



GAO

Accountability \* Integrity \* Reliability

United States General Accounting Office  
Washington, DC 20548

---

December 12, 2000

The Honorable Alexis M. Herman  
Secretary of Labor

Subject: Job Corps Training Centers: Concerns About Admission Procedures and Agreements With State and Local Prison Authorities to Enroll Prisoners

Dear Madam Secretary:

GAO's Office of Special Investigations received a complaint concerning alleged improper activities at the Keystone Job Corps Training Center at Drums, Pennsylvania. Specifically, the complainant alleged that (1) the center was enrolling individuals then incarcerated at a state prison facility, the Youth Services Agency of Pennsylvania (YSP), and (2) these prisoners posed a threat to the safety and well-being of the regular student population at the Keystone Training Center.

We conducted our investigation between September and November 2000. We interviewed officials of the Job Corps, Department of Labor (DOL), and Bucks County Juvenile Facility. We also conducted a physical examination of the Keystone Job Corps Training Center and reviewed pertinent DOL documents. We performed our work in accordance with investigative standards established by the President's Council on Integrity and Efficiency.

In brief, we determined that YSP is an Adventure Challenge Treatment program whose attendees are remanded by the juvenile court for delinquency-related offenses. Contrary to the allegations, YSP is not a state prison facility; and the attendees are not considered prison inmates but detainees under the juvenile court system. Thus, the initial allegation lacked merit. Secondly, these enrollees were screened before acceptance into the program to ascertain that they were neither disruptive nor dangerous.

However, in conducting this work, we identified two related issues that we believe warrant your attention. These issues concern (1) the background screening of Job Corps applicants and attendees and (2) the potential for abuse of the Job Corps program by state and local prison authorities.

### **Applicant Screening Procedures**

The current statute governing the Job Corps program requires entities responsible for selecting Job Corps participants to determine that applicants are eligible to

participate in the training offered.<sup>1</sup> A factor in the eligibility determination is the “reasonable expectation” that the applicant is

“not likely to engage in behavior that would prevent other enrollees from receiving the benefit of the Job Corps program or be incompatible with the maintenance of sound discipline and satisfactory relationships between the Job Corps center to which the individual might be assigned and communities surrounding the Job Corps center ....”<sup>2</sup>

The statute permits consultation with various law enforcement, health, and educational authorities to determine that applicants are able to benefit from training opportunities<sup>3</sup> and further requires that applicants have “passed a background check conducted in accordance with procedures established by the Secretary.”<sup>4</sup> According to the Job Corps program manual, the background screening requires a check of the past 3 years of local judicial system records based upon the listing of prior residences on the prospective trainee’s application. However, if an applicant misrepresents previous addresses, the background check may not reveal pertinent information that would affect eligibility.

Currently, according to the Director of the Keystone Training Center, Job Corps applicants self-certify their eligibility to participate in the program to admissions recruiters and may withhold negative information from the recruiters. The Director told us that, as a result, he frequently receives calls from law enforcement agencies looking for fugitives who are enrolled in the Keystone Job Corps Program. When a fugitive is determined to be enrolled, the individual is removed from class and returned to the requesting jurisdiction. These situations result in class disruptions at the Keystone Training Center and place an additional burden on staff who assist in returning the fugitives.

In contrast to self-certification, the Juvenile Court certifies the backgrounds of YSP enrollees in the Keystone Job Corps. This enhanced screening prevents unnecessary disruptions and aids in the selection of appropriate YSP applicants and enrollees. DOL’s Region II District Director and the former Job Corps Program Manager both concurred with us that the background information provided through DOL Job Corps recruiters is not as reliable as the information provided by YSP applicants.

While the statute provides that “[n]o individual shall be denied a position in the Job Corps solely on the basis of individual contact with the criminal justice system,”<sup>5</sup> Job Corps recruiters do not independently search for information concerning criminal records to supplement or confirm the information provided in the self-certified applications. Confirmation is obtainable through such measures as requesting a National Crime Information Center (NCIC) check of the applicant’s criminal record, if any, or performing an outstanding warrant check on program applicants prior to admission into the program.

---

<sup>1</sup> 29 U.S.C. § 2885(a)(3) (1998).

<sup>2</sup> 29 U.S.C. § 2885(b)(1)(A) (1998).

<sup>3</sup> 29 U.S.C. § 2885(a)(4) (1998).

<sup>4</sup> 29 U.S.C. § 2885(b)(1)(C) (1998).

<sup>5</sup> 29 U.S.C. § 2885(b)(2) (1998).

Indeed, background screening of program applicants is required by the statute. Reliable information is needed to make the required eligibility determination that an applicant is not likely to be disruptive or dangerous to other enrollees or the community. According to the Director of the Job Corps, there is currently no system in place to regularly audit or review the work of program recruiters to ensure that background screening is conducted in accordance with statute and agency policy. Such reviews are conducted only in reaction to contract performance problems of the recruiter. The Director added that determining whether a criminal record exists by checking for outstanding warrants would assist recruiters in determining the eligibility and suitability of applicants to the program and increase the recruiter's reliability.

### **Potential Abuse of the Job Corps Program by Prison Authorities**

During our investigation, we learned that the Keystone Training Center and YSP had entered into an agreement to enroll YSP clients who were referred by the Juvenile Court for delinquency-related offenses. Enrollment of YSP participants appears to be consistent with the statute. This agreement was made at the local level with the concurrence of the DOL Region II District Director, but the national office was not informed. There is currently no agency policy concerning agreements that Job Corps officials enter into with local jurisdictions to enroll offenders remanded by the courts. According to the Director of the Job Corps, the program itself discourages centers from entering into such agreements because their contracts are performance based and too high a concentration of more troubled enrollees could negatively effect performance outcomes. However, the Director did state that based upon our investigation of this one instance, he would consider examining the issue and, based upon the results of such a review, it would be determined whether policies and procedures need to be established.

### **Recommendations for Executive Action**

On the basis of these findings, we recommend that you direct the Director of the Job Corps to require that the individuals implementing Job Corps eligibility standards

- conduct criminal background checks on program applicants by using NCIC operated by the Department of Justice rather than rely on information from the applicant's self-certified application and
- review their position on agreements between Job Corps and state and local authorities regarding enrollment of individuals while under the supervision of the courts or prisons in Job Corps programs to determine whether it would be appropriate to establish a written policy to address this issue.

### **Agency Comments**

We met with and discussed the findings of our work with the Director of the Job Corps. He agreed that NCIC checks would be beneficial to the program in that they would assist recruiters and counselors in assessing whether an applicant was eligible for the program and to address other applicant issues prior to enrollment. He also

concurred with us that, based upon the results of our investigation of this one instance, program officials should examine the program's position on agreements between Job Corps centers and local judicial or corrections authorities to determine whether a policy should be established.

-----

As you know, the head of a federal agency is required by 31 U.S.C. 720 to submit a written statement on actions take on the recommendations in this letter to the Senate Committee on Governmental Affairs and the House Committee on Government Reform not later than 60 days after the date of this letter. A written statement must also sent to the House and Senate Committees on Appropriations with the agency's first request for appropriations made more than 60 days after the date of this letter.

We are sending copies of this letter to interested congressional committees. The letter will also be available on GAO's home page, [www.gao.gov](http://www.gao.gov). If you have questions about this matter, please call me at (202) 512-6455 or Assistant Director William Hamel at (202) 512-7433. Senior Special Agent Kevin Craddock was a key contributor.

Sincerely yours,



Robert H. Hast  
Managing Director  
Office of Special Investigations

(600765)