

October 2010

RECOVERY ACT

Department of Justice Could Better Assess Justice Assistance Grant Program Impact

This report was revised on November 1, 2010. Specifically, the opening paragraph of Appendix VI and the map that followed were deleted. The paragraph was replaced with the following: “This appendix provides the full printed text of the interactive content in figure 4 on page 22 in the body of the report. Specifically, the following figures describe planned uses of Recovery Act Justice Assistance Grant (JAG) funds by each State Administering Agency (SAA) across our 14 sample states, which are listed in alphabetical order by state name.” None of these changes affect this report's conclusions or recommendations.



GAO

Accountability * Integrity * Reliability

Why GAO Did This Study

Under the American Recovery and Reinvestment Act of 2009 (Recovery Act), the U.S. Department of Justice's (DOJ) Bureau of Justice Assistance (BJA) awarded nearly \$2 billion in 4-year Edward Byrne Memorial Justice Assistance Grant (JAG) funds to state and local governments for criminal justice activities. As requested, GAO examined: (1) how Recovery Act JAG funds are awarded and how recipients in selected states and localities used their awards; (2) challenges, if any, selected recipients reported in complying with Recovery Act reporting requirements; (3) the extent to which states shared promising practices related to use and management of funds, and how, if at all, DOJ encouraged information sharing; and (4) the extent to which DOJ's JAG Recovery Act performance measures were consistent with promising practices. GAO analyzed recipient spending and performance data submitted as of June 30, 2010; interviewed officials in a nonprobability sample of 14 states and 62 localities selected based on the amount of their awards, planned activities, and their reported project status; assessed 19 JAG performance measures against a set of key attributes; and interviewed agency officials.

What GAO Recommends

GAO recommends that DOJ (1) continue to revise Recovery Act JAG performance measures and consider, as appropriate, including key attributes of successful performance measurement systems, and (2) develop a mechanism to validate the integrity of self-reported performance data. DOJ concurred with these recommendations.

View [GAO-11-87](#) or key components. For more information, contact David C. Maurer at (202) 512-9627 or maurerd@gao.gov.

RECOVERY ACT

Department of Justice Could Better Assess Justice Assistance Grant Program Impact

What GAO Found

Recipients of Recovery Act JAG funding in the 14 states GAO reviewed received more than \$1 billion either through direct allocations from DOJ or through an indirect "pass-through" of funds that states originally received from the department. These recipients reported using their funds for a variety of purposes, though predominantly for law enforcement and corrections, which included equipment purchases or the hiring or retaining of personnel. More than half of the funding that state administering agencies (SAA) passed-through to localities was reported to be specifically for law enforcement and corrections activities, while localities receiving direct awards more often reported planning to use their funds for multiple types of criminal justice activities. Officials in all 14 states and 19 percent of localities in GAO's sample (12 of 62) said that without Recovery Act JAG funding, support for certain ongoing local law enforcement programs or activities would have been eliminated or cut. Overall, about \$270 million or 26 percent of Recovery Act JAG funds had been reported as expended as of June 30, 2010, but the expenditure rates of funds awarded through SAAs showed considerable variation, ranging from 5 to 41 percent of SAA's total awards.

State officials cited challenges in meeting quarterly Recovery Act reporting time frames. Officials from the majority of states in GAO's sample said that workload demands and personnel shortages made meeting Recovery Act deadlines within the prescribed reporting period difficult; however, all states reported that they were able to do so.

States reported sharing information and promising practices related to JAG activities in a variety of ways and DOJ encouraged this sharing through a number of programs. More than half of state agencies in GAO's sample generally reported sharing promising practices or lessons learned on topics, such as grant management and administration, with other states and localities through participating in law enforcement and government association conferences, DOJ training, and Web postings, among other methods.

DOJ established new performance measures to assess the Recovery Act JAG program and is working to refine them; however, these measures lack key attributes of successful performance assessment systems that GAO has previously identified, such as clarity, reliability, a linkage to strategic or programmatic goals, and objectivity and measurability of targets. Including such attributes could facilitate accountability and management's ability to meaningfully assess and monitor Recovery Act JAG's results. DOJ officials acknowledge that weaknesses exist and they plan to improve their performance measures. For example, the department already took initial steps to incorporate feedback from some states with regard to clarifying the definitions of some performance measures; however, its assessment tool lacks a process to verify the accuracy of the data that recipients self-report to gauge their progress. By including attributes consistent with promising practices in its performance measures, DOJ could be better positioned to determine whether Recovery Act JAG recipients' programs are meeting DOJ and Recovery Act goals. In addition, by establishing a mechanism to verify the accuracy of recipient reports, DOJ can better ensure the reliability of the information that recipients provide.

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Abbreviations

ARRA	American Recovery and Reinvestment Act of 2009
BJA	Bureau of Justice Assistance
BJS	Bureau of Justice Statistics
COPS	Community Oriented Policing Services
CHRP	COPS Hiring Recovery Program
CSG	Council of State Governments
DOJ	Department of Justice
FBI	Federal Bureau of Investigation
JAG	Justice Assistance Grant
MOU	Memorandum of Understanding
NCJA	National Criminal Justice Association
NGA	National Governors Association
OMB	Office of Management and Budget
PMT	Performance Measurement Tool
SAA	State Administering Agency
TASER	Thomas A. Swift's Electric Rifle
UCR	Uniform Crime Report

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United States Government Accountability Office
Washington, DC 20548

October 15, 2010

The Honorable John Conyers, Jr,
Chairman
The Honorable Lamar Smith
Ranking Member
Committee on the Judiciary
House of Representatives

The Honorable Robert C. "Bobby" Scott
Chairman
The Honorable Louie Gohmert
Ranking Member
Subcommittee on Crime, Terrorism, and Homeland Security
Committee on the Judiciary
House of Representatives

The recession that began in December 2007 caused states and localities significant immediate fiscal pressures in the form of reduced tax revenues and increased demand for certain programs, including criminal justice programs. Under the American Recovery and Reinvestment Act of 2009¹ (Recovery Act), the existing Edward Byrne Memorial Justice Assistance Grant (JAG) Program, which the Department of Justice's (DOJ) Bureau of Justice Assistance (BJA) administers, provided an additional \$2 billion to state and local governments through 4-year, formula-based grants.² JAG Program funds support local efforts to prevent and control crime and improve the criminal justice system through activities such as drug reduction and domestic violence prevention. The Recovery Act JAG Program also attempts to meet the overall purposes of the Recovery Act which include promoting economic recovery, making investments to provide long-term economic benefits, and stabilizing state and local government budgets to minimize and avoid reductions in essential services.

The Recovery Act emphasizes the need for accountability and transparency in the expenditure of Recovery Act funds and makes it a

¹Pub. L. No. 111-5, 123 Stat. 115 (2009).

²JAG awards are provided to all states, the District of Columbia, Guam, America Samoa, the Commonwealth of Puerto Rico, the Virgin Islands, and the Northern Mariana Islands.

central principle of the act's implementation. Importantly, the transparency that is envisioned for tracking Recovery Act spending and results is an extensive undertaking for the federal government and tracking billions of dollars that are being disbursed to thousands of recipients is an enormous effort. The administration expects that achieving this degree of visibility will be iterative, whereby both the reporting process and the information recipients provide improve over time and, if successful, could be a model for transparency and oversight beyond the Recovery Act. Thus, Recovery Act JAG funding recipients are required to meet federal reporting requirements that are in addition to the requirements DOJ established for non-Recovery Act JAG program recipients. Specifically, Recovery Act JAG recipients are required to provide quarterly status reports on the amount and use of such funds and information concerning jobs created or retained by the use of these funds. Other than the additional reporting requirements, however, the Recovery Act JAG program did not alter the structure, purpose, or funding allocation methods of the preexisting JAG program.³

Consistent with the preexisting program, states and localities can use their Recovery Act JAG grant funds over a period of 4 years to support a range of activities in seven broad statutorily established program areas: (1) law enforcement; (2) prosecution and courts; (3) crime prevention and education; (4) corrections; (5) drug treatment and enforcement; (6) program planning, evaluation, and technology improvement; and (7) crime victim and witness programs. Across the seven areas, recipients can use JAG funds for state and local initiatives—which are generally designed to improve a program, service, or system, or support training, personnel, or equipment.

³Section 1512 of the Recovery Act requires recipients of recovery funds to report on those funds each calendar quarter. The term “recipient” means any entity, such as a state, other than an individual, that receives recovery funds directly from the federal government (including through grants, contracts, or loans). Quarterly reports are to include a list of each project or activity for which Recovery Act funds were expended or obligated and information concerning the amount and use of funds and an estimate of the number of jobs created and the number of jobs retained by these projects and activities. These recipient reports are to be filed for any quarter in which a recipient receives Recovery Act funds directly from the federal government. The recipient reporting requirement covers all funds made available by appropriations in division A of the Recovery Act. See *Recovery Act: States' and Localities' Uses of Funds and Actions Needed to Address Implementation Challenges and Bolster Accountability*, [GAO-10-604](#) (Washington, D.C.: May 26, 2010).

You requested that we examine the Recovery Act JAG Program. This report addresses the following questions:

- How are Recovery Act JAG funds awarded and how have recipients in selected states and localities used their awards?
- What challenges, if any, have selected Recovery Act JAG recipients reported in complying with Recovery Act reporting requirements?
- To what extent do states share promising practices related to the use and management of Recovery Act JAG funds, and how, if at all, does DOJ encourage information sharing?
- To what extent are DOJ's Recovery Act JAG performance measures consistent with promising practices?

This report expands upon our May 2010 Recovery Act report, which described selected states' uses of JAG funding and accountability provisions related to Recovery Act JAG, as well as our July 2009 Recovery Act report, which discussed observations of Recovery Act JAG fund obligations and planned uses of the funds.⁴ In July 2009, we reported that the 16 states and the District of Columbia in our review had not obligated their total Recovery Act JAG awards, in part because they were determining how the funds would be used and passed through to local entities. In our May 2010 report, we visited 7 of the states from our July 2009 sample and found that all 7 had obligated their Recovery Act JAG awards and reported planned uses consistent with their states' priorities and BJA's allowable uses of JAG funds.⁵

To conduct our work for this review, we evaluated Recovery Act JAG awards in a nonprobability sample of 14 states. The states we selected for our review of Recovery Act JAG spending are a subset of a 16-state (plus the District of Columbia) sample that we used for our earlier Recovery Act work, but we did not include Florida, New Jersey, or the District of Columbia since the DOJ Office of the Inspector General was already

⁴In response to a requirement in section 901 of the Recovery Act mandating certain GAO reviews and reports, we have conducted bimonthly reviews of programs for which states and localities have received major funding. Two of these prior reviews address Recovery Act JAG: [GAO-10-604](#) as well as *Recovery Act: States' and Localities' Current and Planned Uses of Funds While Facing Fiscal Stresses*, [GAO-09-829](#) (Washington, D.C.: July 8, 2009).

⁵The seven states visited were Arizona, California, Illinois, Massachusetts, New York, Ohio, and Pennsylvania.

engaged in audit work on the JAG program in these states.⁶ The awards to the 14 states in this review accounted for approximately 50 percent of all of the Recovery Act JAG funds provided. Where statements are attributed to state and local officials, we did not analyze state and locality data sources but relied on state and local officials and other state sources for relevant state data and materials. We also tabulated and analyzed some recipient-reported data submitted to Recovery.gov for the quarterly reports that had been due as of June 30, 2010.⁷ We used these data because they are the official source of Recovery Act spending data and determined that they were sufficiently reliable for the purposes of this report.⁸ We reviewed the relevant guidance DOJ provides to Recovery Act JAG recipients on financial and program reporting as well as Recovery Act guidance related to federal recipient reporting to understand federal reporting requirements and associated time frames and interviewed DOJ officials who administer the Recovery Act JAG program.⁹

We also conducted interviews with officials in the state agencies that administer Recovery Act JAG funds—known as State Administering Agencies (SAA)—in the 14 states we selected for review. In addition, we selected a nonprobability sample of 62 local law enforcement agencies and other recipients receiving Recovery Act JAG funds within these 14 states

⁶The 14 states we selected are a subset of a 16-state (plus the District of Columbia) sample that we used for our broader Recovery Act work as discussed in [GAO-10-604](#) and [GAO-09-829](#). The 16-state sample contains about 65 percent of the U.S. population and is estimated to receive collectively about two-thirds of the intergovernmental assistance available through the Recovery Act. The 16 states included Arizona, California, Colorado, Florida, Georgia, Illinois, Iowa, Massachusetts, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, and Texas. We selected these states and the District of Columbia on the basis of federal outlay projections, percentage of the U.S. population represented, unemployment rates and changes, and a mix of states' poverty levels, geographic coverage, and representation of both urban and rural areas.

⁷The Recovery Act requires recipients of funding under the act to report quarterly on the use of these funds, including an estimate of the number of jobs created and the number of jobs retained with Recovery Act funding. The first recipient reports filed in October 2009 cover activity from February 2009 through September 30, 2009. The second quarterly recipient reports were filed in January 2010 and cover activity through December 31, 2009. The third quarterly recipient reports were filed in April 2010 and cover activity through March 31, 2010. The fourth quarterly recipient reports were filed in July 2010 and cover activity through June 30, 2010.

⁸For information about Recovery Act data reliability, see prior reviews that address this: [GAO-10-604](#) and [GAO-09-829](#).

⁹Financial Guide, U.S. Department of Justice, Office of Justice Programs, Office of the Chief Financial Officer (October 2009).

and conducted interviews with cognizant officials from those jurisdictions that received the awards. These jurisdictions were selected based on award amount, degree of project completion, planned use of funds, and how they received their funds (either as passed-through funding from their SAA or localities who received awards directly from DOJ—and in some cases as part of disparate jurisdictions). Our interviews addressed the use and perceived impact of Recovery Act JAG funds, program performance measurement and reporting challenges, and the sharing of promising practices. Findings from our nonprobability samples cannot be generalized to all states and localities that were recipients of Recovery Act JAG funds; however, our samples provided us with illustrative examples of uses of funds, oversight processes, and reporting issues. Finally, we discussed DOJ’s performance measurement efforts with DOJ staff and conducted an assessment of the performance measures applicable to the Recovery Act JAG activities commonly undertaken by the grant recipients in our sample to assess the extent to which they contained elements consistent with promising practices. Specifically, from DOJ’s 86 Recovery Act JAG performance measures, we selected a nonprobability sample of 19 that were (1) related to the largest share of reported Recovery Act JAG expenditures across certain activity types and (2) most often reported by the recipients in our sample.¹⁰ We then analyzed this sample against a set of key characteristics that we have previously reported as being associated with individual measures in successful performance measurement systems.¹¹ See appendix I for a more complete description of our methodology and appendix II for a list and definition of the 19 performance measures we assessed.

We conducted this performance audit from January 2010 through October 2010 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.

¹⁰DOJ characterizes these activity types as: “Personnel”, “Equipment and Supplies”, “Information Systems for Criminal Justice”, and a category of “Outcomes for all Categories”.

¹¹GAO, *Tax Administration: IRS Needs to Further Refine Its Tax Filing Season Performance Measures*, [GAO-03-143](#) (Washington, D.C.: Nov. 22, 2002).

Background

JAG Purpose Areas

According to DOJ officials, the JAG program provides states and localities with federal funds to support all components of the criminal justice system while providing a great deal of flexibility in how they do so. Recovery Act JAG-funded projects may provide services directly to communities or improve the effectiveness and efficiency of criminal justice systems, processes, or procedures. Like non-Recovery Act JAG funds, Recovery Act JAG awards are to be used within the context of seven statutorily established areas. The seven statutorily¹² established areas and examples of how JAG funds may be used within these areas are outlined in table 1 below.

Table 1: Recovery Act JAG Program Areas with Illustrative Examples of Possible Fund Use

Program area	Examples of some allowable uses of funds
Law enforcement	Funds may be used for personnel costs and purchasing equipment. Personnel Hiring, training, and employing on a continuing basis new or additional law enforcement officers and support personnel. Paying overtime to employed law enforcement officers and support personnel for the purposes of increasing the number of hours worked by such personnel. Equipment Procuring equipment, computer technology, and other materials directly related to basic law enforcement functions.
Prosecution and courts	Funds may be used for improving the operational effectiveness of the court process by expanding prosecutorial, defender and judicial resources and implementing court delay reduction programs.
Crime Prevention and education	Funds may be used for providing community and neighborhood programs that assist citizens in preventing and controlling crime, including special programs that address the problems of crime committed against the elderly and special programs for rural jurisdictions. Funds may be used for establishing cooperative crime prevention programs between community residents.
Corrections and community corrections	Funds may be used for programs designed to provide additional public correctional resources and improve the corrections system, including treatment in prisons and jails, intensive supervision programs and long-range corrections and sentencing strategies. Programs can include: (1) intensive supervision, probation, and parole; (2) substance abuse treatment; (3) correctional facilities planning/population projections; and (4) sentencing strategies development.

¹²42 U.S.C. § 3751(a)(1).

Program area	Examples of some allowable uses of funds
Drug treatment and enforcement	Funds may be used for establishing or supporting drug court programs that include continuing judicial supervision over nonviolent offenders with substance abuse problems. Funds may also be used for programs, such as substance abuse treatment and relapse prevention, as well as multijurisdictional drug task forces.
Planning, evaluation, and technology improvement	Funds may be used for criminal justice information systems to assist law enforcement, prosecution, courts, and corrections organizations. Examples of such information systems can include criminal justice records improvement and automated fingerprint identification systems.
Crime victim and witness	Funds may be used to develop and implement programs which provide assistance to witnesses and assistance (other than compensation) to victims of crime.

Source: GAO.

Financial Requirements and Internal Controls

DOJ requires that all Recovery Act JAG award recipients establish and maintain adequate accounting systems, financial records, and internal controls to accurately account for funds awarded to them and their subrecipients. Award recipients must also ensure that Recovery Act JAG funds are accounted for separately and not commingled with funds from other sources or federal agencies. If a recipient or subrecipient's accounting system cannot comply with the requirement to account for the funds separately, then the recipient/subrecipient is to establish a system to provide adequate fund accountability for each project that has been awarded.

Recipient Reporting and Performance Measurement Requirements

All state and local Recovery Act JAG recipients are required to meet both Recovery Act and BJA quarterly reporting requirements. The Recovery Act requires that nonfederal recipients of Recovery Act funds (including recipients of grants, contracts, and loans) submit quarterly reports, which include a description of each project or activity for which Recovery Act funds were expended or obligated, and an estimate of the number of jobs created and the number of jobs retained by these projects and activities.¹³ In particular, the Recovery Act requires recipients to report on quarterly activities within 10 days of the end of each quarter. For Recovery Act JAG grants, BJA has added language in the grant awards that requires that grantees meet the federal reporting requirements and provides sanctions if they do not. Because the Recovery Act JAG program includes a pass-

¹³See [GAO-10-604](#).

through element, SAAs must gather the required data elements for all pass-through recipients during the same 10-day time frame in order to meet their own reporting requirements.

Separately, BJA requires that states and those localities receiving their funds directly through DOJ report on their progress in meeting established performance measures related to funded activities.¹⁴ BJA also requires all Recovery Act JAG recipients to submit an annual programmatic report with narrative information on accomplishments, barriers, and planned activities, as well as a quarterly financial status report as required by the Office of Management and Budget (OMB). In early 2010, after a year-long development and initial refinement period, BJA officially launched a new, online Performance Measurement Tool (PMT) to improve upon its previous grants management system and allow online performance measurement data submission.¹⁵ BJA plans to use the PMT to help evaluate performance outcomes in at least 13 grant programs, including Recovery Act JAG. According to the Standards for Internal Control in the Federal Government, activities need to be established to monitor performance measures and indicators. Such controls should be aimed at validating the integrity of performance measures and indicators—in other words, ensuring they are reliably designed to collect consistent information from respondents. BJA is also planning on using the PMT to assess performance measurement data and direct improvement efforts in 5 additional programs by the end of 2010.¹⁶ However, given that grantees were not required to submit their PMT reports until the second quarter of fiscal year 2010, some grantees did not begin submitting their first completed PMT reports until March 2010.¹⁷

BJA requires Recovery Act JAG recipients to use the PMT for quarterly reporting on their status in meeting the Recovery Act JAG program's 86 individual performance measures, such as percent of staff who reported

¹⁴While BJA is responsible for overseeing the activities and reporting of the direct grant recipients, the SAA in each state is responsible for overseeing the activities and reporting of localities receiving pass-through awards.

