

Assessing the Impact of Federal Assistance on State and Local Criminal Justice Systems

A Report of the Symposium on the Impact of Federal Funding for Drug Abuse and Crime

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Acknowledgments

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Executive Summary

Federal assistance to state and local governments for criminal justice programs dealing with drug abuse and violent crime has grown substantially over the last three decades. Initially predominantly funded by the Department of Justice (DOJ), programs now receive funding from other federal departments and offices with functions affected by crime as well as from private foundations with special interests. In turn, with the billions of dollars invested, determining the effectiveness of the funded programs based on evaluation of impact has grown as a major concern. However, the lack of coordination of funding streams, planning and priorities, reporting requirements, and other elements of the process has emerged as an impediment to comprehensive assessments and attributions of effectiveness.

In the face of the increased complexity and demands, two key DOJ agencies, the Bureau of Justice Assistance and the National Institute of Justice, convened a symposium of criminal justice officials from all levels and of academic researchers to address the impact of federal funding of programs against crime and drug abuse. Through a combination of full and break-out meetings, participants developed a thorough picture of problems facing effective assessment and a comprehensive set of recommendations for future steps for advancement.

Concluding that macro-level, “comprehensive” assessment of program effectiveness is generally unrealizable, participants suggested a federal role in setting strategy and goals for state and local programs by which those programs can be assessed while allowing practitioners flexibility in implementation. Federal agencies can also promote evaluation capacity and technical assistance at state and local levels to facilitate better micro-level assessments which might be aggregated in meta-analyses for better understanding. Federal agencies can also promote integrating models such as that being developed currently by the White House Office of National Drug Control Policy or the “extension service” model long used by the Department of Agriculture. Key to improving assessment, in the eyes of symposium participants, will be better coordination and collaboration in funding and implementing programs at all levels; until that occurs, assessment will be difficult and attribution of impact to particular spending even more so.

The Denver symposium demonstrated that, with experience, practitioners and researchers identified key obstacles to effective assessment that can be addressed by determined federal action. Despite the difficulties that have arisen, participants were nevertheless able to outline reasonable recommendations for improvement. While not leading to “comprehensive” assessment, assessment can be raised above current practice and continue its evolution from its original starting point with the federal programs born three decades ago.

Table of Contents

Background.....	1
Issues in Addressing the Impact of Federal Criminal Justice Assistance.....	3
What Is and Is Not Federal Funding for Drug Abuse and Crime?.....	3
What State and Local Initiatives Are Being Supported to Address Drug Abuse and Crime?.....	4
How and to What Extent Can Coordination among the Criminal Justice, Substance Abuse Treatment, Urban and Housing, and Education Systems Maximize the Benefits of Federal Funds?.....	4
What Are the Issues Associated with the Distribution of Federal Funds?.....	5
Is There a “Level of Analysis” Problem in Assessing at National, State, and Local Levels?.....	5
What Chances of Success Does the Use of a “Comprehensive” Assessment Have? Are There Alternatives to a Comprehensive Approach?.....	6
What Appropriate Next Steps Are Necessary to Meet Needs at All Levels?	6
The Next Steps in Addressing the Impact of Federal Criminal Justice Assistance...	8
Conclusion.....	9
References.....	11
Attachment A.....	13

Assessing the Impact of Federal Assistance on State and Local Criminal Justice Systems

A Report of the Symposium on the Impact of Federal Funding for Drug Abuse and Crime, Denver, CO, May 1999

The Bureau of Justice Assistance (BJA) and the National Institute of Justice (NIJ) in May 1999 convened a symposium of federal, state, and local practitioners and planners and of noted academic researchers in Denver (Attachment A). The following report details their deliberations about current issues and problems in assessing the impact of federal criminal justice funding and their recommendations for future federal directions in criminal justice assistance.

Background

Federal assistance in criminal justice at state and local levels has primarily been an evolving 20th-century phenomenon with increasing growth in the last four decades. As Claire Bond Potter notes in *War on Crime* (1998), the federal role in criminal justice was minor until the rise of gangsterism in the 1920s and 1930s generated public and presidential demands for action. J. Edgar Hoover turned the attention of the FBI to cross-state robbers and murderers, and experts and leaders on the Wickersham Commission issued the first of many national sets of recommendations for criminal justice policy (Friedman, 1993; Walker, 1998).

Federal participation in criminal justice plateaued after World War II, although Senate investigations of organized crime garnered wide media attention. The lull exploded in the mid-1960s, however, after the unsuccessful Goldwater presidential campaign successfully used crime to attack Lyndon Johnson, who responded in 1965 in

two important ways (Friedman, 1993; Walker, 1998). First, he empaneled The President's Commission on Law Enforcement and Administration of Justice, which issued an influential report, *The Challenge of Crime in a Free Society*, in 1968. Second, he supported creation of a minor federal grant program in the Department of Justice (DOJ) under the Office of Law Enforcement Assistance (OLEA) (Twentieth Century Fund, 1976; Friedman, 1993; Walker, 1998).

