discretion over the type of evaluation they conduct (i.e., process evaluation or assessments of program effectiveness).²⁷ OJP officials said that they use the results of grantee evaluations to gather more information about service delivery in the field, rather than for understanding program effectiveness. In addition, some grantees have discretion over the grant program outcomes they evaluate. For example, while some grants require grantees to specifically focus on recidivism, others allow grantees to measure additional outcomes, such as reductions in drug or alcohol use.²⁸ Representatives from one grantee organization we interviewed said they are planning to assess educational and employment outcomes, in addition to recidivism outcomes.

Also, according to DOJ officials, as of December 2021, more than 40 additional grantees have indicated that they may conduct an evaluation, even though their grant awards do not require it. As DOJ noted in regard to the required evaluations, it is not yet clear what type of evaluations the

²⁶The five programs accounted for 87 grants awarded from fiscal years 2019 to 2020. All five programs required evaluations in fiscal year 2019, but two of the five programs required evaluations in fiscal year 2020. According to OJP officials, not all grantees are required to evaluate their programs because the agency prioritized evaluations for some programs over others. For example, OJP officials told us they required evaluations for certain programs that included innovative reentry approaches.

²⁷Process evaluations include assessments of the quality or efficiency of program operations, and how well program operations adhere to program design. These evaluations can help describe the program as actually experienced. Outcome evaluations assess the extent to which a program achieves its outcome-oriented objectives or other important outcomes, such as reductions in recidivism. Evaluations of effectiveness, or impact evaluations, assess the extent to which outcomes are attributable to the program.

²⁸The follow-up period for grantee evaluations in some cases is 1 year, while NIJ's definition of recidivism is measured by criminal acts that resulted in rearrest, reconviction, or return to prison with or without a new sentence during the 3-year period following the person's release.

grantees will conduct and whether the evaluations will focus on outcomes such as recidivism.

OJP Reported Performance Data without Discussing Limitations

Grant program solicitations indicated that as a condition of receiving grant funding, Second Chance grant program grantees are required to regularly report performance data to OJP, such as the number of participants who completed the grantee's program. DOJ has reported these data in its budget justifications to Congress and in program fact sheets for external readers. However, in these documents, DOJ did not identify key limitations of the performance data or highlight what conclusions a reader can or cannot draw from these data. For example, NIJ previously stated in a 2019 memorandum that Second Chance grant programs' performance measures should not be used as evidence of the effectiveness of those programs.²⁹

Our framework on managing for results in government specifies that agencies should transparently report results.³⁰ Specifically, when reporting performance information, the leading practices state that agencies should discuss the accuracy and reliability of the data being reported, including a presentation of any limitations of the data. In addition, we previously reported that credible performance information is essential for accurately assessing an agency's progress toward its goals and, in cases where goals are not met, identifying opportunities for improvement or whether goals need to be adjusted.³¹

Second Chance grant program grantees are required to track grantee performance along specific measures and report those data quarterly or

²⁹NIJ, *The Development of Metrics to Assess Outcomes for the Second Chance Act Grant Program: A Response to Title V of the Second Chance Reauthorization Act of 2018*, NCJ 253097 (Washington, D.C.: July 2019).

³⁰GAO, *Leading Practices in Managing for Results in Government*.

³¹GAO, *Global Food Security: Improved Monitoring Framework Needed to Assess and Report on Feed the Future's Performance*, [GAO-21-548](#) (Washington, D.C.: Aug. 31, 2021); *Performance.Gov: Long-Term Strategy Needed to Improve Website Usability*, [GAO-16-693](#) (Washington, D.C.: Aug. 30, 2016); and *Performance Reporting: Few Agencies Reported on the Completeness and Reliability of Performance Data*, [GAO-02-372](#) (Apr. 26, 2002).

semiannually to OJP as a condition of receiving grant funding. Some performance measures focus on outputs, such as the number of participants who received employment or educational services. Other measures focus on outcomes, such as the number of participants who obtained employment or the rate of rearrests among participants.³²

DOJ reported these performance data in published products, including to justify its annual budget requests to decision makers and to highlight accomplishments in Second Chance grant program fact sheets.³³ For example, DOJ's fiscal year 2022 budget request sent to Congress reported the percentages of youth enrolled in OJJDP juvenile justice programs (including Second Chance grant programs) who reoffended in calendar years 2016 through 2019. Also, OJP reported performance data for the Innovations in Reentry Initiative program in a fact sheet covering fiscal years 2015 through 2020.³⁴ The fact sheet noted that over half of the participants who were enrolled in employment services gained employment and that two-thirds of participants who completed postrelease program requirements obtained housing.³⁵

However, these products do not include information on the limitations of such data, nor what conclusions can and cannot be drawn from the data about program effectiveness. For example, neither document notes that program participants may have received support from sources other than the Second Chance grant programs and that readers cannot conclude that outcomes are a result of participation in those programs.