¹⁵According to DOJ officials, the PMT was officially launched in 2007 with 2 pilot programs and Recovery Act JAG was added to the PMT in June 2009. Recipients were not required to officially report on the Recovery Act JAG program until 2010.

¹⁶New programs include: John R. Justice; Project Safe Neighborhoods; Earmarks; Economic Cybercrime; Tribal Courts; and Indian Alcohol and Substance Abuse Prevention.

¹⁷January to March 2010 represents the second quarter of fiscal year 2010.

an increase in skills and percent of Recovery Act JAG-funded programs that have implemented recommendations based on program evaluation.

Recovery Act JAG Funds Are Awarded in Different Ways and Recipients Report Using Their Awards to Support Law Enforcement and Corrections Activities among Other Things

Recipients of Recovery Act JAG funding receive their money in one of two ways—either as a direct payment from BJA or as a pass-through from an SAA—and they reported using their funds primarily for law enforcement and corrections. According to state officials from our sample states, more than half of the funding that localities received as pass-through awards from their SAAs was obligated specifically for law enforcement and corrections support, while about a quarter of the funds that recipients of direct awards received was dedicated exclusively to law enforcement. Regardless of the source, officials in states and localities reported using Recovery Act JAG funds to preserve jobs and activities that without Recovery Act JAG funds would have been cut or eliminated; however, expenditure rates across states in our sample showed considerable variation.

Localities Receive Funding either Directly from BJA or as a Pass-Through from an SAA

BJA allocates Recovery Act JAG funds the same way it allocated non-Recovery Act JAG funds by combining a statutory formula determined by states' populations and violent crime statistics with a statutory minimum allocation to ensure that each state and eligible territory receives some funding. Under this statutory JAG formula, the total award allocated to a state is derived from two sources, each given equal value: half of the allocation is based on a state's respective share of the U.S. population, and the other half is based on the state's respective share of violent crimes, as reported in the Federal Bureau of Investigation's (FBI) Uniform Crime Report (UCR) Part I for the 3 most recent years for which data are available.¹⁸ Of such amounts awarded to states, 60 percent of a state's allocation is awarded directly to a SAA in each of the states, and each SAA must in turn allocate a formula-based share of these funds to local entities, which is known as the "pass-through portion."¹⁹

¹⁸Uniform Crime Report Part I violent crimes include murder, robbery, aggravated assault, and forcible rape (See FBI publication *Crime in the United States*). To be eligible for such funding, localities must have submitted such Uniform Crime Report data in at least 3 of the preceding 10 years.

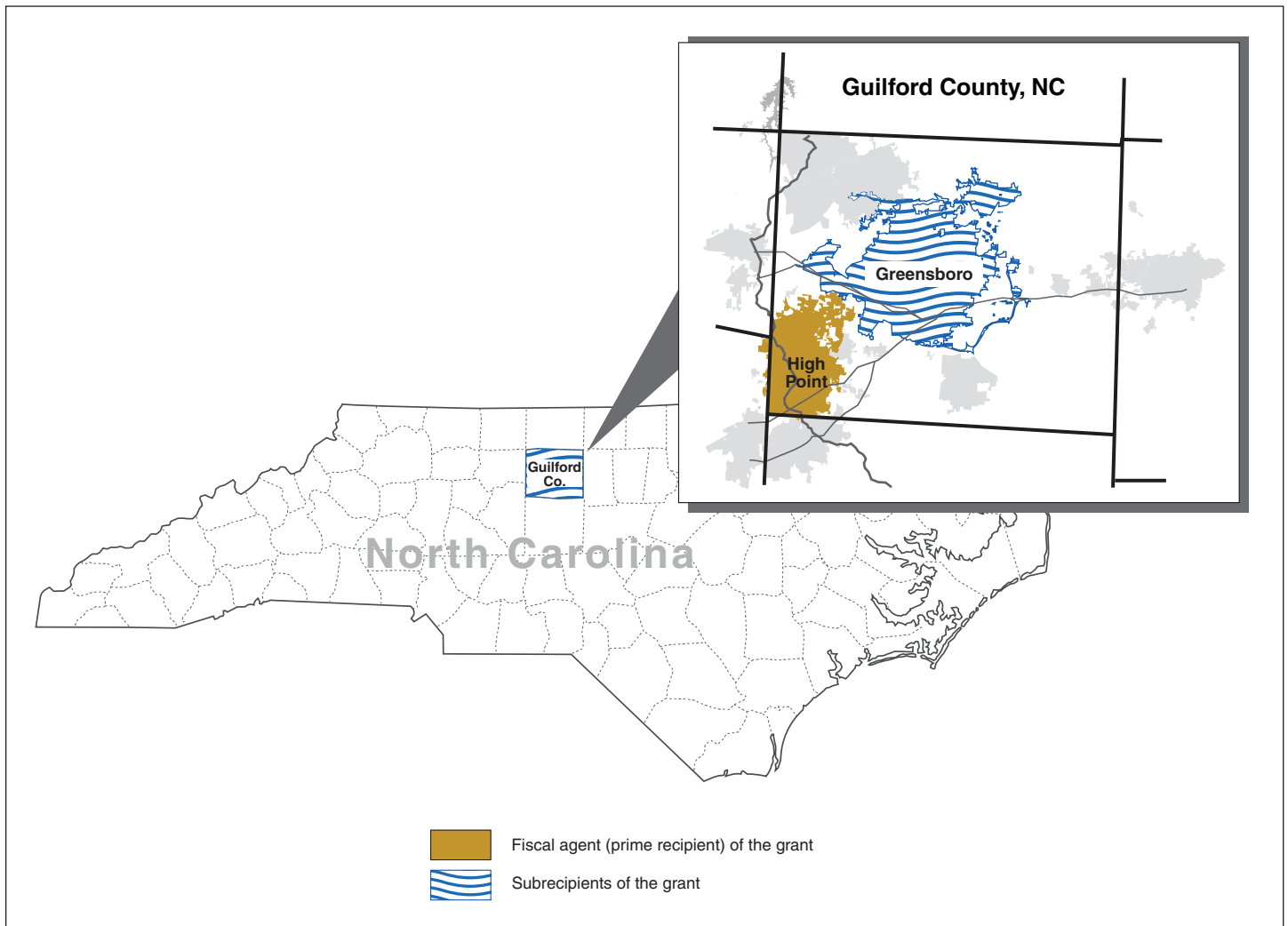
¹⁹SAAs are designated agencies in each state that establish funding priorities and coordinate JAG funds among state and local justice initiatives.

BJA awards the remaining 40 percent of the state's allocation directly to eligible units of local government within the state.²⁰ The eligible units of local governments that receive direct awards from DOJ either get them individually or as part of awards to "disparate" jurisdictions which jointly use correctional facilities or prosecutorial services.²¹ In the cases of the disparate jurisdiction awards, to qualify for funds, the units of local government involved must submit a joint application to DOJ and sign a memorandum of understanding (MOU) outlining how they will share funds. They also are to determine amongst themselves which local government will serve as the fiscal agent, and thereby be responsible for reporting to DOJ on behalf of the others and ensuring that all members of the disparate jurisdiction follow applicable federal financial guidance and meet reporting requirements. The following figure illustrates the participation of localities in a disparate jurisdiction award. In the example, High Point city is the fiscal agent and Greensboro city and Guilford County are both subrecipients.

²⁰Some localities receive funds from both their SAA (via the competitive, pass-through process) and DOJ (via direct formula).

²¹According to the Bureau of Justice Statistics (BJS), when a unit of local government (such as a county) bears more than 50 percent of the costs of prosecution or incarceration in association with violent crimes reported for another unit of local government (along with other factors), the local governments must submit a joint application for funds allocated to the units of local government and agree on the amount of funds allocated to each jurisdiction.

Figure 1: Illustration of a Disparate Jurisdiction



Sources: U.S. Census Bureau, Census 2000 (state map); Guilford County, NC Department of Geographic Information Services (county map).

The total awards that DOJ allocates directly to units of local government—the 40 percent share—are to be based solely on the local jurisdiction’s proportion of the state’s total violent crime 3-year average based on reports from the FBI’s UCR Part I. Units of local government that could receive \$10,000 or more after the Bureau of Justice Statistics (BJS) analyzes the UCR data are eligible for a direct award from DOJ. Funds that could have been distributed to localities through awards of less than

\$10,000 are grouped together and then provided to the SAA. Under the JAG program, SAAs and direct grant recipient agencies may draw down funds from the Treasury immediately rather than requiring up-front expenditure and documentation for reimbursement. Such funds are required to be deposited into an interest-bearing trust fund and, in general, any interest income that states and localities earn from the funds drawn down is to be accounted for and used for program purposes.

Table 2 shows the total allocation of Recovery Act JAG funding across our sample states, including the grant amounts BJA made directly to the SAAs (the 60 percent share); the number of pass-through grants the SAAs made in turn; and the grant amounts and number of grants BJA made directly to localities (the 40 percent share). The 14 states in our sample received \$1,033,271,865 in JAG Recovery Act funds, which was more than half of the funds awarded nationwide for the program.

Table 2: Recovery Act JAG Awards across Our 14 Sample States, as of June 30, 2010

State	Total Recovery Act JAG allocation	Awards that went directly to the SAA—the “60 percent share” ^a	Number of pass-through awards the SAA made	Awards that went directly to localities—the “40 percent share” ^b	Number of direct awards DOJ made
Arizona	\$41,966,266	\$25,306,956	41	\$16,659,310	37
California	225,354,622	135,641,945	226	89,712,677	149
Colorado	29,858,171	18,323,383	77	11,534,788	65
Georgia	59,045,753	36,210,659	232	22,835,094	181
Illinois	83,663,470	50,198,081	33	33,465,389	7
Iowa	18,702,718	11,777,401	38	6,925,317	47
Massachusetts	40,793,878	25,044,649	49	15,749,229	100
Michigan	67,006,344	41,198,830	123	25,807,514	87
Mississippi	18,394,045	11,199,389	7	7,194,656	75
New York	110,592,269	67,280,689	45	43,311,580	71
North Carolina	56,345,356	34,491,558	139	21,853,798	165
Ohio	61,645,375	38,048,939	189	23,596,436	72
Pennsylvania	72,372,843	45,453,997	120	26,918,846	51
Texas	\$147,530,755	\$90,295,773	478	\$57,234,982	231

Sources: GAO analysis of Bureau of Justice Assistance and SAA data.

^aDue to rounding, these amounts may not exactly equal 60 percent of the total JAG award.

^bDue to rounding, these amounts may not exactly equal 40 percent of the total JAG award.

DOJ Made a Large Percentage
of Direct Award Funds
Available as Disparate
Jurisdiction Awards

Of the total of 1,338 direct awards that DOJ made to localities in the 14 states in our sample, approximately one-third of these direct awards, or 436, went to disparate jurisdictions and are split by agreement among the designated jurisdictions. Under these arrangements, one jurisdiction functions as the prime recipient and fiscal agent who is supposed to be responsible for submitting all programmatic or financial reports on behalf of the disparate group as well as monitoring other neighboring localities' use of funds on activities covered by the grants. In our sample states, while one-third of the total number of direct grant awards were made to disparate jurisdictions, these arrangements accounted for 72 percent of the funds DOJ awarded directly to local recipients. For example, in Illinois, 100 percent of direct awards were provided to disparate jurisdictions, and in 8 of the other 13 states DOJ awarded more than 70 percent of funds in this manner. Officials we met with in localities that received funds under this type of arrangement reported that they provided varying amounts of oversight in their role as fiscal agent. The DOJ Inspector General has raised the oversight of subgrantee awards as an issue for DOJ's attention and has recommended that DOJ develop further training for recipients; DOJ concurred with the recommendation.²² Table 3 summarizes the distribution of direct award funds to disparate jurisdictions in our sample states.

²²DOJ Office of the Inspector General Audit Division, *Office of Justice Programs' Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43 (Washington, D.C.: August 2010).

Table 3: Recovery Act JAG Disparate Jurisdiction Awards across Our 14 Sample States, as of June 30, 2010

State	Awards that went directly to localities—the “40 percent share” ^a	Percent of funds awarded to disparate jurisdictions	Value of disparate jurisdiction awards ^b
Arizona	\$16,659,310	87.9	\$14,648,987
California	89,712,677	79.3	71,158,804
Colorado	11,534,788	61.3	7,073,073
Georgia	22,835,094	47.2	10,777,559
Illinois	33,465,389	100.0	33,465,419
Iowa	6,925,317	96.5	6,680,835
Massachusetts	15,749,229	24.9	3,918,486
Michigan	25,807,514	90.6	23,392,722
Mississippi	7,194,656	70.0	5,039,822
New York	43,311,580	25.2	10,920,032
North Carolina	21,853,798	72.4	15,830,038
Ohio	23,596,436	97.7	23,047,606
Pennsylvania	26,918,846	49.2	13,246,575
Texas	57,234,982	87.3	49,978,561
	\$402,799,616	71.8	\$289,178,519

Source: GAO analysis of BJA data.

^aDue to rounding, these amounts may not exactly equal 40 percent of the total JAG award.

^bDue to rounding, these amounts may not exactly equal the total amount.

SAA's Passed-Through about 50 Percent of Their Total Recovery Act Awards

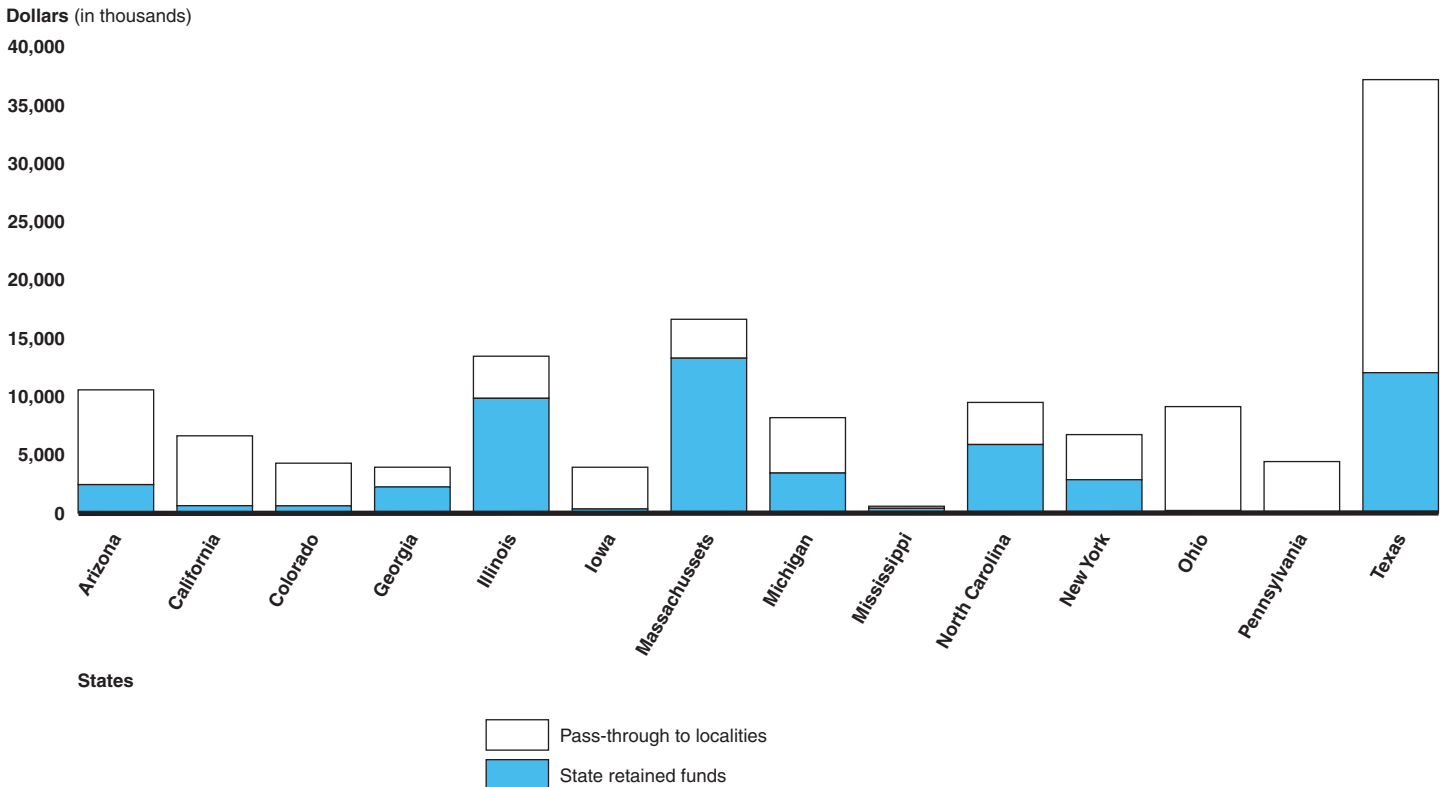
The 14 SAA's in our sample received more than \$630 million collectively as their share of the Recovery Act JAG funds. JAG statutory provisions require that each state pass-through no less than a specific designated minimum percentage of the funds that they receive as subgrants to localities, municipal governments, and nonprofit organizations. Among our sample states, this mandatory pass-through percentage varied from a high of 67.3 percent in California to a low of 35.5 percent in Massachusetts. SAA's are also allowed to retain up to 10 percent of the funds that they receive for administrative purposes. The completion of these pass-through award processes occurred at different rates across the 14 states that we sampled and resulted in some states expending their Recovery Act JAG funds faster than others. As of June 30, 2010, the SAA's we reviewed had made nearly all of their pass-through awards, with the exception of Mississippi and Pennsylvania. In addition, many local pass-through recipients reported that there was a time lag in being reimbursed by their SAA's for funds that they had spent. Additional information on amounts drawn down and expended is included in appendix IV.

**SAs and Localities Expended
Their Awards at Varying Rates**

According to Recovery.gov, the SAs and localities that received grant funds directly from DOJ in our sample of 14 states were awarded approximately \$1.028 billion in Recovery Act JAG funds. This amount represents about 52 percent of the nearly \$2 billion awarded to SAs and directly funded localities across the nation. As of June 30, 2010, the SAs and the directly funded localities in our sample expended over \$270.7 million or about 26.4 percent of the total amount awarded. Recovery Act JAG fund recipients may spend their respective awards over a 4-year period.

As depicted in figure 2 below, in the 14 states in our sample, the expenditure of Recovery Act JAG funds generally lags behind the amount of funds awarded by the SAs and drawn down. For example, as of June 30, 2010, California—whose SAA received the largest direct award in our sample—had expended only about \$6.6 million of the \$135 million, or nearly 5 percent, of JAG grant funds the state received. Texas reported expending the most—more than \$37 million—after combining expenditures the SAA made independently with the expenditures made by the more than 400 pass-through recipients.

Figure 2: Recovery Act JAG Funds Expended by the SAAs across our 14 Sample States, as of June 30, 2010



Source: GAO analysis of SAA data.

California SAA officials stated they delayed in awarding JAG funds because of the design of two new programs focused on probation and drug offender treatment services that accounted for \$90 million of the \$135 million in grant funds the SAA received. As of June 30, 2010, 100 percent of California’s subrecipients were finalized through grant award agreements, but many projects have recently become fully operational resulting in the slow expenditure of funds which are handled on a reimbursement basis.²³ In Pennsylvania, SAA officials said the state faced two challenges in

²³The California State Auditor recently raised concerns about the pace of Recovery Act JAG expenditures; however, in response to the auditor’s work, California officials stated they anticipate expending all Recovery Act JAG awards in 2 years, well within the 4-year spending period allowed. California State Auditor, Bureau of State Audits, *California Emergency Management Agency: Despite Receiving \$136 Million in Recovery Act Funds in June 2009, It Only Recently Began Awarding These Funds and Lacks Plans to Monitor Their Use*, Letter Report 2009-119.4 (Sacramento, Calif.: May.4, 2010).

expending Recovery Act JAG funds quickly: (1) a state budget impasse, which delayed the allocation of Recovery Act JAG awards; and (2) Recovery Act JAG funding for state projects focused on technology costs, which require lengthy procurement times. Further, they noted that state pass-through funding to localities is recorded on a quarterly basis after expenses are incurred, so the pace of expenditure could be somewhat misleading.