By the 1968 elections, "law and order" had emerged as a key issue for federal policymakers to address (Harris, 1969; Friedman, 1993; Walker, 1998). With the Omnibus Crime Control and Safe Streets Act of 1968, the OLEA expanded into the Law Enforcement Assistance Administration (LEAA) with the mandate to funnel millions of federal dollars to state and local law enforcement activity, equipment, and training and, later, to corrections (Twentieth Century Fund, 1976; Friedman, 1993; Marion, 1994; U.S. Department of Justice, 1996; Walker, 1998).

The LEAA lasted approximately one decade. By the late 1970s and early 1980s, Presidents Carter and Reagan, with public concern about crime temporarily receding (Friedman, 1993; Walker, 1998), dismantled the LEAA for a variety of reasons (Twentieth Century Fund, 1976; Marion, 1994; Office of Justice Programs, 1996), and redistributed many of its functions within the DOJ (Marion, 1994). Among those functions, technical assistance moved to BJA, and research and dissemination moved to NIJ. Both agencies in their missions emphasized evaluation of the state and local efforts funded by DOJ, especially under its major assistance program begun in 1988, the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (Dunworth et al., 1997; Windlesham, 1998).

Although subsequent federal assistance has not matched LEAA spending as a proportion of government spending on criminal justice (Dunworth et al., 1997), funding through the DOJ nevertheless amounted to over \$2 billion in the Byrne period. More significantly, other federal departments, agencies, and offices began to fund crime control and law enforcement efforts as they addressed related problems in their functional areas. These included the Departments of Health and Human Services, Education, Housing and Urban Development, Defense, and Labor and the specially created White House Office of National Drug Control Policy (ONDCP).

As these federal actors continue to confront the nation's crime problems, questions have arisen about the effect the federal dollars have had on criminal justice at state and local levels. These concerns focus on needs for coordination and information sharing, differences in funding criteria and requirements, possibly conflicting priorities and activities, and even on what "federal criminal justice assistance" now means. For those charged with assessing the impact of federal funding on state and local criminal justice programs, these and related issues suggest that there are substantial problems requiring federal attention.

Issues in Addressing the Impact of Federal Criminal Justice Assistance

Following an initial introductory orientation, the twenty-four researchers and government officials meeting in Denver broke into three working groups to address a set of questions previously drawn up in planning meetings among BJA and NIJ personnel. The questions, listed below, were to structure but not limit deliberation on the issues that have to be resolved if effective program assessment is to be broadly implemented.

- What is and is not federal funding for drug abuse and crime?
- What state and local initiatives are being supported to address drug abuse and crime?
- How and to what extent can coordination among the criminal justice, substance abuse treatment, urban and housing, and education systems maximize the benefits of federal funds?
- What are the issues associated with the distribution of federal funds?
- Is there a “level of analysis” problem in assessing at national, state, and local levels?
- What chance of success does the use of a “comprehensive” assessment have? Are there alternatives to a comprehensive approach?
- What appropriate next steps are necessary to meet needs at all levels?

Although the answers to these questions varied among the groups, the overlap of ideas and perspectives was substantial. The following sections outline the combined responses to each question, along with perceived related problems.

• **What Is and Is Not Federal Funding for Drug Abuse and Crime?**

The chief types of funding for drug abuse and crime are block grants, discretionary grants, and grants to support national initiatives located on local levels. The sources of these grants have begun to vary. Some of the sources include the Departments of Education, Housing and Urban Development, Health and Human Services, and Defense, as well as Justice. Private foundations have also become common sources of funding for crime control and drug abuse problems. Symposium participants did not answer the question but reiterated the need to determine if “federal criminal justice assistance” meant only DOJ assistance.

Even within DOJ programs, attributing federal assistance can sometimes be difficult. For example, in activities of multijurisdictional drug task forces, BJA assistance through the Byrne program is clear. However, funding of the federal

components of the task forces (i.e., the Drug Enforcement Administration or prosecutors) may or may not be considered assistance to the state and local partners. Separating the impact of Byrne from the direct federal spending thus becomes very difficult.

The lack of integration and coordination of federal funding sources has caused problems of accountability, goal setting, and integration and coordination at state and local levels. A comprehensive strategy for combining federal funding streams and linking activities to other agencies from the DOJ Office of Justice Programs (OJP) would assist state and local agencies, especially if they were given adequate flexibility for implementing the funding within broad guidelines.

- **What State and Local Initiatives Are Being Supported to Address Drug Abuse and Crime?**

Among the state and local programs identified as addressing drug abuse and crime were Weed and Seed, DARE, school resource officers, anti-bullying programs, Safe and Drug-Free Schools, and Communities That Care. Participants voiced concerns about the extent to which these programs would exist without their federal funding and whether they will continue to exist once federal support is removed. Clearly, effective assessment of actual performance is an essential element in determining programs worthy of continuation.