In 2019, NIJ solicited and received feedback from 13 experts on draft performance measurement questions that it planned to request Second

³²Output measures are meant to capture the amount of activity that will be provided by the grantee over a period of time. Outcome measures are meant to capture progress made toward achieving the intended result of a program.

³³In support of the President's budget request, executive branch departments are to submit budget justifications to the congressional appropriations committees, typically to explain the key changes between the current appropriation and the amounts requested for the next fiscal year.

³⁴The Innovations in Reentry Initiative: Adult Offender Reentry Demonstration Grant Program is one of DOJ's 12 Second Chance grant programs.

³⁵Bureau of Justice Assistance, *Innovations in Reentry Initiative*.

Chance grant program grantees to periodically answer.³⁶ These experts identified limitations that may influence what conclusions may be drawn from the performance measures.³⁷ For example, one expert identified the limitation described above—that support from sources other than the Second Chance grant programs may affect the results captured by the performance measures. The expert noted that Second Chance grant program grantees can use grant funding to make improvements to existing systems and service delivery rather than to create new systems and services. As a result, DOJ may not be able to attribute participant outcomes solely to their participation in Second Chance grant programs. OJP's published documents we reviewed do not mention this limitation.

Three of the 13 experts highlighted that OJP does not collect data about comparison groups for all of its programs. Without comparison group data, OJP cannot determine whether outcomes are the same or different for individuals who participated in a Second Chance grant program versus those who did not participate. For example, in its fact sheet, OJP reported that two-thirds of program participants obtained housing. As OJP did not collect comparison group data, it is possible that the percentage of participants who obtained housing may have been the same as or lower than the percentage of individuals who did not participate in the program. However, this limitation was not identified in the fact sheet.

In addition, four of the 13 experts identified limitations in the specificity of the housing or employment measures. Specifically, one of the experts said that these measures do not ask what type of housing or employment participants obtained. For example, in its fact sheet, OJP reported that 53 percent of participants obtained employment but did not note that employment may be temporary, part-time, seasonal, or low-wage. For the

³⁶These experts included researchers and academics with expertise in evaluations (particularly evaluations of Second Chance grant programs), prior Second Chance grant program grantees, and others. NIJ conducted this outreach and consultation process in accordance with Section 507 of the First Step Act. Pub. L. No. 115-391, § 507, 132 Stat. 5194, 5235-37. Expert feedback was not published, but NIJ summarized the process in its 2019 memo, *The Development of Metrics to Assess Outcomes for the Second Chance Act Grant Program: A Response to Title V of the Second Chance Reauthorization Act of 2018*, NCJ 253097.

³⁷According to OJP, BJA is in the process of using the expert feedback, along with other resources, to revise its performance measurement questions for the Second Chance grant programs and plans for fiscal year 2021 grantees to begin reporting on the new measures in January 2022. According to OJJDP, it is also in the process of revising performance measures for juvenile-oriented Second Chance grant programs.

two-thirds of participants who reported that they had obtained housing, the housing may be temporary (e.g., staying at a shelter) rather than more stable housing (e.g., renting an apartment). This also was not specified in the fact sheet.

OJP officials stated that grantee performance data are not intended to provide evidence of the effectiveness of its Second Chance grant programs. In addition, in a 2019 memorandum, NIJ said that Second Chance grant programs' performance measures should not be used to determine the effectiveness of those programs without the use of a control or comparison group.³⁸ Officials also stated that documents that include Second Chance grant program performance data do not state that these outcomes are evidence of program effectiveness. However, DOJ presents these data in its annual budget requests and refers to these data as Second Chance grant program accomplishments in fact sheets. By ensuring that published products that include Second Chance Reauthorization Act performance data clearly identify the limitations of those data, as is consistent with leading practices for transparently reporting performance information, DOJ can provide the necessary context for Congress and other readers to appropriately interpret the information and make informed decisions about Second Chance grant programs.

Conclusions

Individuals across the U.S. leave prisons and jails to return to their homes, families, and communities every day. However, many individuals face challenges during this transition and may go on to reoffend and return to prison—one DOJ study found that approximately 60 percent of people released from state prisons in 2012 were rearrested within 3 years.³⁹ As part of DOJ's Second Chance grant programs, grantees periodically report performance data, such as the number of program participants who gained employment and housing after release. DOJ has reported these data in published documents, including fact sheets highlighting program accomplishments and budget justifications sent to Congress. However, the published documents do not discuss the limitations of the performance data, which can help readers understand what conclusions can and cannot be drawn from the data. Clearly

³⁸NIJ, *Development of Metrics*.

³⁹Bureau of Justice Statistics, *Recidivism of Prisoners Released in 34 States in 2012*.

identifying the limitations of the performance data, as is consistent with leading practices for reporting performance information, would help Congress and the public better understand what is known about the effectiveness of DOJ's reentry grant programs, and the potential challenges the agency faces, in aiding individuals' reentry into society after incarceration.