Other SAA officials we contacted cited additional reasons for more slowly expending Recovery Act JAG funds. For example, all of the SAAs we contacted have procedures in place that require subrecipients to make their purchases up-front with local funds and request reimbursement from the SAA after documentation is received. Two states we contacted have policies that restricted Recovery Act JAG funding to shorter time limits with an option for renewal rather than providing localities authority to use grants during the 4-year grant period applicable to the initial recipient of the grant. In addition, 1 of the 14 SAAs had a preference to retain Recovery Act JAG funds and expend funds gradually in longer-term projects, such as technology improvements, as allowed during the 4-year grant period.

SAAs and Localities Reported Using Recovery Act JAG Funds to Preserve Jobs and Programs, and a Relatively Large Percentage of Both Pass-Through and Direct Funds Were Used to Support law Enforcement Activities

Using funds received through direct and pass-through awards, all states reported using Recovery Act JAG funds to prevent staff, programs, or essential services from being cut. In addition, local officials reported that without Recovery Act JAG funding law enforcement personnel, equipment purchases, and key local law enforcement programs would have been eliminated or cut. SAAs reported that they passed through about 50 percent of their funds and collectively they planned to use the largest share—about 30 percent, or almost \$168 million—for law enforcement purposes. Direct recipients reported that funds were most often to be used for multiple purposes.

States and Localities Used Recovery Act JAG Funds to Help Preserve Jobs and Services

Officials from all states in our sample reported using Recovery Act JAG funds to prevent staff, programs, or essential services from being cut. Also, 19 percent of localities in GAO's sample, or officials in 12 of 62 localities, provided specific examples of ongoing local law enforcement programs or activities, such as juvenile recidivism reduction programs, prisoner re-entry initiatives, and local foot or bicycle patrols in high-crime neighborhoods that would not have continued without the addition of these funds. Table 4 provides some examples that state and local recipients reported regarding how they used Recovery Act JAG funds to help them preserve jobs and essential services.

Table 4: State and Local Recipients’ Reported Use of Recovery Act JAG Funds to Prevent Staff, Programs, or Services from Being Cut or Eliminated

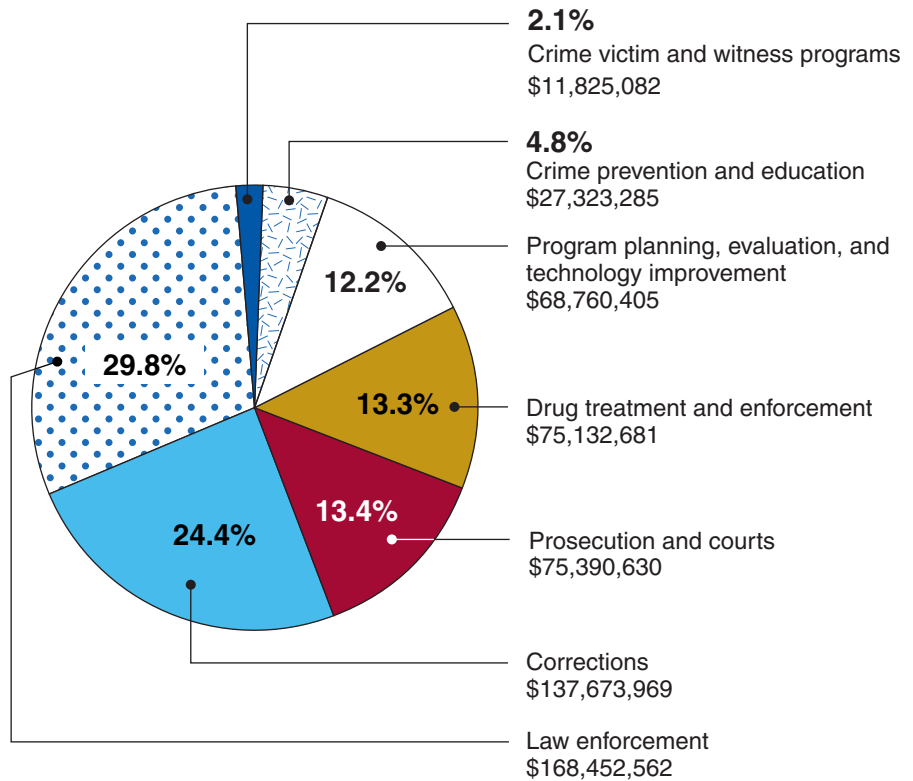
State	Illustrative examples of projects, activities, or staff positions reported preserved through Recovery Act JAG funding
California	Recovery Act JAG funds helped support jobs and programs including substance abuse treatment.
Iowa	Funds allowed the state to continue regional drug task forces and community crime prevention programs.
Illinois	Local officials said that prisoner re-entry programs and information technology improvements would have been eliminated without Recovery Act JAG funds.
Massachusetts	Law enforcement personnel were retained and core health services for inmates were maintained using Recovery Act JAG funds.
Michigan	Gaps in criminal agency budgets across multiple criminal justice agencies were filled by Recovery Act JAG funds. Replacement vehicles and equipment were purchased and sworn officers and other personnel were retained with Recovery Act JAG funds.
Ohio	Police officers and other staff were retained who would otherwise have been laid off without Recovery Act JAG funds.
Pennsylvania	Staff in prosecution and probation offices were retained and juvenile services programs were spared from cuts using JAG Recovery Act funds.
Texas	Necessary equipment or technology improvements were made and law enforcement personnel, such as one entire police academy class of 41 officers, were retained using Recovery Act JAG funds.

Source: GAO analysis of SAA and locality data.

SAA Report That More than Half of Funding They Passed-Through Was Designated for Law Enforcement and Corrections, but Funded Activities Varied

SAA reported that they awarded the largest share—about 30 percent, or almost \$168 million—for law enforcement purposes, such as hiring or retaining staff who might otherwise have been laid off, or purchasing equipment in direct support of law enforcement activities, as shown in figure 3. In addition, SAA reported awarding approximately 24 percent, or more than \$137 million, to support corrections programs or activities. SAA reported allocating the smallest share for crime victim and witness programs, 2.1 percent or approximately \$11.8 million.

Figure 3: SAA Awards of Recovery Act JAG Funds by the Seven Allowable Program Categories across Our 14 Sample States^a



Source: GAO analysis of SAA data.

^aFigure does not include the approximately \$64 million—or about 10 percent of the total amount awarded across the 14 states in our sample—in state-retained funds for administration, funds yet to be awarded, or funds designated for other purposes.

Within the category of law enforcement, equipment expenditures spanned a wide range of law enforcement gear, but vehicles and weapons purchases were often reported. Frequent types of purchases included:

- police cruisers;
- weapons, such as TASERs, and ammunition;²⁴

²⁴TASER is a trademark and an acronym for Thomas A. Swift's Electric Rifle, which is a product line of hand-held devices that deliver an electric shock designed to incapacitate an individual. Ammunition includes TASER cartridges.

- communications devices, such as hand-held two-way radios, and mobile laptops in police cruisers; and
- safety equipment, such as protective vests and shields.

See appendix V for examples of selected equipment purchased with JAG funds.

Overall, localities in 13 out of the 14 states we contacted reported using Recovery Act JAG funds to maintain positions or pay officer overtime for activities related to law enforcement. Individual SAAs, however, reported obligating their Recovery Act JAG funds in a variety of ways as shown in table 5. The percentages do not include the funds that the SAAs retained for administrative purposes or funds not yet awarded.

Table 5: Percent Share of SAA’s Reported Recovery Act JAG Obligations by Program Area and across Our 14 Sample States, as of June 30, 2010^a

State	Law enforcement	Corrections	Drug treatment and enforcement	Prosecution and courts	Program planning, evaluation and technology improvements	Crime prevention and education	Crime victim & wellness programs
Arizona ^b	38.7	0	0	48.2	5.5	0	0
California	22.5	33.3	33.1	9.0	0.1	0.6	1.4
Colorado	11.6	37.8	13.7	12.0	13.2	9.5	2.3
Georgia	43.7	15.9	0.8	27.5	4.7	0.6	6.9
Illinois	25.0	34.1	1.0	18.1	9.2	12.6	0
Iowa	0	18.2	76.7	0	0.4	4.7	0
Massachusetts	27.6	56.0	0	0	2.7	13.8	0
Michigan	56.8	3.8	0	33.4	3.5	2.5	0
Mississippi	37.8	0	26.1	8.2	26.0	2.0	0
New York	1.7	53.7	26.3	15.1	3.3	0	0
North Carolina	7.2	6.1	0	1.9	71.9	13.0	0
Ohio	35.0	23.6	2.7	8.0	10.2	13.0	7.6
Pennsylvania	3.6	18.6	0	15.7	21.0	24.0	17.1
Texas	65.8	2.5	0.1	2.5	27.9	0.1	1.1

Source: GAO analysis of SAA data.

^aPercentages do not include the approximately \$64 million—or about 10 percent of the total amount awarded across the 14 states in our sample—in state-retained funds for administration, funds yet to be awarded, or funds designated for other purposes.

Due to rounding, some percentage figures may not total to exactly 100 percent.

^bArizona SAA officials reported using approximately 7.7 percent of almost \$23 million of obligated funds for Forensic Laboratory Services, which they did not include among the seven program areas above.

Nearly all SAAs in our sample states, except for Iowa, which reported using most of its funds to support drug enforcement activities, reported using Recovery Act JAG funds to support law enforcement activities. With the exception of Iowa, at the state level the share of Recovery Act JAG funds used to support direct equipment purchases and personnel expenses ranges from a high of 65.8 percent in Texas to a low of 1.7 percent in New York.

Localities in more than a third of the states in our sample (5 of 14) reported that uncertainties about the availability of future JAG funding steered them toward one-time equipment purchases, such as the procurement of license plate readers and in-car laptop computers, rather than investments, such as hiring new personnel, that would require an ongoing commitment of funds and whose sustainability could be threatened when Recovery Act JAG funds expire.

In addition, officials in about a quarter of the localities in our sample (15) discussed how they coordinate the use of their Recovery Act JAG funds with resources that they received from other federal funding streams. For example, the cities of Austin, Texas and Greensboro, North Carolina were each waiting to receive a separate federal grant specifically for the purpose of hiring police officers so that they could determine whether to spend Recovery Act JAG funds to equip the officers once hired.²⁵ See figure 4 for an interactive map with additional information on Recovery Act JAG funds purchases and activities in our sample states.

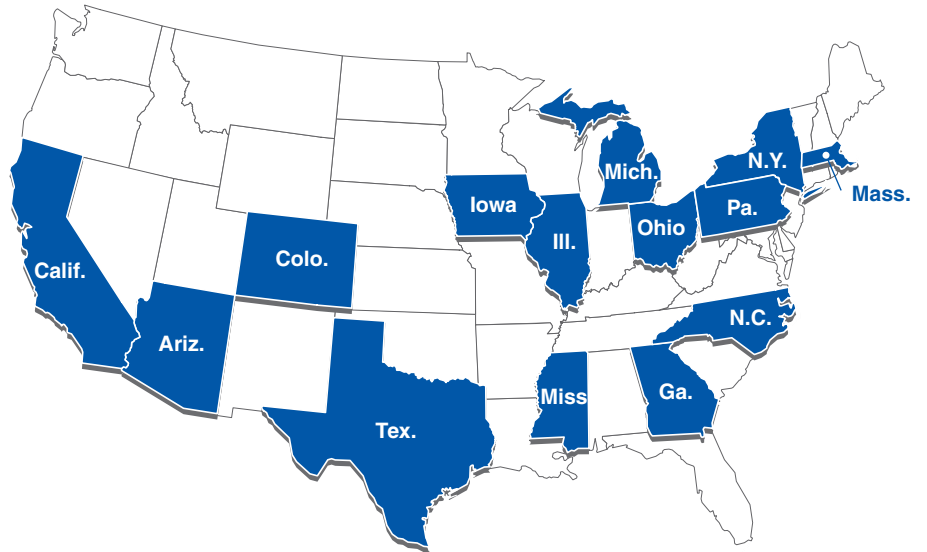
²⁵The Recovery Act's Community Oriented Policing Services (COPS) Hiring Recovery Program (CHRP) is a competitive grant program administered by DOJ that provided \$1 billion in fiscal year 2009 funding to law enforcement agencies to create and preserve jobs and to increase community policing capacity and crime-prevention efforts. CHRP grants to local law enforcement agencies provide 100 percent funding for approved entry-level salaries and benefits for 3 years for newly hired, full-time sworn police officers. See [GAO-10-604](#).

Figure 4: Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories Across our 14 Sample States

Interactive features:

Click your mouse over the state highlighted in blue for more information on the state's planned use of JAG awards by the seven allowable program categories. Information on the SAA's planned use of JAG awards, illustrative examples, and some pictures will also appear.

To see the full text, see appendix VI.



- Law enforcement
- Prosecution and courts
- Crime prevention and education
- Corrections
- Drug treatment and enforcement
- Program planning, evaluation and technology improvements
- Crime victim & witness programs

Sources: GAO analysis; Map Resources (map).

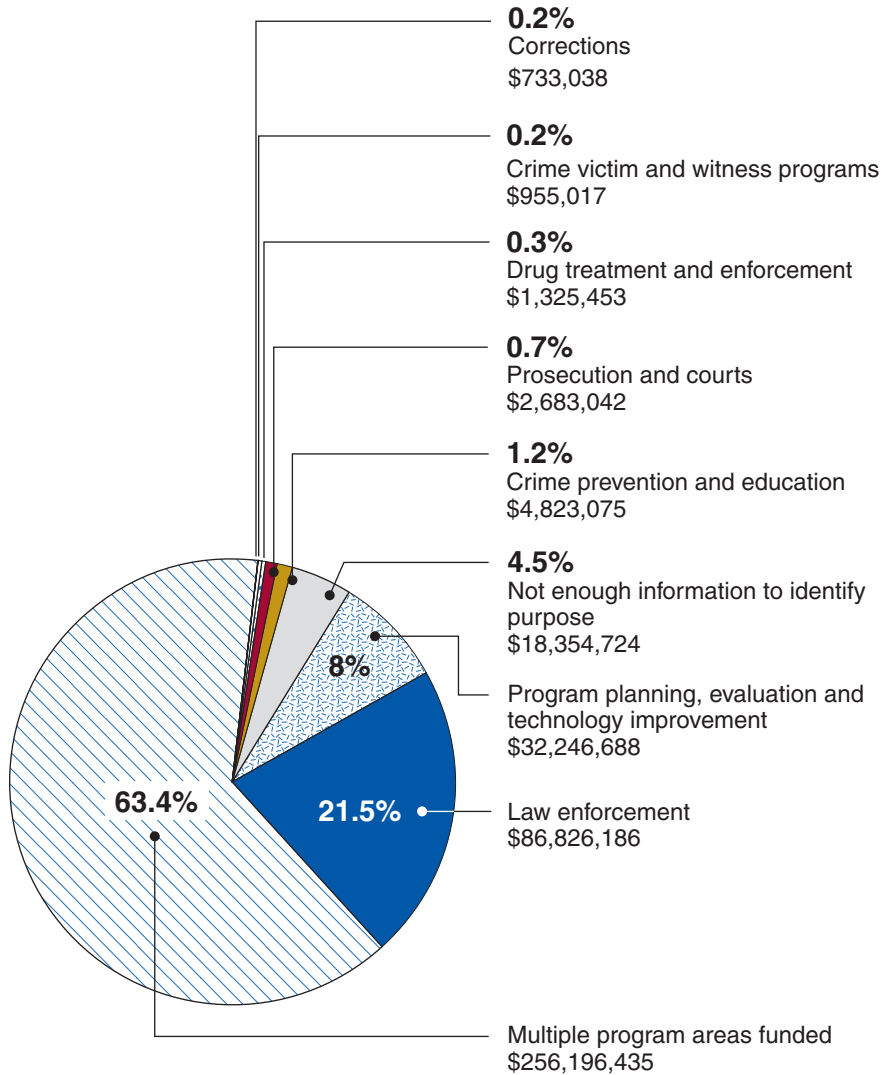
Direct Award Recipients
Reported Using Recovery Act
JAG Funds for a Wider Array of
Purposes, Including Law
Enforcement and Technology
Programs

As shown in figure 5, data reported by direct recipient localities in the 14 states that we sampled²⁶ indicate that they obligated the largest share—more than 63 percent, or over \$256 million—for multiple purposes and 21.5 percent, or about \$86.8 million, to directly support law enforcement programs or activities.²⁷ Program planning, evaluation, and technology improvement funds, which accounted for approximately 8 percent of spending, were primarily used to enhance communications equipment or purchase computer hardware and software for all types of criminal justice agencies and programs. Based on the information grantees reported to Recovery.gov, the number of the projects reported has dropped slightly over the last three reporting periods since projects that are completed discontinue reporting. This was the case most often when funds were used for discrete equipment purchases, such as law enforcement vehicles, laptop computers in police cars, or weapons.

²⁶BJA awarded over \$400 million in direct grants to 1,338 localities within our 14 sample states. However, while BJA requires grantees to identify the use of funds across seven broad program areas, BJA has not yet reported national data on how grantees use Recovery Act JAG funds within the seven broad program areas. Therefore, in order to determine how directly awarded Recovery Act JAG funds were used, we reviewed direct recipients' quarterly data submissions to Recovery.gov and assigned the awards to one of the seven allowable program categories based on our analysis.

²⁷When a local award recipient indicated that it was funding projects in more than one of the seven general purpose areas, it was categorized as having multiple purposes. In cases where awards were used across multiple purposes or could not be categorized clearly, we assigned them into those additional categories.

Figure 5: Planned Uses of Recovery Act JAG Awards to Direct Recipients by the Seven Allowable Program Categories across Localities Within our 14 Sample States^a



Source: GAO analysis of Recovery Act data.

^aData from approximately 10 recipients who have likely completed activities and discontinued reporting by June 30, 2010, are not included in this figure.

State Administering Agencies Cited Challenges Meeting Quarterly Recovery Act Reporting Time Frames

A majority of the SAA officials we interviewed said that workload demand and personnel shortages made meeting Recovery Act mandated deadlines within the prescribed reporting period difficult. Section 1512(c) of the Recovery Act requires that each Recovery Act award recipient submit a report no later than 10 days after the end of each quarter to the federal awarding agency. In the case of Recovery Act JAG, the federal awarding agency is DOJ. The Section 1512(c) report that Recovery Act recipients, such as Recovery Act JAG recipients, are required to submit must contain the following data: (1) the total amount of recovery funds received from the federal awarding agency; (2) the amount of recovery funds received that were expended or obligated to projects or activities; and (3) a detailed list of all projects or activities for which recovery funds were expended or obligated.²⁸ All 14 SAAs we contacted said that they had the necessary systems in place to account for Recovery Act JAG funds received and that subrecipients were generally in compliance with their financial reporting requirements.

Officials in 10 out of 14 SAAs in our sample specifically cited the Recovery Act's window of reporting no later than 10 days after the end of each quarter as challenging. Officials in 8 out of 14 SAAs in our sample said that meeting federal Recovery Act reporting requirements increased staff workload and about one-third of the SAAs told us that personnel shortages have created challenges in their abilities to specifically meet Recovery Act reporting deadlines. For example, officials for one county in Colorado noted that increased reporting responsibilities associated with Recovery Act JAG grants resulted in one full-time staff member spending nearly 2 full work weeks on federal oversight and reporting requirements over a 5 ½-month time frame. Officials noted that the same individual spent 16 hours on reporting requirements for a non-Recovery Act JAG award and a state pass-through award during the same time period. Furthermore, officials in Texas, New York, and Mississippi said they required additional personnel to manage Recovery Act awards and meet reporting requirements. In addition, an official in one SAA also told us that because of short data collection time frames they initially submitted incomplete

²⁸This detailed list must include (a) the name of the project or activity; (b) a description of the project or activity; (c) an evaluation of the completion status of the project or activity; (d) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and (e) for infrastructure investments made by the state and local governments, the purpose, the total costs, and rationale of the agency for funding the Recovery Act.

quarterly data and likely underreported the impact of the Recovery Act JAG program in the first two quarterly 1512(c) reports.

While state and local officials we interviewed said that meeting the 1512(c) report's 10-day time frame remains challenging, none of the states in our sample said that they were unable to meet the 1512(c) reporting deadline. In addition, the number of direct award recipients that completed the report has generally remained constant (around 800) over the three reporting quarters from October 1, 2009, to June 30, 2010.²⁹

DOJ awarded over 70 percent, or more than \$289 million of direct award funds, to 436 disparate jurisdictions. DOJ guidance states that the recipient (i.e., fiscal agent) in each disparate jurisdiction is responsible for monitoring "subawards" and for "oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to the use of Recovery Act funds by its subrecipients."³⁰ DOJ guidance provides detailed information on financial and accounting requirements for direct recipients and subrecipients of DOJ grant programs. The guidance also states that fiscal agents must implement and communicate a policy for reviewing subrecipient data. DOJ guidance, however, does not provide instruction on what a subrecipient monitoring or data policy should include; nor does it state how outcomes and benefits tied to the Recovery Act should be monitored. The DOJ Office of the Inspector General issued a report in August 2010 which included the results of grant audits it performed across 12 state and local recipients of both Recovery Act and non-Recovery Act JAG program funds.³¹ The Inspector General found that 7 of the 12 grant recipients had deficiencies in the area of monitoring of subrecipients and contractors. The Inspector General recommended that DOJ's Office of Justice Programs provide additional training and oversight of JAG recipients to ensure that they establish policies and procedures for

²⁹Once recipients complete their respective projects, they are no longer required to submit data into Recovery.gov. For the period ending March 31, 2010, there were 814 Recovery Act JAG recipients, including SAAs, submitting reports into Recovery.gov. As of June 30, 2010, there were 797 Recovery Act JAG recipients submitting reports. Based on Recovery.gov reports, 17 recipients stopped submitting reports into Recovery.gov over this time period, likely because they completed their Recovery Act JAG funded projects and have closed out their grants.

³⁰DOJ, *Office of Justice Programs Financial Guide* (Washington, D.C.: October 2009).

³¹DOJ Office of the Inspector General Audit Division, Audit Report 10-43.

monitoring subrecipients' activities to provide reasonable assurance that subrecipients administer JAG funds in accordance with program guidelines. DOJ concurred with the recommendation that it provide additional training and oversight over the monitoring of subrecipient activities, and plans to review financial training course content to ensure that proper internal control guidance on subrecipient monitoring is included. DOJ anticipates developing a training module specific to subrecipient monitoring by March 31, 2011.

States Reported Sharing Information and Promising Practices in a Variety of Ways and DOJ Encouraged This through a Number of Programs

All of the SAAs we contacted (14 of 14) reported that they generally shared Recovery Act JAG information, promising practices, or lessons learned with other states and localities using a variety of techniques. Furthermore, DOJ had developed a number of programs that encourage the sharing of information and promising practices.³²

State SAA officials told us that efforts to share information with one another or amongst the localities in their jurisdictions include in-person meetings, telephone calls, e-mail, Web postings, and/or hosting conferences. In addition, the SAA officials told us they find value in sharing information by attending DOJ training sessions and conferences and participating in programs and events sponsored by associations, such as the National Governors Association (NGA), the National Criminal Justice Association (NCJA), and the Council of State Governments (CSG). For example:

- Texas officials developed an electronic state government grant management and tracking system that they stated is helpful and efficient in managing Recovery Act JAG funds. Texas officials told us they shared the design of this online system with several states. In addition, during BJA conferences and other national training conferences, Texas officials noted that they took the opportunity to discuss with other states the promising practices and lessons learned related to grant management and the administration of JAG funds using their system.
- Colorado officials said that SAA staff made presentations at national and regional conferences regarding the following: (1) grant management and monitoring of state uses for effective grant

³²We did not assess the quality of the information being shared.

administration, (2) various programs the state has funded, and (3) outcomes the state has achieved. SAA officials said that the state encourages subgrantees that have demonstrated successful programs to respond to requests for presenters at state and national conferences. Officials told us that staff from three Colorado Recovery Act JAG subgrantee projects made presentations at the NCJA Western Regional Conference in April 2010. For example, Colorado officials told us that one presentation involved the retraining of probation and parole officers to reduce recidivism by working with other agencies in taking an overall supportive approach to working with ex-offenders that included assistance in such areas as housing, health, and finding work.

- Ohio officials told us they take the initiative to contact other SAAs to discuss and share experiences, lessons learned, and promising practices regarding problems encountered in administering Recovery Act JAG grants. They also said that NCJA provides SAAs with a forum to share information and challenges associated with administering recovery funds, which Ohio has leveraged. For example, they stated that at the 2010 NCJA Mid-Western Regional Conference that Ohio officials attended, there were sessions where SAAs shared experiences about the administration of Recovery Act funds, as well as were workshops on model projects funded through the Recovery Act. According to Ohio officials, the information was helpful both in terms of planning their own initiatives and in reaffirming decisions they had made regarding Recovery Act and Recovery Act JAG programs.
- Illinois officials told us that they hosted a 2-day criminal justice planning summit in September 2010 for all state actors in the criminal justice system including Recovery Act JAG practitioners, policymakers, academics, and legislators. According to SAA officials, the focus of the summit was on how to fight crime more effectively in a time of diminishing resources by using the promising evidence-based practices. State summit planners told us that both presentations by state and national experts and workshops focused on implementing promising practices, while the emphasis in follow-up work groups was on producing a long-range criminal justice plan for the state of Illinois. In addition, SAA officials told us that they share promising practices and lessons learned by participating in regional training conferences, Web-based seminars, and/or informational conferences provided by OMB, DOJ, as well as Illinois state agencies.

DOJ encourages information sharing through regional training conferences, Web-sites, and Web-based clearinghouses. For example, training meetings and Webinars provide a forum which states find valuable

for sharing information and promising practices, according to a majority of (9 of the 14) states we interviewed. In addition, BJA has developed a Web site that illustrates examples of successful and/or innovative Recovery Act JAG programs. The Web site highlights JAG subgrantees and/or statewide projects that BJA believes show promise in meeting the objectives and goals of Recovery Act JAG. In particular, the site describes the planned Illinois criminal justice information strategic planning initiative and summit discussed above. Further, DOJ's Office of Justice Programs is in the process of developing an informational Web-based clearinghouse of promising practice information for the criminal justice community through a public Web site where researchers, grant applicants, and others may find a list of model programs proven to be effective. According to DOJ officials, it will also be a site that SAAs can use to help find best practices and model programs, thereby funding discretionary programs that show promise based upon evidence. While the focus of the DOJ information-sharing programs is broader than Recovery Act JAG, they offer methods and mechanisms to share information related to program priorities, such as law enforcement, corrections, and technology improvement. SAA officials, in a majority of the states we interviewed, indicated that they were supportive of these efforts.

In addition, national associations such as NGA, CSG, and NCJA encourage states to share information and promising practices. The focus of these programs is generally broader than Recovery Act JAG, but some exclusively focus on Recovery Act JAG priorities such as law enforcement, corrections, and technology improvement. For example, BJA has funded NCJA to provide on-site training and technical assistance, Webinars, and regional conferences, and creates and disseminates publications to assist SAAs in developing their statewide criminal justice plans and ensure effective use of Recovery Act JAG funds. NCJA also serves as an information clearinghouse on innovative programming from across the nation, and coordinates information sharing for the justice assistance community.

DOJ's Performance Measures Could Better Assess Progress Consistent with Characteristics of Successful Performance Measurement Systems

DOJ developed and implemented 86 new performance measures for the Recovery Act JAG program in 2009 and continues to make efforts to improve them, but the current set of performance measures varies in the degree to which it includes key characteristics of successful performance measurement systems. According to DOJ officials, these performance measures are currently being refined in consultation with stakeholders, such as SAAs and the external contractor hired to maintain the PMT. We acknowledge that creating such measures is difficult, given that the performance measurement system is under development, but until these measures are refined, they could hinder the department's ability to assess and communicate whether the goals of the Recovery Act JAG program are being achieved. In addition, states conveyed mixed perspectives about the utility of DOJ's performance measurement tool which enables recipients to self-identify activities associated with their grant and then self-report on the relevant set of performance measures under each activity. DOJ has not yet completed development of a mechanism to verify the accuracy of this recipient-reported information in the PMT.³³

DOJ's Performance Measures Lack Some Key Characteristics of Successful Assessment Systems

From the more than 80 Recovery Act JAG performance measures, we analyzed a nonprobability sample of 19 (see app. II) and found several areas where the measures could better reflect the characteristics that our prior work has shown to support successful assessment systems (see app. III)³⁴ For example, the 19 Recovery Act JAG performance measures we reviewed generally lacked, in varying degrees, several key attributes of successful performance measurement systems, such as clarity, reliability, linkages with strategic or programmatic goals, objectivity, and the measurability of targets. DOJ officials acknowledge the limitations of the current system and are undertaking efforts to refine Recovery Act JAG performance measures. As we have previously reported, performance measures that evaluate program results can help decision makers make more informed policy decisions regarding program achievements and

³³Recovery Act JAG recipients are required to use the PMT to report on performance measures for activities funded by the Recovery Act. While recipients are not required to report on all 86 performance measures, DOJ requires them to select those associated with the activities their awards have funded and self-report on the measures they deem most applicable.

³⁴We selected 19 performance measures that were associated with the largest share of Recovery Act JAG expenditures, such as personnel, equipment and supplies, and information system improvements. For more information, see app. I (Scope and Methodology).

performance.³⁵ By including key attributes of successful performance measurement systems into its performance measure revisions, DOJ could facilitate accountability, be better positioned to monitor and assess results, and subsequently improve its grants management.³⁶

Table 6 describes 5 of 9 key characteristics of successful assessment systems and the potentially adverse consequences agencies face when omitting these attributes from their measurement design. These 5 characteristics—clarity, reliability, linkage to strategic goals, objectivity, and measurable targets—are attributes that may be most effectively used when reviewing performance measures individually. There are 4 others—governmentwide priorities, core program activities, limited overlap, or balance—that are best used when reviewing a complete set of measures. Since we selected a nonprobability sample of 19 measures that were most closely associated with the majority of expenditures, we focused our analysis on the 5 that could be applied to individual measures and did not assess the sample for the other 4 attributes that are associated with an evaluation of a full set of measures. Nevertheless, these 4 attributes also can provide useful guidance when establishing or revising a set of performance measures as a whole.³⁷

³⁵ [GAO-05-356](#) and [GAO-07-660](#).

³⁶ GAO, *Managing for Results: Enhancing Agency Use of Performance Information for Management Decision Making*, [GAO-05-927](#) (Washington, D.C.: Sept. 9, 2005).

³⁷ See [GAO-03-143](#) for more information on these attributes.

Table 6: Key Characteristics of Individual Performance Measures

Characteristic	Definition	Potentially adverse consequences of omission
Clarity	Measure is clearly stated and the name and definition are consistent with the methodology used to calculate it. A measure that is not clearly stated is one that contains extraneous information or omits key data elements or has a name or definition that is inconsistent with how it is calculated	Data could be confusing and misleading to users
Reliability	Measure produces the same result under similar conditions	Reported performance data are inconsistent and add uncertainty
Linkage to strategic goals	Measure is aligned with unit and agencywide goals/missions and is clearly communicated throughout the organization	Behaviors and incentives created by measures do not support the fulfillment of division or agencywide goals/mission
Objectivity	Measure is reasonably free from significant bias or manipulation	Performance assessments may be systematically over- or understated
Measurable targets	Measure has a numerical goal	Cannot tell whether performance is meeting expectations

Sources: GAO-03-143, GAO-10-835, Drug Control: DOD Needs to Improve Its Performance Measurement System to Better Manage and Oversee Its Counternarcotics Activities (July 2010), and GAO-10-837, Merida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures (July 2010).

In conducting our analysis, we applied the 5 characteristics most applicable to assessment of individual performance to the 19 measures in our nonprobability sample. Our analysis found that 5 of the 19 measures were clearly defined but the remaining 14 were not, which is inconsistent with DOJ’s guidance to grant recipients for assessing program performance. In particular, DOJ advises that states’ grant programs should have performance measures with “clearly specified goals and objectives.”³⁸ In addition, 14 of the 19 measures were not linked to DOJ’s strategic or programmatic goals. We also found that while 9 out of the 19 measures were objective, 13 out of 19 were not reliable, and 17 out of the 19 measures did not have measurable targets.

In addition to our analysis, we provided a standard set of questions to officials across our sample states seeking their perspectives on how effectively the Recovery Act JAG performance measures evaluate program results. These officials provided their comments about the PMT and raised concerns about how the performance measures lack clarity, reliability, and linkage to strategic goals.

³⁸See BJA, *Guide Related to Program Evaluation and Performance Measurement* (2010) available at: www.ojp.usdoj.gov/BJA/evaluation/guide/ap1.htm

Clarity

From our analysis we determined that 14 out of the 19 measures we analyzed lacked sufficient descriptive detail to facilitate precise measurement. For example, our analysis found that 1 of DOJ's measures associated with evaluating personnel activities is the "percent of departments that report desired efficiency." However, for this measure, DOJ's guidance based on the definition provided in the performance measure lacks key data elements that would make the measure more clear—namely, which departments should be included in the measure or how states and localities should interpret "desired efficiency."

In addition, officials we interviewed from 9 of the 14 SAAs in our sample stated that DOJ's Recovery Act JAG performance measures were unclear. Some examples of states' perspectives follow:

- In particular, an official from the Texas SAA told us that Texas refined its state data collection tool to clarify performance measure guidance and eliminate instances where DOJ rejected data entries because the measure was not clear. As another example, according to Texas officials, one of the DOJ performance measures related to training is "Other forms of training conducted during the reporting period." However, Texas state officials noted that BJA did not clarify whether this measure would include non-Recovery Act training. As a result, the Texas state data collection tool revised the performance measure for better context and asked for the "the number of other forms of training conducted during the reporting period and paid with ARRA JAG funds."
- Other state officials from Michigan and Georgia cited challenges in understanding what is being asked by the 13 measures listed under the activity type, "state and local initiatives." In particular, one of these states noted confusion and lack of clarity related to the measure, "number of defined groups receiving services," since in many instances their initiatives were associated with equipment purchases, and it would be difficult to determine who and how many benefited from a new computer system or the acquisition of new ammunition, for example.
- Ohio and Pennsylvania state officials noted that DOJ uses terminology such as "efficiency" and "quality" that is not clearly defined.

Officials we interviewed from another five states stated that they could not understand whether the term "personnel" should include the entire agency or department that was awarded the Recovery Act JAG grant or if it should include only the portion of staff within a department that is directly

affected by the funding. When we discussed with DOJ officials our concerns that the performance measure definitions at times lacked clarity, they stated that each was defined, but that further work was being done to solicit feedback from grantees on the measures and their definitions. However, as we discussed above, our analysis determined that 14 out of the 19 measures do not have clear definitions. DOJ officials noted that the department hosts several training opportunities designed to provide grantees opportunities for clarification, including two Webinars every quarter and ongoing field training. DOJ officials also explained that they hired an external contractor to operate the PMT Help Desk to provide grantees guidance from 8:30-5:00 EST. However, officials from three states we contacted noted that while the PMT Help Desk provided useful technical assistance, the Help Desk provided limited guidance to clarify the definition of performance measures. Therefore, officials from these states reported being confused about what to report. In July 2010, we reported that a measure not clearly stated can confuse users and cause managers or other stakeholders to think that performance was better or worse than it actually was.³⁹

Reliability

Our analysis showed that 13 out of 19 measures could lead to unreliable findings because respondents could interpret and report on the measures inconsistently. A performance measure is considered reliable when it is designed to collect data or calculate results such that each time the measure is applied—in the same situation—a similar result is likely to be reported. Respondents' inconsistent interpretation of the measures could preclude using many of the measures as indicators of performance. For example, we found that one measure: "the percent of departments that report desired efficiency," was measured and reported on differently by different recipients. According to SAA officials in one state, different police department units in a single large metropolitan area counted themselves as separate departments, while according to SAA officials in another state, all police department units were counted collectively as one. In another state, SAA staff stated that BJA's guidance document for the Recovery Act JAG performance measures did not provide enough instruction to ensure that agencies reported the correct data. For example, the staff said they could not determine whether the PMT measure for "the number of personnel retained with Recovery Act JAG funds during the

³⁹GAO, *Drug Control: DOD Needs to Improve Its Performance Measurement System to Better Manage and Oversee Its Counternarcotics Activities*, [GAO-10-835](#) (Washington, D.C.: July 2010).

reporting period” was to include any personnel position *paid for* with Recovery Act JAG funds during the reporting period, or to represent an unduplicated number of personnel positions *retained* with Recovery Act JAG funds during the reporting period. Given the confusion, the officials sought and received guidance from the Help Desk on how to interpret and report the measure. Further, officials from 4 of the 14 SAAs in our sample expressed concern about possible inconsistent data entry among the subrecipients of their pass-through grants. For example, officials from Ohio noted that since subrecipients had their own interpretation of how to report on the measures, they believed that there would be a lack of consistency and reliability within the state as well as across all states once BJA attempted to aggregate the responses.

In addition, a related issue is how DOJ validates the information states and localities submit in order to ensure that the results the department reports are accurate and reliable. We have previously reported that weaknesses in monitoring processes for verifying performance data can raise concerns about the accuracy of the self-reported data received from grantees.⁴⁰ We also reported that if errors occur in the collection of data or the calculation of their results, it may affect conclusions about the extent to which performance goals have been achieved.⁴¹ For example, self-reported performance information that is not reported accurately could provide data that are less reliable for decision making.

DOJ officials acknowledged that they have not verified the accuracy of states’ and localities’ self-reported performance data. However, they told us they have been meeting with their contractor to review a draft verification and validation plan, but have not yet implemented a system to verify and validate grantees’ performance data or implement data reliability checks on the performance measures in the PMT. DOJ officials also attributed their challenges to ensuring data integrity to limited resources, stating that they lack adequate full-time staff to improve, develop, and implement performance measures at this time. Specifically, DOJ officials told us that they rely on a contractor because they have only one staff person overseeing states’ and locals’ completion of the measures, and improving and developing the tool.

⁴⁰ [GAO-10-886](#) and [GAO-03-143](#).

⁴¹ [GAO-10-835](#) and [GAO-10-886](#).

Linkage to Programmatic or Strategic Goals

Until a data verification process is in place, DOJ could experience difficulty in ensuring performance results are reported reliably across state and local grantee recipients.

DOJ communicated specific Recovery Act goals, such as jobs created or retained, to recipients; but did not provide information on how its Recovery Act JAG performance measures aligned with programmatic or strategic goals. Our analysis showed that 5 of the 19 measures were linked to Recovery Act goals.⁴² For example, DOJ recently included a performance measure for Recovery Act jobs reporting, which is the “number of personnel retained with Recovery Act JAG funds.” The remaining 14 measures lacked a clear linkage to any of DOJ’s goals. For example, 1 of the measures related to the activity type “information systems” is the “percent of departments that completed improvements in information systems for criminal justice.” However, DOJ does not explain how the performance measure for “improvements to information systems for criminal justice” relates or links to agencywide goals. When we asked DOJ officials to describe how the Recovery Act JAG performance measures align with broader departmental goals, they explained that the JAG authorizing legislation guides the states’ use of the funds within the seven general purpose areas for JAG and that they do not link these purpose areas to current year DOJ goals. However, DOJ officials explained that Recovery Act JAG performance measures are linked to the department’s strategic goal 2, “Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People,” and strategic goal 3, “Ensure the Fair and Efficient Administration of Justice.”⁴³ DOJ officials did not provide written documentation or guidance to Recovery Act JAG recipients that explained this linkage to facilitate understanding of how performance measures were being used consistently with DOJ’s strategic and programmatic goals. Further, with the exception of Recovery Act goals, officials from all 14 of the SAAs noted that they did not see a

⁴²Stated purposes of the Recovery Act are to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize state and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.

⁴³DOJ has three agencywide strategic goals: (1) Prevent Terrorism and Promote the Nation’s Security; (2) Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People; and (3) Ensure the Fair and Efficient Administration of Justice.

direct linkage between the Recovery Act JAG performance measures and DOJ's overall agencywide goals.

As we have previously reported, successful organizations try to link specific performance goals and measures to the organization's overall strategic goals and, to the extent possible, have performance goals that will show annual progress toward achieving their long-term strategic goals.⁴⁴ In addition, we have previously reported that, without performance measures linked to goals on the results that an organization expects the program to achieve, several consequences can occur: (1) managers may be held accountable for performance that is not mission critical or at odds with the mission, and (2) staff will not have a road map to understand how the measures support overall strategic and operating goals.