Recommendation for Executive Action

The Attorney General should ensure published products that include Second Chance Reauthorization Act of 2018 performance data clearly identify the limitations of those data. (Recommendation 1)

Agency Comments

We provided a draft of this report to DOJ for review and comment. In its written comments, which are reproduced in appendix II, DOJ concurred with our recommendation. DOJ also provided technical comments, which we incorporated as appropriate.

We are sending copies of this report to the appropriate congressional committees, the Attorney General, and other interested parties. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-8777 or GoodwinG@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix III.



Gretta L. Goodwin
Director
Homeland Security and Justice

Appendix I: Department of Justice Second Chance Reauthorization Act of 2018 Grant Programs

The Department of Justice (DOJ) administered 12 reentry grant programs from fiscal years 2019 to 2020 that made grant awards under or were amended by provisions of the Second Chance Reauthorization Act of 2018.¹ Summaries of each grant program are presented below—that is, one for each of the 12 programs. Each summary includes a description of the program’s purpose and examples of activities that DOJ allows or requires grantees to use grant funding to support, as described in the program’s grant solicitations. For some programs, DOJ awarded grants in both fiscal years, while in others, it awarded grants in one year, which we noted in the figure titles. Additionally, DOJ changed the stated purpose from year to year for some programs, while others remained unchanged. We noted in the summaries where the stated program purpose differed based on the year. Each summary also includes data on what types of organizations received grant awards and how much funding they received, using DOJ data from the Grants Management System. Finally, each summary includes examples of how grantees plan to use grant funds, using DOJ data from the Grants Management System and interviews that we conducted with grantees.

¹Pub. L. No. 115-391, 132 Stat. 5222, 5222-37.

Appendix II: Comments from the U.S. Department of Justice

**Appendix II: Comments from the U.S.
Department of Justice**



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

March 21, 2022

Ms. Gretta Goodwin
Director
Homeland Security and Justice
Government Accountability Office
441 G Street, NW
Washington, DC 20548
VIA Electronic Mail at GoodwinG@gao.gov

Dear Ms. Goodwin:

Thank you for the opportunity to review and comment on the draft Government Accountability Office (GAO) report entitled, *Second Chance Reentry Grants: DOJ Should Report Limitations When Publishing Performance Data (GAO-22-10464)*.

The draft GAO report contains one Recommendation for Executive Action directed to the Department of Justice. For ease of review, the recommendation is restated in bold text below, and followed by the Office of Justice Programs' (OJP) response.

1. The Attorney General should ensure that published products that include Second Chance Reauthorization Act of 2018 performance data clearly identify the limitation of those data.

The Office of Justice Programs agrees with this recommendation. OJP will ensure that published products released by OJP that include Second Chance Act Reauthorization Act of 2018 performance data include a statement that clearly identifies the limitation(s) of such data.

If you have any questions regarding this response, you or your staff may contact Ralph E. Martin, Director, Office of Audit, Assessment, and Management, at (202) 305-1802.

Sincerely,

Amy L. Solomon
Amy L. Solomon
Principal Deputy Assistant Attorney General

Digitally signed by
Amy L. Solomon
Date: 2022.03.18
16:36:38 -04'00'

**Appendix II: Comments from the U.S.
Department of Justice**

cc: Lee Lofthus
Assistant Attorney General for Administration
U. S. Department of Justice
Maureen A. Henneberg
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Rafael A. Madan
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Internal Review and Evaluation Office
Justice Management Division

OJP Executive Secretariat
Control Title IT20220314104745

Accessible Text for Appendix II: Comments from the U.S. Department of Justice

March 21, 2022

Ms. Gretta Goodwin
Director
Homeland Security and Justice
Government Accountability Office
441 G Street, NW
Washington, DC 20548
VIA Electronic Mail at GoodwinG@gao.gov

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If you have any questions regarding this response, you or your staff may contact

Ralph E. Martin, Director, Office of Audit, Assessment, and Management, at (202) 305-1802.

Sincerely,

Amy L. Solomon
Principal Deputy Assistant Attorney General

cc: Lee Lofthus
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OJP Executive Secretariat
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Appendix III: GAO Contact and Staff Acknowledgments

GAO Contact

Gretta L. Goodwin, (202) 512-8777 or GoodwinG@gao.gov.

Staff Acknowledgments

In addition to the contact named above, Jeffrey Fiore (Assistant Director), Sarah Williamson (Analyst-in-Charge), Justin Bolivar, Kisha Clark, Brett Fallavollita, and Erin Pineda made key contributions to this report. Also contributing to this report were Willie Commons III, Eric Hauswirth, Susan Hsu, Suzanne Kaasa, Terrell Lasane, Elaine Vaurio, and Adam Vogt.

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