Objectivity

In our assessment, we determined that 9 out of the 19 measures were objective. We previously reported that to be objective, performance measures should (1) be reasonably free of significant bias; and (2) indicate specifically what is to be observed, in which population or conditions, and in what time frame. An example of a BJA performance measure that we determined is objective is the measure "amount of Recovery Act JAG funds used to purchase equipment and/or supplies during the reporting period." This measure provides a specific time frame in which expenditures for equipment and/or supplies must have occurred and clearly explains that the amount of funds used for purchasing equipment and/or supplies is what should be reported. An example of a BJA performance measure that we determined lacks objectivity is the measure the "percent of staff that directly benefit from equipment or supplies purchased by Recovery Act JAG funds, who report a desired change in their job performance." We determined that this measure lacks objectivity because it does not indicate specifically what is to be observed, in which population, and in what time frame, and is not free from opinion and judgment. For example, it requires those reporting to subjectively determine which staff members directly benefit from an equipment or supplies purchase and which staff members do not. It also requires a subjective determination of how the purchase of equipment or supplies affected a desired change in the performance of staff members who directly benefited from the purchase. When we discussed the issue of

⁴⁴GAO, *The Results Act: An Evaluator's Guide to Assessing Agency Annual Performance Plans*, [GAO/GGD-10.1.20](#) (Washington, D.C.: April 1998).

objectivity with DOJ they stated that BJA instructs grantees to only report on BJA funded activities which occurred during the reporting period. However, they conceded that the measures were open to interpretation and that was a weakness, but suggested that that was the best option given the need to have universal measures that apply to a broad range of uses. We do not agree that all the measures we reviewed were defined sufficiently to prevent subjective interpretation.

In addition Texas officials expressed concern that DOJ will not be able to obtain useful data from the PMT because of the subjective interpretation involved in responding to certain of the Recovery Act JAG performance measures. For example, Texas officials identified responses to questions, such as the “percent of departments that report desired program quality” or “percent of staff who reported an increase in skills” as illustrative of the kinds of questions that are open to wide interpretation based on the size of the law enforcement organization and the classification of individuals within the organization.

Measurable Targets

In our assessment, we determined that 17 out of the 19 measures lacked measurable targets. Among the 17, the absence of measurable targets meant that outside of their original application the award recipients did not have the opportunity to establish in advance what their target level of performance would be to allow for comparisons to actual performance achieved for the reporting period covered. For example, in the measure “Number of overtime hours paid with Recovery Act JAG funds,” BJA did not design the measure to allow award recipients to specify their target number of hours paid prior to receiving funding.

DOJ did recognize that the “project objectives,” i.e. the funded activities, should be linked to meaningful and measurable outcomes associated with the Recovery Act and the likelihood of achieving such outcomes be assessed. For example, language in the Recovery Act JAG application instructions requires that, where possible and appropriate, an estimate of the number of jobs created and retained be developed. In addition, the Recovery Act JAG application for funds also requires that the narrative include performance measures established by the organization to assess whether grant objectives are being met and a timeline or plan to identify when the goals and objectives are completed. However, measurable targets against which to benchmark results are not explicitly required in the narrative.

As noted, two measures did include measurable targets, and as such will facilitate future assessments of whether overall goals and objectives are

achieved because comparisons can be easily made between projected performance and actual results. For example in these two measures—the change in the number of individuals arrested in a targeted group by crime type” and “the change in reported crime rates in a community by crime type”—DOJ provides a list of expectations, such as “we expected number of individuals arrested to increase as a result of our efforts” or “we expected number of individuals arrested to decrease as a result of our efforts,” from which the department expects respondents to choose, to facilitate comparison between the actual and expected number of arrests and reported crimes during a particular quarter.

DOJ officials said that they believed that states could better establish measurable targets for the funds than the department could since the SAA would have the primary responsibility for establishing priorities and grant monitoring. While we agree that this is appropriate for individual projects, overall the lack of targets or other measurable values limits the Recovery Act JAG performance measures’ usefulness as part of a successful performance measurement tool. As we previously reported, the performance measures should translate goals into observable conditions that determine what data to collect to learn whether progress was made toward achieving goals.

State Officials Had Varying Views of the PMT and Recovery Act Performance Measures

State officials had mixed perspectives on the PMT and Recovery Act performance measures, with some critiquing it even as they acknowledged its utility in principle. For example, five SAAs noted that DOJ’s measures were in development and acknowledged the difficulty for DOJ in developing a tool that could be used nationwide for assessing outputs and outcomes across multiple programs. They also were hopeful that the tool would increase uniform program data collection and allow for meaningful comparisons of data and outcomes across states and different jurisdictions. State officials also had positive comments about DOJ’s Help Desk and the staff who provided technical support for the use of the tool.

In addition, while eight states were silent on the issue, state officials from our remaining seven states stressed that reporting on the JAG Recovery Act performance measures is time-consuming and duplicative of other existing state performance measurement reporting systems. For example, officials from Colorado, Pennsylvania, and Illinois had concerns about limited staff availability to monitor the workload associated with meeting both Recovery Act and the PMT reporting requirements. Specifically, officials stated that they have to monitor subrecipient activities and provide monthly and quarterly information—as well as validate jobs

reporting through payroll, expenses, and timesheets—to ensure job counts are calculated accurately and consistently. In other examples, officials from Colorado and Iowa expressed concern that the PMT duplicates their existing state performance measurement systems with similar measures and results in duplication of effort.

In addition, the burden of complying with both BJA and state requirements led some states, such as Michigan, Ohio, and Texas, to eliminate some of their state performance systems even though officials told us that they believed that these systems measured performance outcomes better than the PMT performance measures. For example, Michigan state officials explained that their preexisting state quarterly performance reports provided specific data on grant outcomes that were of interest to state legislators and policymakers, and which are not included in the PMT performance measures. In particular, Michigan's state performance system included measures related to drug courts, such as the number of drug-free babies that are born to participants.

While DOJ officials believe they ultimately will use the PMT to target the need for technical assistance for Recovery Act JAG recipients, they have developed a phased approach for system refinement, acknowledging the weaknesses that exist in the current performance measures. BJA has adopted some suggestions from JAG stakeholders, including SAAs and the DOJ Office of the Inspector General, during the year-long revision period for the PMT, which ended in early 2010. In addition, BJA plans to update information based on discussion with some SAAs in working groups and use some of their insights and recommendations to clarify the department's performance measures, and plans a new request for proposal in 2011 to augment an existing 3-year contract totaling about \$3.4 million to help maintain, support, and improve the PMT.⁴⁵ BJA also plans to complete an internal report of Recovery Act JAG findings—due by September 2010—and expects to release updated performance measures during the fall of 2010 for use with JAG grants.

⁴⁵Programs using the PMT include: Targeting Violent Crime Initiative; Drug Courts; Comprehensive Anti-Gang Initiative; ARRA Rural Law Enforcement; Residential Substance Abuse Treatment; Justice Assistance Grant (FY09, FY10, and ARRA); ARRA Southern Border; ARRA Byrne Competitive; Justice and Mental Health; Training and Technical Assistance Grants; Tribal Construction; Second Chance; and Prescription Drug Monitoring Program.

Conclusions

Under the Recovery Act, the JAG program made available nearly \$2 billion in additional funds for states and local governments, which states and localities reported using primarily for law enforcement activities while also maintaining some programs that would have been eliminated or cut. Although reporting challenges remain with regard to the Recovery Act itself, states and localities took steps to share information about promising practices funded through JAG, and DOJ has measures in place to facilitate such information sharing. In addition, the new performance measures that DOJ has developed capture information on the use of Recovery Act JAG funds.

However, while DOJ's performance measures include attributes of successful measures, further improvements are possible. Because the Recovery Act JAG program supports a wide array of activities, as well as the personnel to implement them, having clear performance measures that allow grant recipients to demonstrate results would provide useful information to DOJ regarding how Recovery Act JAG funds are being used. Our previous work has identified key attributes of successful performance measurement systems that would help assess progress and make performance information useful for key management decisions.

According to the sample we reviewed, DOJ's performance measures do not consistently exhibit key attributes of successful performance measurement systems, such as clarity, reliability, linkage, objectivity, and measurable targets. Measures that are not clearly stated can confuse users and cause managers or other stakeholders to think that performance was better or worse than it actually was. The lack of data reliability can create challenges in ensuring accurate information is recorded for performance purposes. Further, the lack of measurable targets also limits the ability to assess program performance and provides limited information to Congress about the success of the program. Moreover, successful organizations try to link performance goals and measures to the organization's strategic goals and should have performance goals that will show annual progress toward achieving long-term strategic goals. In addition, by establishing a mechanism to verify accuracy of self-reported data, DOJ can better ensure reliability of information that is reported. By addressing attributes consistent with promising performance measurement practices as it works to revise its performance measures, DOJ could be better positioned to determine whether Recovery Act JAG recipients' programs are used to support all seven JAG program purposes and are meeting DOJ and Recovery Act program goals.

Recommendations

Recognizing that DOJ is already engaged in efforts to refine its Recovery Act JAG performance measures in the PMT, we recommend that the Acting Director of the Bureau of Justice Assistance take the following two actions to better monitor Recovery Act JAG program performance and demonstrate results through use of this instrument:

- in revising the department’s Recovery Act JAG performance measures consider, as appropriate, key attributes of successful performance measurement systems, such as clarity, reliability, linkage, objectivity, and measurable targets; and
- develop a mechanism to validate the integrity of Recovery Act JAG recipients’ self-reported performance data.

Agency Comments and Our Evaluation

We provided a draft of this report to DOJ for review and comments. DOJ provided written comments on the draft report, which are reproduced in full in Appendix VII. DOJ concurred with the recommendations in the report and stated that BJA plans to take actions that will address both of our recommendations by October 1, 2011. Specifically, in response to our first recommendation that DOJ revise the Recovery Act JAG performance measures to consider, as appropriate, key attributes of successful performance measurement systems, DOJ stated that BJA is taking steps to revise the Recovery Act JAG performance measures—in conjunction with State Administering Agencies—and that it specifically will consider clarity, reliability, linkage, objectivity, and measurable targets in redesigning its performance measures. In response to our second recommendation relating to data quality, DOJ stated that BJA will develop and implement a mechanism to validate the integrity of Recovery Act JAG recipients’ self-reported performance data. DOJ also provided technical comments on a draft of this report, which we incorporated as appropriate.

We are sending copies of this report to the Attorney General, selected congressional committees, and other interested parties. In addition, the report will be available at no charge on the GAO Web site at <http://www.gao.gov>. Please contact David Maurer at (202) 512-9627 if you or your staff has any questions concerning this report. 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 are listed in appendix VIII.

A handwritten signature in black ink that reads "David C. Maurer". The signature is written in a cursive style with a long, sweeping tail on the letter "r".

David C. Maurer
Director, Homeland Security and Justice Issues

Appendix I: Scope and Methodology

This report addresses the following four questions: (1) How are Recovery Act Justice Assistance Grant (JAG) funds awarded and how have recipients in selected states and localities used their awards? (2) What challenges, if any, have Recovery Act JAG recipients reported in complying with Recovery Act reporting requirements? (3) To what extent do states share promising practices related to the use and management of Recovery Act JAG funds, and how, if at all, does the Department of Justice (DOJ) encourage information sharing? (4) To what extent are DOJ's Recovery Act JAG performance measures consistent with promising practices?

As agreed with your office, we focused our review on Recovery Act JAG grants in a nonprobability sample of 14 states. The grants made to these states included both direct awards that DOJ made to State Administering Agencies (SAAs) and localities, as well as pass-through awards SAAs made to localities. A portion of this work was done in conjunction with our other Recovery Act reviews that focused on those 16 states, as well as the District of Columbia that represent the majority of Recovery Act spending.¹ The 16 states included Arizona, California, Colorado, Florida, Georgia, Illinois, Iowa, Massachusetts, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, and Texas. We selected these states and the District of Columbia on the basis of federal outlay projections, percentage of the U.S. population represented, unemployment rates and changes, and a mix of states' poverty levels, geographic coverage, and representation of both urban and rural areas. Collectively, these states contain about 65 percent of the U.S. population and are estimated to receive about two-thirds of the intergovernmental assistance available through the Recovery Act. However, for the purposes of this report, we limited our scope to a subset of 14 of these states so as not to duplicate ongoing work in the other 3 (Florida, New Jersey, and the District of Columbia) that the DOJ Office of Inspector General was conducting. The awards to these 14 states accounted for approximately 50 percent of all Recovery Act JAG funds provided.

To identify how recipients of direct and pass-through funds received and used their Recovery Act JAG awards in selected states and localities, we conducted in-person and telephone interviews with officials from SAAs in all 14 states as well as officials from a nonprobability sample of 62 localities in these states. Where statements are attributed to state and local

¹See [GAO-10-604](#) and [GAO-09-829](#).

officials, we did not analyze state and locality data sources but relied on state and local officials and other state sources for relevant state data and materials. We selected these localities based on the amount of their grant awards, the activities that they were undertaking with grant funds, whether they reported that they had completed 50 percent or more of their grant activities according to their responses provided in Recovery Act reporting, and how they received their funds (either as passed-through funding from their SAA or received awards directly from DOJ—and in some cases as part of disparate jurisdictions.) Our interviews addressed the use and perceived impact of Recovery Act JAG funds, program performance measurement and reporting challenges, and sharing of promising practices. Also, we reviewed DOJ direct award data and SAA pass-through awards in 14 SAAs. We also reviewed Recovery Act quarterly reports from Recovery.gov (4th quarter 2009, 1st quarter 2010, and 2nd quarter 2010) to identify additional information on the use of JAG funds. Based on this information, we assigned the grants to one of the seven JAG general purpose areas. For those where multiple purposes were indicated, they were so identified. In cases where a purpose could not be identified we placed it in the category of “not enough information.” We collected and used these funding data because they are the official source of Recovery Act spending. Based on our limited examination of the data thus far we consider them to be sufficiently reliable for our purposes. Findings from our nonprobability samples cannot be generalized to all states and localities that were recipients of Recovery Act JAG funds; however, our samples provided us with illustrative examples of uses of funds, oversight processes, and reporting issues.

To determine the extent to which Recovery Act JAG recipients faced challenges in complying with Recovery Act requirements, we interviewed representatives from the 14 SAAs and 62 localities and asked them about their experience with 1512(c) reporting requirements and Office of Management and Budget (OMB) guidance. In addition, we reviewed our previous reports that discuss Recovery Act recipient reporting issues.

To identify how states share promising practice information, and the extent to which DOJ encourages information sharing, we conducted in-person and telephone interviews with representatives from all 14 of the SAAs. We also reviewed DOJ information, interviewed DOJ officials, and consulted reports from the National Criminal Justice Association, the National Governors’ Association, and others that describe their information-sharing activities.

To identify the extent to which DOJ's performance measurement approach is consistent with promising practices to assess progress, we interviewed representatives from the 14 SAAs and 62 localities and asked them about their experience with the Performance Measurement Tool (PMT). We also discussed the PMT's design and Recovery Act JAG performance measure improvement efforts with DOJ staff. Further, we conducted a review of the performance measures that were required for use under the Recovery Act JAG activities commonly reported to have been undertaken by the grant recipients in our sample. From the 86 Recovery Act JAG performance measures under 10 activity types, we analyzed a nonprobability sample of the 19 performance measures required under 4 of the activity areas (Personnel, Equipment and Supplies, Information Systems for Criminal Justice, and the category Outcomes for all Activity Types). We selected these activity types and measures because they were the ones associated with the largest share of reported Recovery Act JAG expenditures and therefore most often encountered by the grant recipients. We then assessed these measures against a set of key characteristics that we have previously reported as being associated with promising practices and successful performance measures we have identified in our previous work.² Some of the 9 key characteristics of successful performance measures are attributes that may be most effectively used when reviewing performance measures individually and some are best used when reviewing a complete set of measures. Since we selected a nonprobability sample of measures that was most closely associated with the majority of expenditures, we focused our analysis most heavily on those attributes that could be applied to individual measures—clarity, reliability, linkage to strategic goals, objectivity, and measurable targets. We did not assess the subset of 19 performance measures for the attributes of governmentwide priorities, core program activities, limited overlap, or balance that are associated with an evaluation of a full set of measures. To evaluate the sample, four analysts independently assessed each of the performance measures against attributes of successful performance measures previously identified by GAO. Those analysts then met to discuss and resolve any differences in the results of their analysis. In conducting this analysis, we analyzed program performance measure information contained in DOJ's Performance Measurement Tool for American Recovery and Reinvestment Act (Recovery Act - ARRA) and fiscal year 2009 Justice Assistance Grant Programs. We did not do a detailed assessment of DOJ's methodology for developing the measures, but looked

²See [GAO-03-143](#).

at the issues necessary to assess whether a particular measure met the overall characteristics of a successful performance measure. We also reviewed our previous reports that discuss the importance of performance measurement system attributes and obtained information on the extent to which such systems may impact agencies' planning.³ The activity types and number of measures selected are listed in table 7.

Table 7: Activity Types Included in Our Recovery Act JAG Performance Measure Review

Activity type	DOJ Description	Number of performance measures	Number selected for evaluation
Personnel	May include the employment of new staff either through new recruitment activities or payment to existing staff for work over and beyond (overtime) the normal work period; also allows use of funds for retention of positions otherwise lost due to budget cutbacks	7	7
Equipment and supplies	Includes the purchase of new or replacement equipment or supplies to improve or replace what currently exists	4	4
Information systems for criminal justice system	Includes the development, implementation or improvements made to benefit staff or departments	5	5
Outcomes for all activity types	As they apply to grant funded activities	3	3
State/local initiatives	Includes activities that are planned for implementation of a new program to provide a direct service to improve a criminal justice system by implementing a new process, procedure, or policy or improve a program, service, or system	13	0
Training	Includes the provision of different types of training, as well as the purchase of training services for or to staff or departments	11	0
Technical assistance	Includes the provision of technical assistance for staff	7	0
Contractual support	Includes activities that address issues that help to improve the effectiveness an/or efficiency in various points of the criminal justice system	4	0
Research, evaluation, and product development	Includes research and evaluation activities that have a goal of informing decisions and providing information as to what works	14	0
Task force activities	Applies to grantees who will utilize ARRA JAG funds to cover task force activities not otherwise captured in other activity areas	18	0
Total		86	19

Source: GAO review of Recovery Act JAG performance measures.

We conducted this performance audit from January 2010 through October 2010 in accordance with generally accepted government auditing

³See [GAO-05-457](#), [GAO-10-835](#) and [GAO-10-886](#).

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.

Appendix II: Recovery Act JAG Performance Measures

The following table contains the 19 Performance Measurement Tool (PMT) performance measures that were required for use under the Recovery Act JAG activity types commonly undertaken by the grant recipients in our sample.

Table 8: Recovery Act JAG Performance Measures Associated with the Activities Predominantly Undertaken by Recipients across Our 14 Sample States

Measure	DOJ Definition	Data Grantee Reports
Number of new personnel hired with (ARRA) JAG funds (System Improvement)	The purpose of this output indicator is to measure the extent of personnel hours hired with (ARRA) JAG funds (system capacity). Appropriate for grantees in purpose areas that use (ARRA) JAG funds for system improvement. Report the number of new personnel hired with (ARRA) JAG funds during the reporting period. Personnel hired from the represented agency are defined by the grantee or subrecipients as hired for either a department, division, agency, or organization. "Other funding" refers to all other funding sources that are not JAG or ARRA JAG funds. SOURCE: Agency records are preferred data source. Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness	<ol style="list-style-type: none"> 1. Number of NEW personnel hired with (ARRA) JAG funds during the reporting period. ONLY REPORT NEW PERSONNEL HIRED DURING THE QUARTER. THIS NUMBER WILL BE AGGREGATED ACROSS ALL REPORTING PERIODS. 2. Total number of new personnel hired with all OTHER (as applicable to non-ARRA JAG or JAG) sources during the reporting period 3. Total Auto-calculated by PMT 4. Percent Auto-calculated by PMT
Indicate the type of new personnel paid with (ARRA) JAG funds (System Improvement)	The purpose of this output indicator is to measure accountability. Appropriate for grantees in purpose areas that use (ARRA) JAG funds for system improvement. Check all boxes applicable to the type of NEW personnel paid with (ARRA) JAG funds during the reporting period. SOURCE: Agency records are preferred data source. Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness	<ol style="list-style-type: none"> 1. Law Enforcement Personnel 2. Prosecution and Court Personnel 3. Prevention and Education Personnel 4. Corrections and Community Corrections Personnel 5. Drug Treatment and Enforcement Personnel 6. Planning, Evaluation, and Technology Improvement Personnel 7. Crime Victim and Witness Personnel

Appendix II: Recovery Act JAG Performance Measures

Measure	DOJ Definition	Data Grantee Reports
Number of personnel retained with (ARRA) JAG funds (System Improvement)	<p>The purpose of this output indicator is to measure the extent of personnel retained as a result of (ARRA) JAG funds. This measure is only appropriate for the (ARRA) JAG because the (ARRA) JAG allows use of funds for retention of positions otherwise lost due to budget cutbacks. The intent of this measure is to capture the number of personnel retained each quarter for the life of the award. Report the number of personnel maintained with (ARRA) JAG funds during the reporting period. SOURCE: Agency records are the preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Number of personnel retained with (ARRA) JAG funds during the reporting period. DOES NOT INCLUDE NEW PERSONNEL HIRED DURING THE CURRENT AND PRREVIOUS REPORTING PERIODS. 2. Total number of existing personnel paid by all OTHER (as applicable to non-ARRA or JAG) sources during the reporting period 3. Total Auto-calculated by PMT 4. Percent Auto-calculated by PMT
Indicate the type of retained personnel paid with (ARRA) JAG funds (System Improvement)	<p>The purpose of this output indicator is to measure accountability. Appropriate for grantees in purpose areas that use (ARRA) JAG funds for system improvement. This measure is only appropriate for the (ARRA) JAG because the (ARRA) JAG allows use of funds for retention of positions otherwise lost due to budget cutbacks. Check all boxes applicable to the type of RETAINED personnel paid with (ARRA) JAG funds during the reporting period. SOURCE: Agency records are the preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Law Enforcement Personnel 2. Prosecution and Court Personnel 3. Prevention and Education Personnel 4. Corrections and Community Corrections Personnel 5. Drug Treatment and Enforcement Personnel 6. Planning, Evaluation, and Technology Improvement Personnel 7. Crime Victim and Witness Personnel
Number of overtime hours paid with (ARRA) JAG funds (System Improvement)	<p>The purpose of this output indicator is to measure system/program capacity. Appropriate for grantees in purpose areas that use (ARRA) JAG funds for system improvement. Report the number of overtime hours paid with (ARRA) JAG funds during the reporting period. Report total hours of overtime paid by all OTHER (as applicable to non-ARRA JAG or JAG) sources. This is a total of hours from the agency represented in the grant application. Source: Agency records are the preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Number of overtime hours paid with (ARRA) JAG funds during the reporting period REPORT HOURS OF OVERTIME NOT DOLLARS 2. Total number of hours of overtime paid by all OTHER (as applicable to non-ARRA JAG or JAG) sources during the reporting period 3. Total Auto-calculated by the PMT 4. Percent Auto-calculated by the PMT

Appendix II: Recovery Act JAG Performance Measures

Measure	DOJ Definition	Data Grantee Reports
Percent of departments that report desired efficiency (System Improvement)	<p>The purpose of this outcome indicator is to measure desired efficiency. Appropriate for grantees under any purpose area that use (ARRA) JAG funds for system improvement activities. Report the number of departments that report desired efficiency as a result of new personnel or overtime paid with (ARRA) JAG funds. SOURCE: Agency records are the preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Number of departments that report desired efficiency during the reporting period 2. Total number of departments that used (ARRA) JAG funds to hire new personnel, maintain personnel or pay for overtime hours 3. Percent Auto-calculated by PMT
Percent of departments that report desired program quality (System Improvement)	<p>The purpose of this outcome indicator is to measure increased program quality. Appropriate for grantees under any purpose area that use (ARRA) JAG funds for system improvement activities. Report the number of departments that report desired program quality as a result of new personnel and overtime paid with (ARRA) JAG funds. SOURCE: Agency records are preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Number of departments that report desired program quality during the reporting period 2. Total number of departments that used (ARRA) JAG funds to hire new personnel, maintain personnel or pay for overtime hours 3. Percent Auto-calculated by PMT
Amount of (ARRA) JAG funds used to purchase equipment and/or supplies (System Improvement)	<p>The purpose of this output measure is to document the extent of equipment and/or supplies purchased with (ARRA) JAG funds. Appropriate for grantees in all purpose areas that use (ARRA) JAG funds for system improvement. Report the amount of (ARRA) JAG funds used to purchase equipment and/or supplies. SOURCE: Program records are preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Amount of (ARRA) JAG funds used to purchase equipment and/or supplies during the reporting period

Appendix II: Recovery Act JAG Performance Measures

Measure	DOJ Definition	Data Grantee Reports
Indicate the quantity for each type of equipment and/or supplies purchased with (ARRA) JAG funds (REPORT QUANTITY NOT DOLLARS) (System Improvement)	<p>The purpose of this output indicator is to measure accountability. Appropriate for grantees in purpose areas that use JAG funds for system improvement. Report the quantity for each type of equipment or supplies purchased with JAG funds during the reporting period. SOURCE: Program records are preferred data source</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Weapons 2. Equipment for police cruisers 3. Uniforms 4. CAD 5. RMS 6. Software 7. Computers 8. Mobile access equipment (ex. Aircards for Verizon, Sprint, AT&T, etc.) 9. Security systems (station or evidence room) 10. Biometric equipment (Live scans, fingerprint readers, etc.) 11. In-car camera systems 12. Video observation (station, community, pole cams) 13. Undercover surveillance equipment (microphones, video) 14. License plate readers 15. Kiosk units for community access or registration 16. Vehicles 17. Radios 18. Other (please specify type and quantity)
SHOULD ONLY ANSWER IF YOUR AGENCY RECEIVED REQUESTS CONSIDERED FOR FUNDING WITH JAF FUNDS. Number of equipment and/or supply requests funded with (ARRA) JAG funds (System Improvement)	<p>The purpose of this output measure is to document the extent of equipment and/or supplies funded with (ARRA) JAG funds. Appropriate for grantees in all purpose areas that use (ARRA) JAG funds for system improvement. Report the number of equipment and/or supply requests received and of that, the number funded with (ARRA) JAG funds. SOURCE: Program records are preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Number of equipment and/or supply requests funded with (ARRA) JAG funds during the reporting period 2. Number of equipment and/or supply requests received for consideration with JAG funding 3. Percent Auto-calculated by PMT

Appendix II: Recovery Act JAG Performance Measures

Measure	DOJ Definition	Data Grantee Reports
Percent of staff that directly benefit from equipment or supplies purchased by (ARRA) JAG funds, who report a desired change in their job performance (System Improvement)	<p>The purpose of this outcome indicator is to measure efficiency. Appropriate for grantees in purpose areas that use (ARRA) JAG funds for system improvement. Report the number of staff that directly benefit from equipment or supplies purchased with (ARRA) JAG funds, who report a desired change in their job performance during this reporting period. SOURCE: This is a count of direct staff that benefit from the equipment and/or supplies purchased. Program records are preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Number of staff that directly benefit from equipment or supplies purchased by (ARRA) JAG funds, who report a desired change in their job performance 2. Number of staff to receive equipment or supplies purchased with (ARRA) JAG funds during the reporting period 3. Percent Auto-calculated by PMT 4. Explain the impact on job performance for the reporting period
Amount of (ARRA) JAG funds used for improvements to information systems for criminal justice systems (System Improvement)	<p>The purpose of this output indicator is to improve system effectiveness and/or capacity. Appropriate for grantees under any purpose area that uses (ARRA) JAG funds for system improvement. Report the amount of (ARRA) JAG funds used to improve information systems for criminal justice systems during the reporting period. SOURCE: Agency records are a preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Amount of (ARRA) JAG funds used for improvements to information systems for criminal justice systems during the reporting period
Number of departments that used (ARRA) JAG funds to make improvements to information systems for criminal justice (System Improvement)	<p>The purpose of this output measure is for system/program capacity based on the idea that new, enhanced or improved information systems can provide staff with better efficiency to do their jobs. Appropriate for grantees under any purpose area that uses (ARRA) JAG funds for system improvement activities. Report the number of departments that uses (ARRA) JAG funds to make improvements to information systems for criminal justice during the reporting period. SOURCE: Agency records are a preferred data source.</p> <p>Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness</p>	<ol style="list-style-type: none"> 1. Number of departments that used (ARRA) JAG funds to make improvements to criminal justice information systems started in the previous period 2. Number of NEW departments that use (ARRA) JAG funds to make improvements to criminal justice information systems that were added during the reporting period 3. Total Auto-calculated by PMT

Appendix II: Recovery Act JAG Performance Measures

Measure	DOJ Definition	Data Grantee Reports
Percent of departments that completed improvements to information systems for criminal justice (System Improvement)	The purpose of this outcome measure is for system accountability. Appropriate for grantees under any purpose area that uses (ARRA) JAG funds for system improvement activities. Report the number of departments that completed improvements to criminal justice information systems during the reporting period. SOURCE: Agency records are a preferred data source. Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness	<ol style="list-style-type: none"> 1. Number of departments that completed improvements to information systems for criminal justice during the reporting period as a result of (ARRA) JAG funds 2. Number of departments to use (ARRA) JAG funds to make improvements to information systems for criminal justice 3. Percent Auto-calculated by PMT
Percent of departments that report a desired change in efficiency (System Improvement)	The purpose of this outcome measure is to document improved efficiency. Appropriate for grantees under any purpose area that uses (ARRA) JAG funds for system improvement activities. Report the number of departments that report a desired change in efficiency as a result of improved information systems for criminal justice systems as a result of (ARRA) JAG funds during the reporting period. SOURCE: Agency records are a preferred data source. Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness	<ol style="list-style-type: none"> 1. Number of departments that report a desired change in efficiency during the reporting period 2. Number of departments that completed improvements to information systems for criminal justice systems as a result of (ARRA) JAG funds 3. Percent Auto-calculated by PMT 4. Explain the impact on efficiency for the reporting period
Percent of departments that report a desired change in program quality (System Improvement)	The purpose of this outcome measure is to document improved program quality. Appropriate for grantees under any purpose area that use (ARRA) JAG funds for system improvement activities. Report the number of departments that report a desired change in program quality (e.g. per staff caseloads meet professional standards, increased availability of specialized services) as a result of (ARRA) JAG funds. SOURCE: Agency records are preferred data source. Applies to purpose areas: Law Enforcement, Prosecution and Court, Prevention and Education, Corrections and Community Corrections, Drug Treatment and Enforcement, Planning, Evaluation and Technology Improvement, Crime Victim and Witness	<ol style="list-style-type: none"> 1. Number of departments that report a desired change in program quality during the reporting period 2. Number of departments that completed improvements to information systems for criminal justice systems during the reporting period 3. Percent Auto-calculated by PMT 4. Explain the impact on program quality during the reporting period

Appendix II: Recovery Act JAG Performance Measures

Measure	DOJ Definition	Data Grantee Reports
Change in number of individuals arrested in a targeted group by crime type	The purpose of this outcome indicator is to measure rates of individuals arrested in a targeted group by crime type. Appropriate for grantees in purpose areas that provide direct service to individuals with (ARRA) JAG funds. Report the number of individuals arrested for a targeted group by crime type. For the first reporting period, the "a" value reflects available data for the quarter prior to the start of grant-funded activities. For subsequent reporting periods, the "a" value will reflect the number of individuals arrested during the quarter before the start of the award. Population numbers will vary based on target population/sub-population of the program/initiative. Crime types are identified by the target of grant-funded activity. SOURCE: Program records	<ol style="list-style-type: none"> 1. The number of individuals (by related crime) arrested during the quarter before the start of the award 2. Total number of individuals arrested (by related crime) during the reporting period 3. Pick One: 4. We expected number of individuals arrested to increase as a result of our efforts 5. We expected number of individuals arrested to decrease as a result of our efforts. 6. We expected number of individuals arrested to remain stable (no change) as a result of our efforts. 7. We had no expectations about changes in number of individuals arrested of crime as a result of our efforts. 8. Not applicable for this reporting period
Change in reported crime rates in a community by crime type	The purpose of this outcome indicator is to measure rates of related crimes in a targeted community. Appropriate for grantees in purpose areas that provide direct service to communities or organizations with (ARRA) JAG funds. Report the number of related crimes reported during the reporting period. Population numbers will vary based on target populations/sub-population of the program/initiative. The "a" value reflects the quarter prior to the start of the award. This measure is intended to collect rates of crime targeted by (ARRA) JAG award. Crime types are identified by the target of grant-funded activity. SOURCE: Program records	<ol style="list-style-type: none"> 1. Number of reported crimes (targeted by (ARRA) JAG funds) during the quarter before the start of the award 2. Total number of reported crimes (targeted by (ARRA) JAG funds) during the period 3. Pick One: 4. We expected the crime rate to increase as a result of our efforts 5. We expected the crime rate to decrease as a result of our efforts 6. We expected the crime rate to remain stable (no change) as a result of our efforts 7. We had no expectations about the crime rate as a result of our efforts 8. Not applicable for this reporting period
Type of crime	Provide the type of crime targeted	<ol style="list-style-type: none"> 1. Homicides 2. Forcible Rapes 3. Robberies 4. Aggravated Assaults 5. Other [types of crimes targeted], please define.

Source: BJA.

Appendix III: GAO Assessment of Whether DOJ's Recovery Act JAG Performance Measures Possessed Certain Key Attributes

Table 9: GAO Assessment of Whether DOJ's Recovery Act JAG Performance Measures Possess Certain Key Attributes

Performance Measure	Clarity	Reliability	Linkage to strategic goals	Objectivity	Measurable targets
Number of new personnel hired with (ARRA) JAG funds	No	Yes	Yes	Yes	No
Indicate the type of new personnel paid with (ARRA) JAG funds	Yes	No	Yes	Yes	No
Number of personnel retained with (ARRA) JAG funds	No	No	Yes	Yes	No
Type of retained personnel paid with (ARRA) JAG funds	Yes	No	Yes	Yes	No
Number of overtime hours paid with (ARRA) JAG funds	No	Yes	Yes	Yes	No
Percent of departments that report desired efficiency	No	No	No	No	No
Percent of departments that report desired program quality	No	No	No	No	No
Amount of (ARRA) JAG funds used to purchase equipment and/or supplies	Yes	Yes	No	Yes	No
Indicate the quantity for each type of equipment and/or supplies purchased with (ARRA) JAG funds	Yes	Yes	No	Yes	No
Number of equipment and/or supply requests funded with (ARRA) JAG funds	No	No	No	No	No
Percent of staff that directly benefit from equipment or supplies purchased by (ARRA) JAG funds, who report a desired change in their job performance	No	No	No	No	No
Amount of (ARRA) JAG funds used for improvements to information systems for criminal justice systems	Yes	Yes	No	Yes	No
Number of departments that used (ARRA) JAG funds to make improvements to information systems for criminal justice	No	No	No	No	No
Percent of departments that completed improvements to information systems for criminal justice	No	No	No	No	No
Percent of departments that report a desired change in efficiency	No	No	No	No	No
Percent of departments that report a desired change in program quality	No	No	No	No	No
Change in number of individuals arrested in a targeted group by crime type	No	No	No	No	Yes
Change in reported crime rates in a community by crime type	No	No	No	No	Yes
Type of crime	No	Yes	No	Yes	No

Source: GAO.

Appendix IV: Recovery Act JAG Award Drawdowns and Expenditures

Department of Justice (DOJ) records indicate that all 14 of the states in our sample have drawn down the vast majority of their Recovery Act Justice Assistance Grant (JAG) awards as of May 2010. Specifically, the amounts drawn down range from less than 53 percent to almost 98 percent. Table 10 shows the amount and percentage of these funds that have been drawn down and expended by State Administering Agencies (SAAs), their subrecipients, and localities.

Table 10: Recovery Act JAG Drawdowns across Our Sample States, as of May 2010

State	Total Recovery Act JAG allocation	Amount awarded ^a	Amount drawn down	Drawn down (%)	Amount expended ^b
Arizona	\$41,966,266	\$41,953,775	\$40,314,122	96.1	\$15,258,007
California	225,354,622	225,308,016	213,948,344	95.0	34,627,855
Colorado	29,858,171	29,806,448	25,065,819	84.1	8,029,790
Georgia	59,045,753	58,883,245	49,539,594	84.1	13,182,007
Illinois	83,663,470	83,663,470	81,661,161	97.6	22,854,366
Iowa	18,702,718	18,702,304	17,306,900	92.5	6,250,415
Massachusetts	40,793,878	40,737,593	21,430,523	52.6	23,920,025
Michigan	67,006,344	67,076,152	64,762,546	96.6	11,096,373
Mississippi	18,394,045	18,013,882	14,069,121	78.1	2,176,030
New York	110,592,269	110,496,533	103,197,464	93.4	20,382,971
North Carolina	56,345,356	56,103,394	50,230,759	89.5	18,496,403
Ohio	61,645,375	61,604,789	55,601,917	90.3	22,489,444
Pennsylvania	72,372,843	72,361,289	65,846,268	91.0	15,406,221
Texas	\$147,530,755	\$147,102,910	\$135,929,639	92.4	\$56,607,213

Source: GAO analysis of Bureau of Justice Assistance, SAA data, and Recovery.gov.





^aAmounts awarded are reported by DOJ as of May 12, 2010

^bAmount expended includes data reported by SAAs and direct local recipients to Recovery.gov during the quarter ending June 30, 2010. Note that during the quarter ending June 30, 2010, 797 direct recipients, including SAAs reported expenditure data to Recovery.gov compared to 807 direct recipients, including SAAs, in the quarter ending December 31, 2009. DOJ officials said that when a direct recipient expends all funds in its award, the recipient is no longer required to report data to DOJ or the Office of Management and Budget (OMB) which manages Recovery.gov. All reporting is completed when expenditures are completed. Therefore, the approximately 10 local direct recipients who spent all award funds prior to the quarter ending June 30, 2010, are not included in the amount expended column

Appendix V: Examples of Use of Recovery Act JAG Funds for Equipment Purchases

The following table illustrates the types of equipment purchases recipients within our 14 sample states have made using Recovery Act Justice Assistance Grant (JAG) funds.

Figure 6: Illustrative Examples of Equipment Purchased with Recovery Act JAG Funding across Localities within our 14 Sample States

<p>Locality: Utica, New York</p> 	<p>Equipment purchase: A mobile computer system for police vehicles</p> <p>Reported impact of equipment purchase: Police officers reported that the new mobile computer systems helped replace larger, more cumbersome computers that hit the dashboard. In addition to providing flexibility, the new computers have touch screen Global Positioning System capability that improves their ability to locate cars in the county to fight crime more effectively.</p>
<p>Locality: Inkster, Michigan</p> 	<p>Equipment purchase: A canine (Belgian Melanois breed)</p> <p>Reported impact: Officials reported that, in addition to providing a critical function in tracking narcotics, the canine will help with general article recovery and locating missing children.</p>
<p>Locality: El Paso, Texas</p> 	<p>Equipment purchase: 1,145 Colt M-4 Carbine, Semiautomatic urban rifles</p> <p>Reported impact of equipment purchase: Police officers reported that the M-4 urban rifle has capabilities including improved ease of use and increased firepower, which will allow El Paso Police Department officers to support border security initiatives and be adequately equipped to ensure the protection of citizens of El Paso.</p>
<p>Locality: Ottawa County, Michigan</p> 	<p>Equipment purchase: A 28-foot Tiara Pursuit patrol boat</p> <p>Reported impact of equipment purchase: According to officials, Ottawa County has one of the largest boating populations in the state of Michigan and the Sheriff's Office will use the patrol boat to assist neighboring jurisdictions respond to boating incident calls. In addition, they will use the boat to assist the United States Coast Guard with homeland security-related patrols and investigations. In addition, the boat will be used for underwater recovery operations and rescue calls.</p>

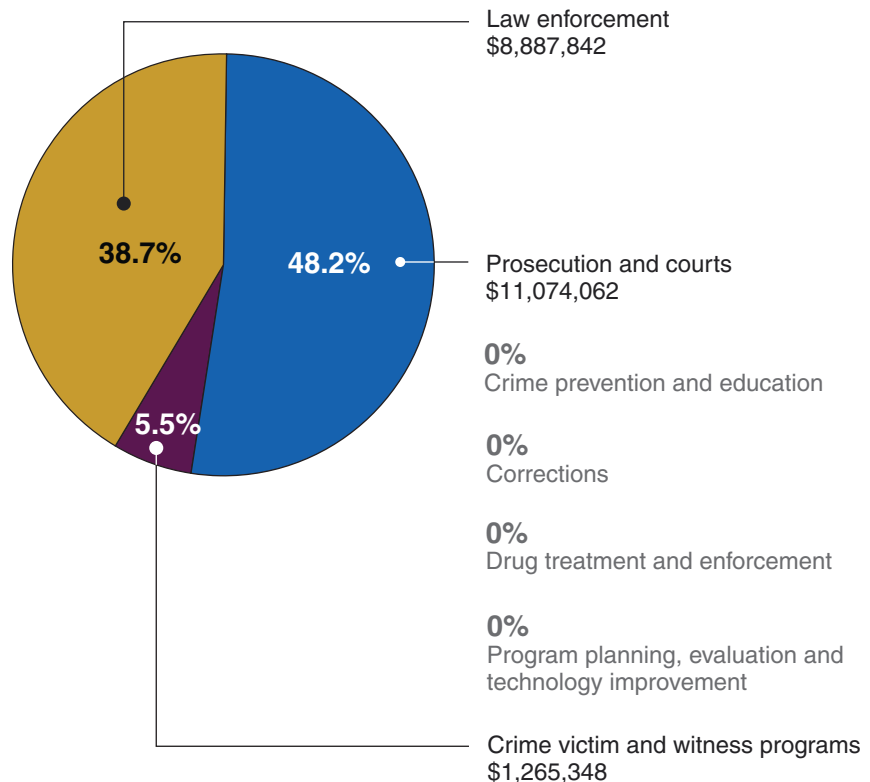
Sources: Utica Police Department; Inkster Police Department; El Paso Police Department; Ottawa County Police Department, (from top to bottom).

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

This appendix provides the full printed text of the interactive content in figure 4 on page 22 in the body of the report. Specifically, the following figures describe planned uses of Recovery Act Justice Assistance Grant (JAG) funds by each State Administering Agency (SAA) across our 14 sample states, which are listed in alphabetical order by state name.

Arizona^a

According to state officials, without Recovery Act funds, the state faced budget cuts and would have had to severely cut or discontinue at least half of the projects previously funded with JAG money. In particular, about \$20.8 million in Recovery Act JAG funds supported drug task forces and these drug task forces helped account for seizures of 847,665 grams of cocaine; 49,586 grams of heroin; 206,713 grams of methamphetamine; and 305,082 pounds of marijuana in 2008.



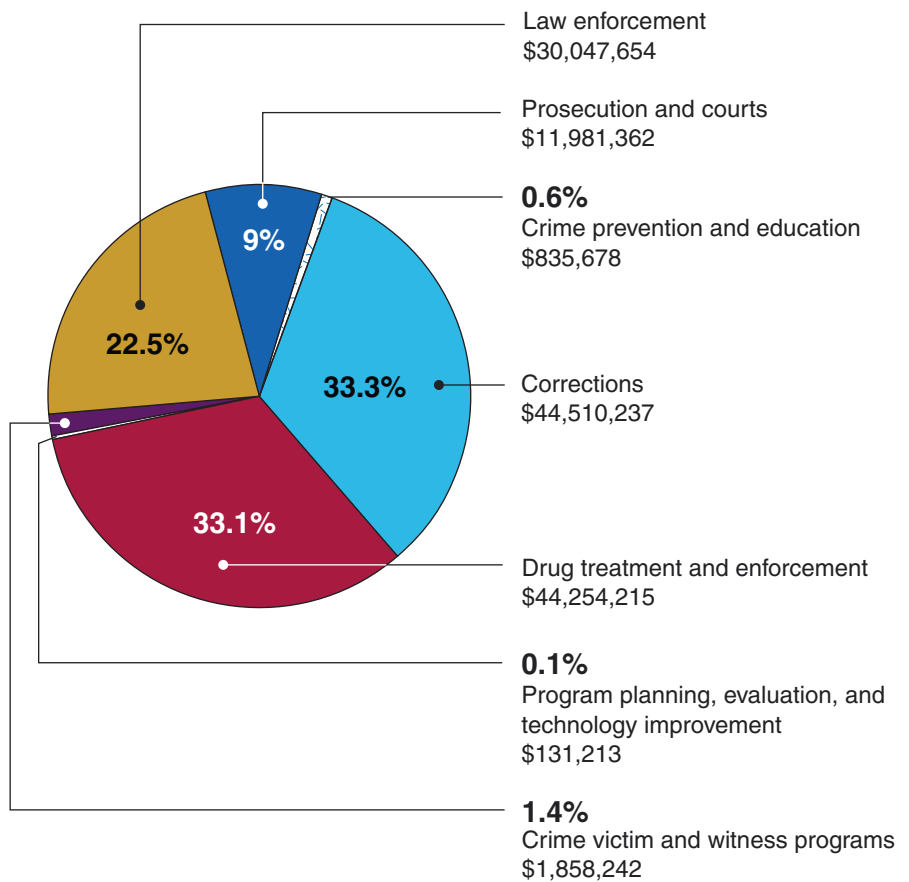
Source: Arizona Criminal Justice Commission.

^aArizona figure does not include the approximately \$1.8 million—or about 7.7 percent of Arizona state funds awarded for forensic laboratory services.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

California

According to state and local officials, Recovery Act JAG supported local gang and drug reduction efforts, helped prevent human trafficking, facilitated a regional approach to reducing methamphetamine production and distribution, and helped develop communications infrastructure.

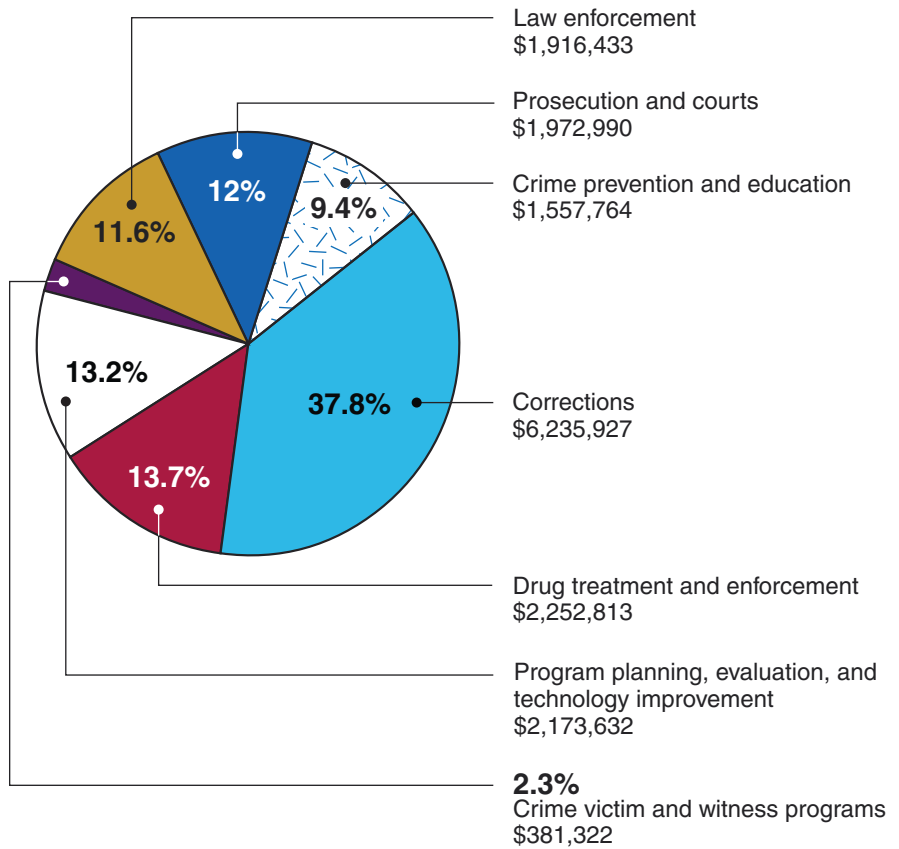


Sources: California Emergency Management Agency; Los Angeles Police Department.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Colorado

State officials noted that Recovery Act JAG helped maintain services in corrections, such as support for problem youth and adult offenders and prison treatment programs, that faced cuts given the state’s revenue shortfalls and budget reductions. In addition, local officials stated that Recovery Act JAG helped support jobs and purchase equipment that otherwise would have been eliminated or gone unfunded.



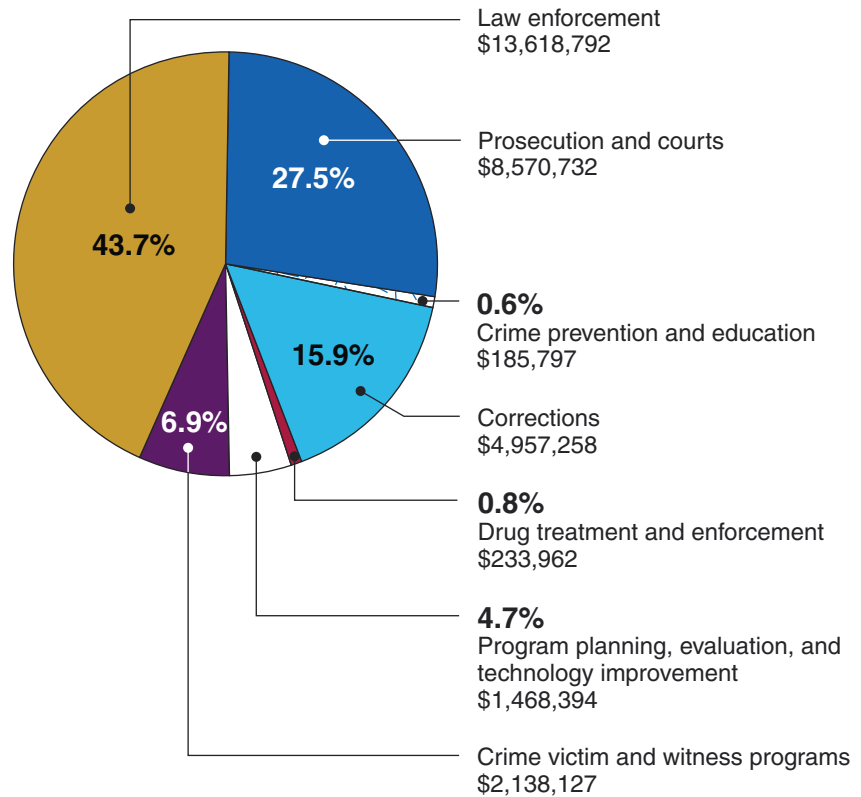
Sources: Colorado Division of Criminal Justice; Colorado Department of Public Safety.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Georgia



According to state and local officials, Recovery Act JAG funds helped support jobs, including retaining public safety personnel, and continue delivery of services, such as drug court services, drug prevention, and victims' assistance. In addition, Savannah Police Department officials noted that Recovery Act JAG funds were used to purchase a fully "patrol-certified" Belgian Malinois breed canine to assist with recovery of stolen items, searching for suspects and missing persons, and tracking narcotics.

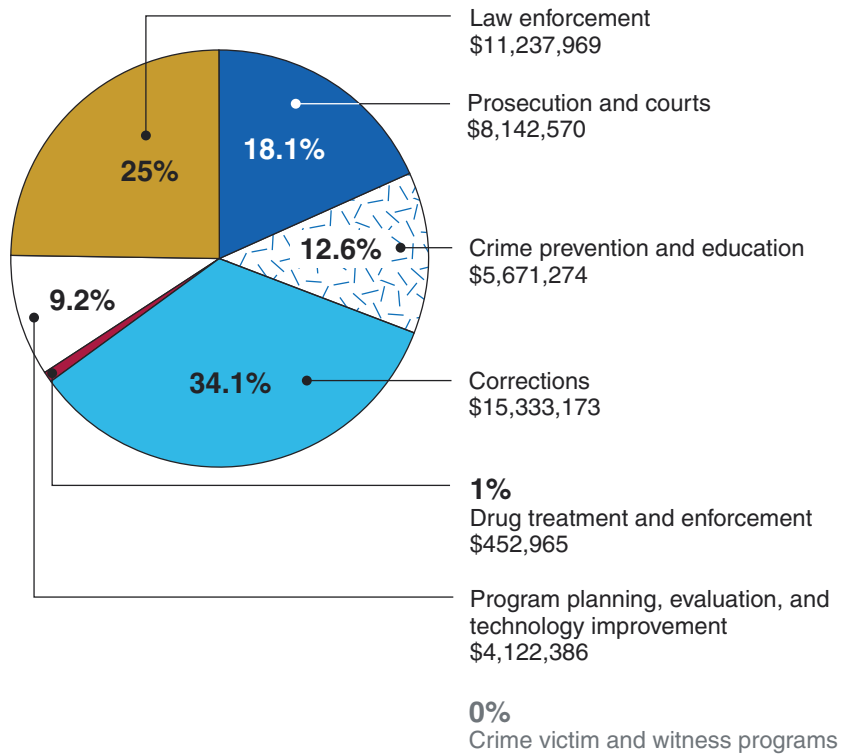


Sources: Georgia Criminal Justice Coordinating Council; Savannah Police Department.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Illinois

According to state and local officials, Recovery Act JAG funds helped purchase law enforcement equipment, such as in-car video systems, that would have gone unfunded. Support for other programs and services include, for example, support for overtime wages of law enforcement agents, mentoring programs and drug treatment programs, domestic violence programs, and specialty courts for nonviolent, repeat offenders.

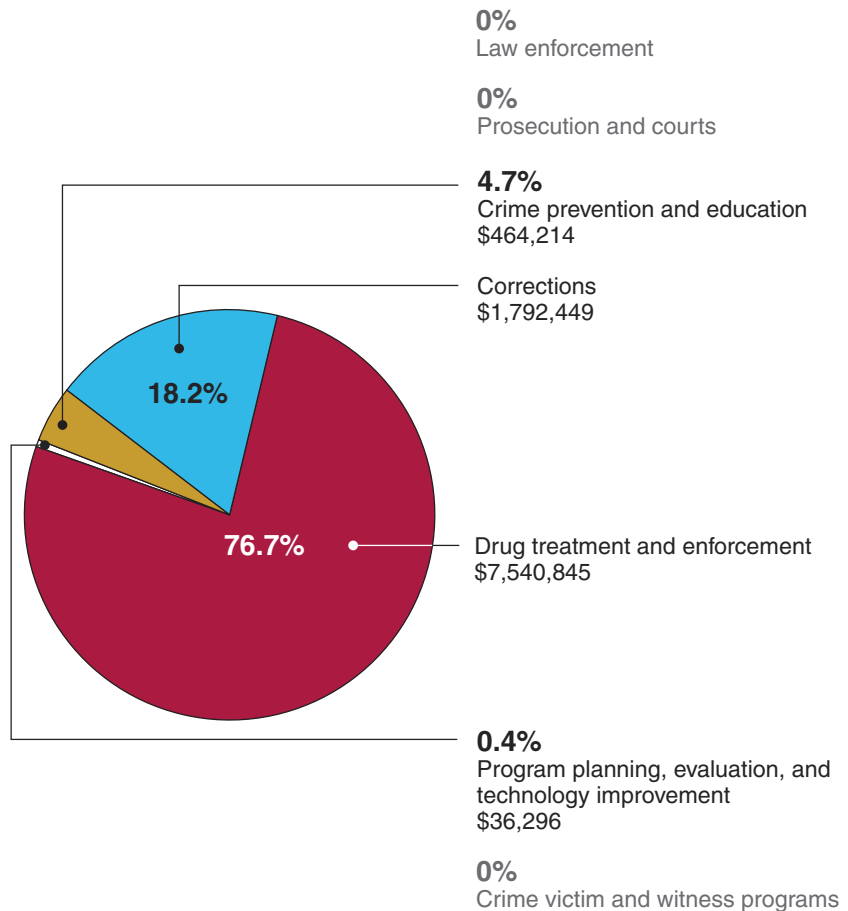


Sources: Illinois Criminal Justice Information Authority, Cook County Sheriff's Office; City of Rockford Police Department.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Iowa

Officials in Boone City, Iowa have used a portion of their Recovery Act JAG award to institute cross-training of some employees in the city's police and fire department. Under the city's public safety umbrella philosophy, some employees in the city's police and fire departments receive training in firefighting, emergency response, and law enforcement. Those who receive this "cross-training" are known as public safety employees and can respond to any type of incident where a police officer or firefighter is needed. Officials said that this type of cross-training has allowed the city to be able to do more with limited resources.

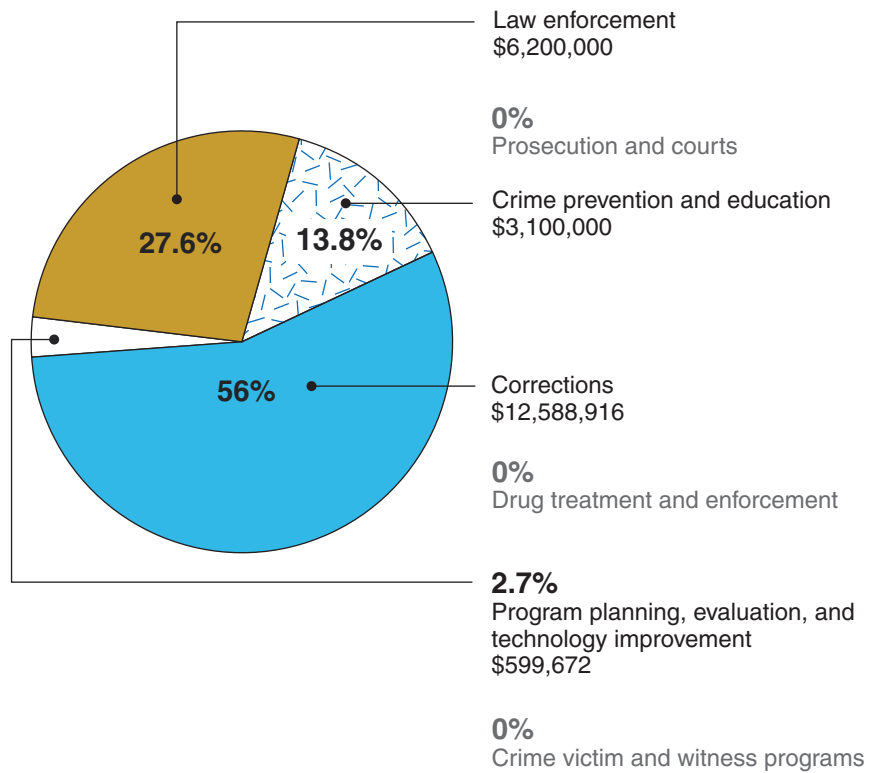


Source: Boone City Police Department.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Massachusetts

According to local officials, Recovery Act JAG funds helped supplement current state public safety programs, retain jobs, and support core services, including supporting local police departments through funding officer and crime analyst salaries in localities adversely affected by local budget conditions.

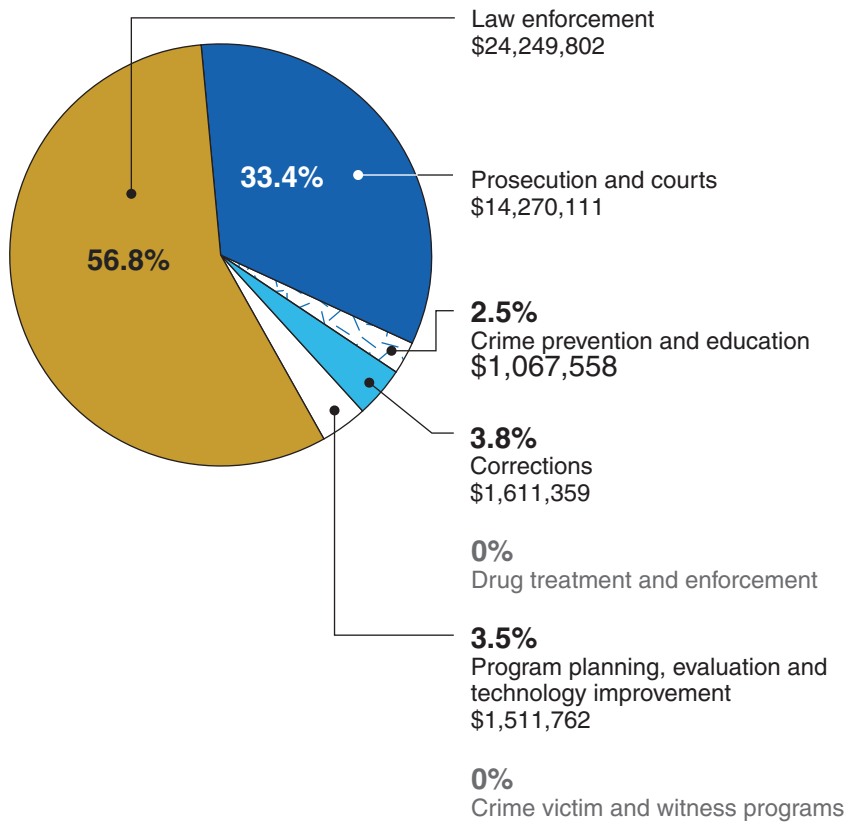


Source: Worcester Police Department.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Michigan

The Ottawa County Police Department used their Recovery Act JAG funds to purchase equipment for law enforcement purposes. The department purchased a 20-foot patrol boat, a fingerprint and jail mug-shot system, and global positioning satellite (GPS) tracker devices. The patrol boat replaces a nearly 20-year-old boat in need of major maintenance. The fingerprint and jail mug-shot system improves efficiency by enabling the department to identify potential suspects with the state’s criminal databases. The GPS tracker devices have helped the department in retrieving numerous stolen items and have provided evidence useful in the prosecution of defendants.

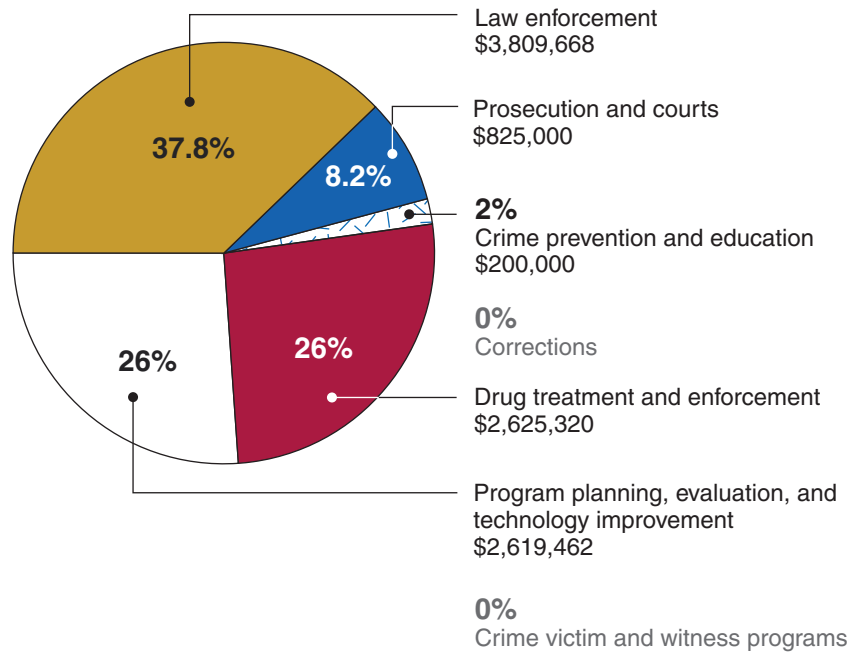


Source: Ottawa County Sheriff’s Department.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Mississippi

According to state and local officials, Recovery Act JAG funds helped support jobs to manage the state JAG program, and supported local police departments by filling positions, retaining other positions, and funding overtime to provide increased patrols and surveillance. JAG funds will support a variety of programs including multijurisdictional task forces, victim witness assistance, juvenile justice, drug courts, family violence, and increased law enforcement training. Recovery Act JAG funds were also used to purchase law enforcement equipment including crime lab equipment, computers, police cruisers, and integrated software for patrol car laptops.

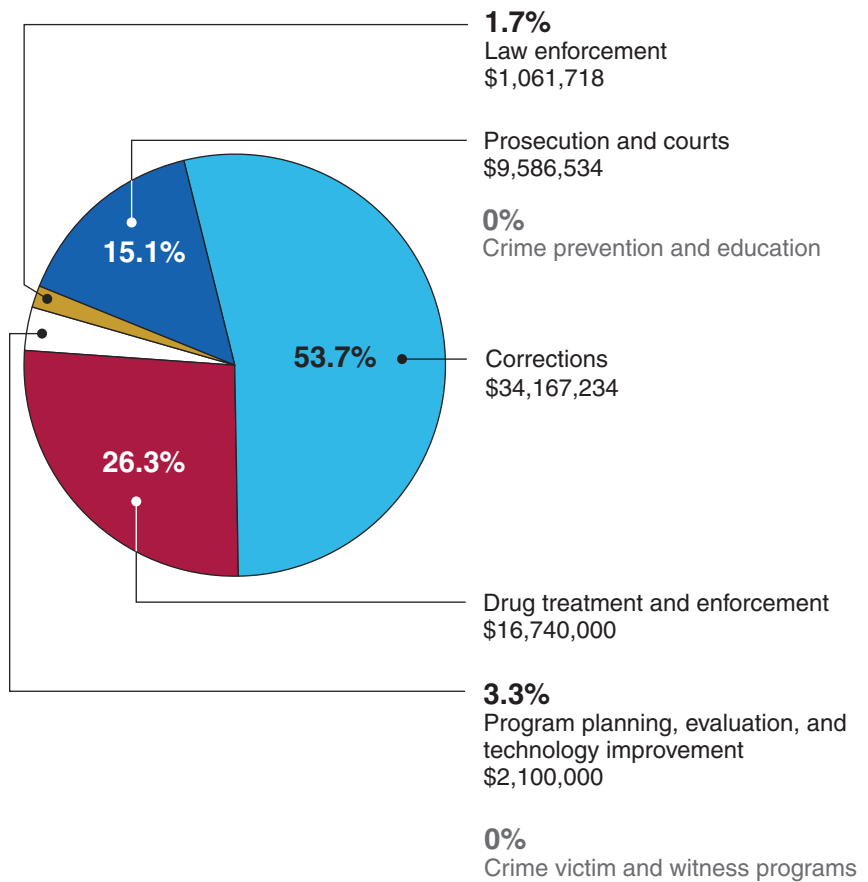


Source: Mississippi Division of Public Safety Planning.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

New York

According to state and local officials, Recovery Act JAG funds supported the implementation of recent drug law reform, including helping assistant district attorneys in reducing the number of prison commitments, and continue recidivism pilot programs. New York City officials estimate that JAG funds enabled New York City to retain 158 jobs that would otherwise have been eliminated due to budget cuts, and helped create 51 new jobs.

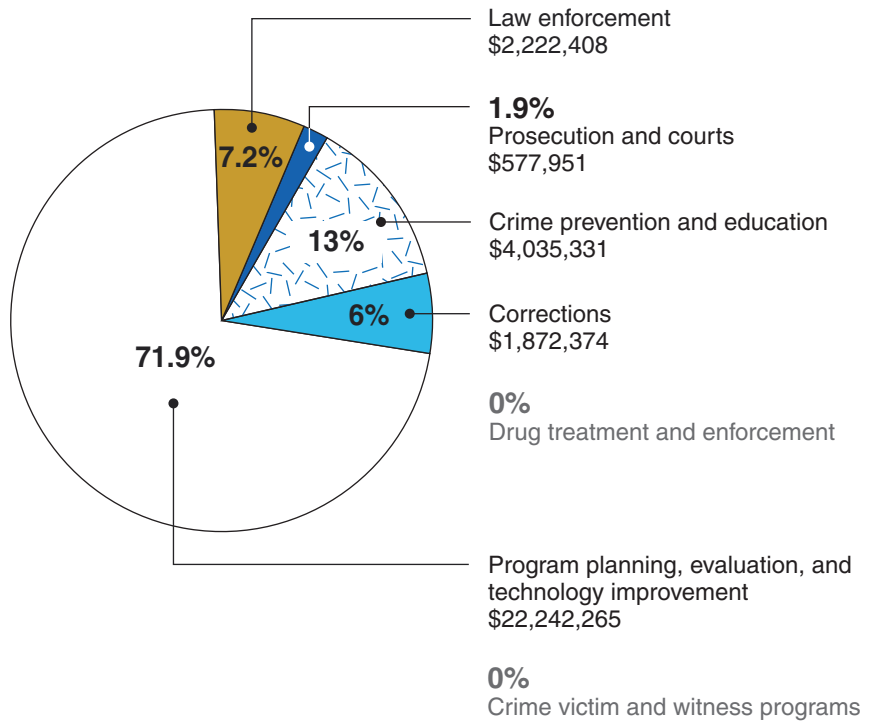


Sources: New York State Division of Criminal Justice Services; New York City Office of the Criminal Justice Coordinator.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

North Carolina

The Rutherford County Sheriff's Department used its share of Recovery Act JAG funds to purchase a tactical vehicle for their officers when responding to volatile situations. The vehicle replaces an old 1986 Ford van that subjected officers to unnecessary risk and can accommodate a team of up to 16 officers as well as store equipment, such as weapons and bullet-resistant vests. The department also purchased portable surveillance equipment that can be thrown or rolled into a room and can provide a 360-degree view to enable officers to identify any potential threats before entering a risky environment.

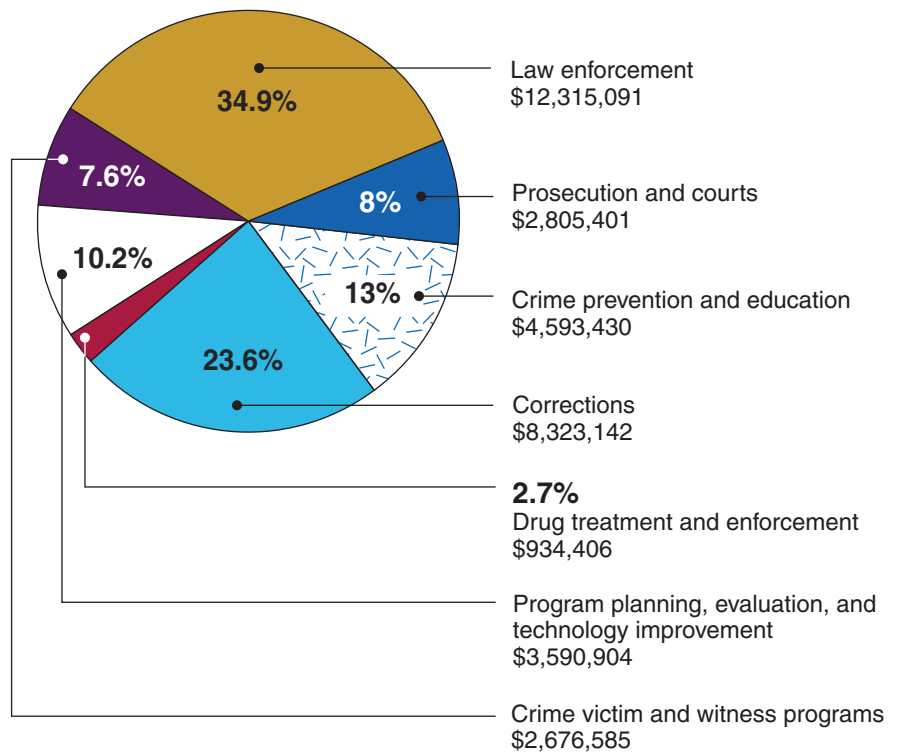


Source: Rutherford County Sheriff's Department.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Ohio

According to state and local officials, without Recovery Act JAG funds, law enforcement agencies would have faced massive layoffs. Additional funds were also used to support the purchase of law enforcement equipment such as a license plate reader.

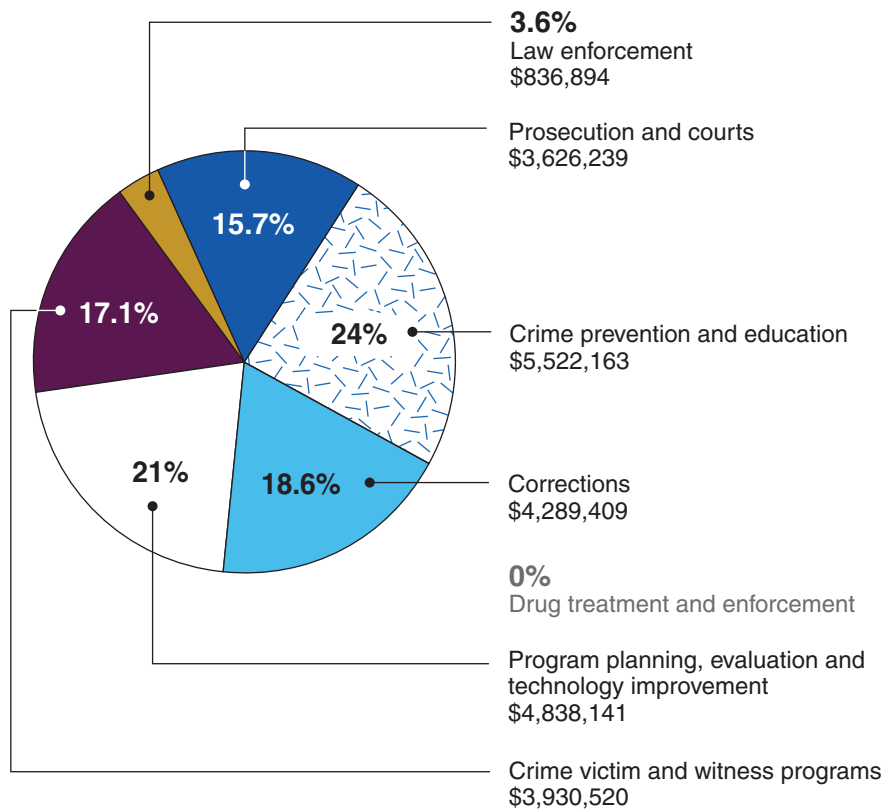


Sources: Office of Criminal Justice Services; Franklin County.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Pennsylvania

State and local officials noted that Recovery Act JAG funds supported regional antidrug task forces, juvenile programs, and initiatives such as records management improvement, prisoner re-entry programs, and at-risk youth employment programs.

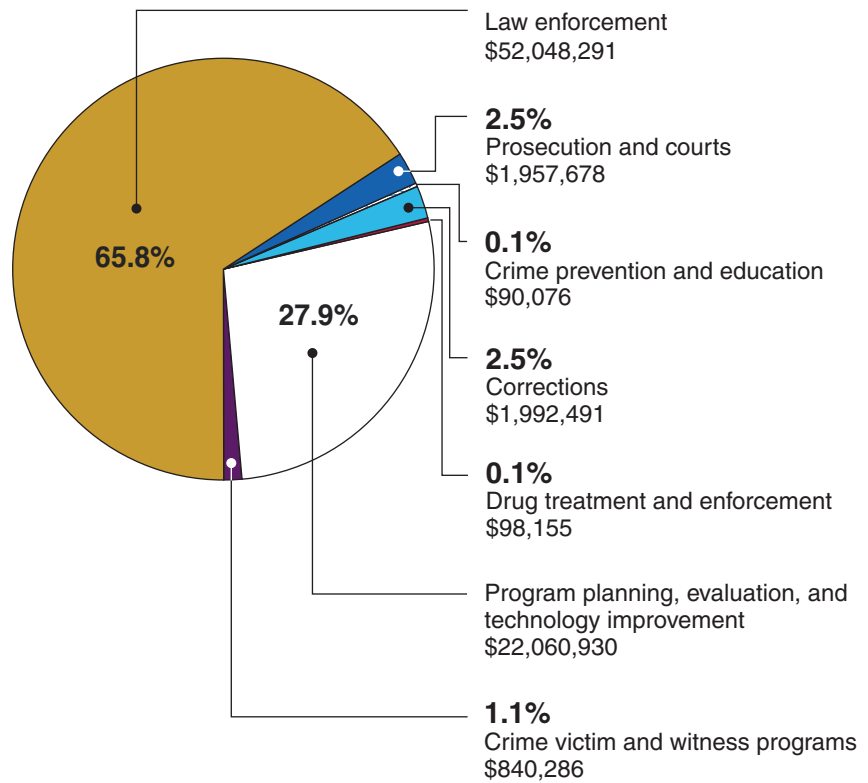


Sources: Pennsylvania Commission on Crime and Delinquency; Philadelphia Police Department; Dauphin County; City of Harrisburg.

Appendix VI: Full Text for Figure 4 Map of SAAs and Planned Uses of Recovery Act JAG Awards by the Seven Allowable Program Categories across 14 Sample States

Texas

According to state and local officials, Recovery Act JAG funds largely helped support equipment purchases and technology improvements, as well as support law enforcement personnel, especially police officer overtime.



Sources: Texas Criminal Justice Division; El Paso Police Department; City of Dallas.

Appendix VII: Comments from the Department of Justice



U.S. Department of Justice

Office of Justice Programs

OCT 08 2010

Washington, D.C. 20531

Mr. David C. Maurer
Director
Homeland Security and Justice Issues
Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Maurer:

Thank you for the opportunity to comment on the draft Government Accountability Office (GAO) report entitled "Recovery Act: Department of Justice Could Better Assess Justice Assistance Grant Program Impact" (GAO-11-87). The draft GAO report contains one Recommendation for Executive Action to the U.S. Department of Justice, which is restated in bold text below and is followed by our response.

Recognizing that DOJ is already engaged in efforts to refine its JAG Performance Measures in the PMT, we recommend that the Acting Director of the Bureau of Justice Assistance take the following two actions to better monitor Recovery Act JAG program performance and demonstrate results through use of this instrument:

- **in revising the department's JAG performance measures consider, as appropriate, key attributes of successful performance measurement systems, such as clarity, reliability, linkage, objectivity, and measurable targets; and**
- **develop a mechanism to validate the integrity of JAG recipients' self-reported performance data.**

The Office of Justice Programs (OJP) agrees with the Recommendation for Executive Action. The GAO draft report acknowledges the progress OJP's Bureau of Justice Assistance (BJA) has made in implementing the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, under the American Recovery and Reinvestment Act of 2009 (Recovery Act), and BJA's efforts in establishing meaningful performance measures to assist the Administration, the Congress, and the taxpayers in evaluating the effectiveness of the Recovery Act JAG Program.

**Appendix VII: Comments from the
Department of Justice**

BJA initially established the JAG Program performance measures contained within this report in the fall of 2008. BJA worked directly with many State Administering Agencies (SAAs), OJP grantees, and stakeholders in the criminal justice field to develop these measures, which had a comprehensive review and comment period. When the Recovery Act was signed into law, BJA decided that the progress made on the JAG measures would be applied to the Recovery Act JAG Program, as well. BJA created broad performance measures for the seven purpose areas of the Recovery Act JAG Program with the recognition that most criminal justice functions could be supported with Recovery Act JAG funds. The mere establishment of performance measures that began to assess the value of this multi-purpose program was an initial success.

BJA has always maintained that these performance measures are its first attempt at capturing the breadth of activities under the Recovery Act JAG Program, and in examining the performance of the JAG Program at the national level. BJA acknowledges the outstanding work of its partners in the JAG Program, the SAAs, in creating their own performance measures, which may give the taxpayers a better sense of the impact the JAG funds are having on crime and public safety within their community. BJA has recently initiated an effort to reconvene all the stakeholders to refine these performance measures and create new measures that capture the essence of the JAG Program on a national level.

As BJA works toward revising the Recovery Act JAG performance measures to better monitor program performance, it will consider key attributes of successful performance measurement systems, such as clarity, reliability, linkage, objectivity, and measurable targets. In addition, BJA will develop and implement a mechanism to validate the integrity of Recovery Act JAG recipients' self-reported performance data. BJA anticipates completing both of these actions by October 1, 2011.

If you have any questions regarding this response, you or your staff may contact Maureen Henneberg, Director, Office of Audit, Assessment, and Management, at (202) 616-3282.

Sincerely,



Laurie O. Robinson
Assistant Attorney General

**Appendix VII: Comments from the
Department of Justice**

cc: Beth McGarry
Deputy Assistant Attorney for Operations and Management

James H. Burch, II
Acting Director
Bureau of Justice Assistance

Leigh Benda
Chief Financial Officer

Maureen Henneberg
Director
Office of Audit, Assessment, and Management

Richard P. Theis
Audit Liaison
Department of Justice

Appendix VIII: GAO Contact and Staff Acknowledgments

GAO Contact

David Maurer, (202) 512-9627 or Maurerd@gao.gov

Staff Acknowledgments

In addition to the contact named above, Joy Gambino, Assistant Director, managed this assignment. Dorian Dunbar, George Erhart, Richard Winsor, and Yee Wong made significant contributions to the work. Geoffrey Hamilton provided significant legal support and analysis. Elizabeth Curda and Cindy Gilbert provided significant assistance with design and methodology. Adam Vogt and Linda Miller provided assistance in report preparation, and Tina Cheng made contributions to the graphics presented in the report.

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