- **How and to What Extent Can Coordination among the Criminal Justice, Substance Abuse Treatment, Urban and Housing, and Education Systems Maximize the Benefits of Federal Funds?**

According to symposium participants, coordination among agencies maximizes and leverages the benefits of funding, helps to focus initiatives, and promotes the sharing of information. They believed that coordination should be institutionalized to help to insulate it from political tampering. A major issue was to identify those who need to be directly involved at each level for programmatic change and progress to occur and those who need only to be kept informed.

- **What Are the Issues Associated with the Distribution of Federal Funds?**

The participants identified coordination, funded and unfunded mandates, funding limits, flexibility, uneven distribution, and greater funding balance as key systemwide issues associated with federal funding. Other issues identified by the participants included the frequent unavailability of funding for evaluation for all programs, the need for focus on particular programs or areas, the utility of eliminating the duplication caused by multiple funding streams, the skewed flow of federal dollars to cities over less populous areas, and the difficulties caused by the fungibility of federal program dollars, e.g., their supplanting regular state and local funding.

In addition, the lack of conjunction between state and federal funding cycles causes problems which, with consolidation of administrative and reporting procedures, could be effectively addressed by the federal system. Another concern of participants was the difficulty that state planning agencies face in developing strategic plans allocating funds based on need when non-Justice federal agencies bypass the states and give grants directly to local governments.

- **Is There a “Level of Analysis” Problem in Assessing at National, State, and Local Levels?**

Any comprehensive assessment of the impact of federal criminal justice funding founders on the “level of analysis” problem, according to participants. The micro level at which local programs operate requires different methods and goals for assessment than the cumulative assessment given many programs at the federal and usually state level; moreover, because of multiple revenue streams that may fund a program, attribution of impact to particular dollars is extremely difficult. Meta-analyses of multiple assessments in a program area, continually updated, offer the best hope for developing understandings of “what works.” However, federal agencies do not always have clear expectations of evaluations, leaving states uncertain as to what to do or how to do it.

- **What Chances of Success Does the Use of a “Comprehensive” Assessment Have? Are There Alternatives to a Comprehensive Approach?**

Participants were skeptical of “comprehensive” assessments that attempt to evaluate the effectiveness of broad program areas, indicating that they depend on the ability of state and local levels to plan and develop assessments of their communities. These assessments in turn depend on comprehensive data bases, which exist to any extent in only some states. As an alternative, comprehensive assessments could be broken into four less general types of evaluations by program purpose—prevention, intervention, incapacitation, and sanctions. They could also be based more frequently on needs identified at local levels.

- **What Appropriate Next Steps Are Necessary to Meet Needs at All Levels?**

Communication, consolidation, integration, and coordination were identified as essential for federal consideration to develop the capacity for effective assessment. Other possible steps include monitoring institutionalization of programs once federal funding ends, linking portions of grant administrative funds to evaluation, reducing or eliminating regulatory strings and funding streams for state agencies, centralizing accounting of reported data, routinizing performance evaluation as capacity evolves on all levels, and developing state clearinghouses to coordinate program information by state administering agencies and backed by federal training and technical assistance.

Federal efforts at coordination should continue, in the view of participants, as funding brings various levels and agencies together who might not otherwise interact, “raises the consciousness” of those actors, and perhaps prevents declines even when measurable results fail to be realized. One model for integrating program areas is currently being tested by the Office of National Drug Control Policy (ONDCP). Piloted in Oregon and Maryland, the model collapses programs and agencies into single funding units. Its emphasis is on setting centralized strategies and goals while leaving flexibility to the implementing levels to get the strategy and goals done. Similarly, states could be studied to identify the differences in federally mandated boards and their degree of centralized focus, accountability, and reporting that indicate more effective planning and implementation of federally funded programs.

Following their separate group sessions, participants reassembled to share their insights. The resulting discussion supplemented their initial points concerning the impact of federal funding on drug abuse and crime with the following points:

- Attention should be paid to determining when the impact of federal funding has stopped. That is, if federal dollars are used to start a program later funded on the state or local level, can impact still be attributed to the start-up, and, if so, how much and how?
- Bureaucratic organizations are affected by parochial and special interests that direct funding and attention into areas not necessarily indicated by effective assessment. On the other hand, centralizing program funding might exclude constituencies of inadequate size or influence unless special attention is assured.
- While “comprehensive” assessment is difficult and likely to fail, federal funding can nevertheless promote innovative interventions on state and local levels, which can be assessed and later tailored to specific needs on those levels. To be useful, assessments might consider what impact that positive or negative changes in funding or other resources would have on individual programs at the state or local levels.
- Incentives for necessary institutionalization of coordination in criminal justice do not presently exist. Even if they did, the incentives might be resisted or criticized by politicians or the news media suspicious of the centralization and increased immunity to external influence that the institutionalization would imply. Such incentives are most likely to be effective if imposed externally in order to overcome state and local obstacles and if marketed appropriately to involved politicians and media. Since valuable coordination and collaboration are occurring but remain time-consuming, the federal agencies might consider funding full-time equivalent positions assigned to the task as part of the grants.
- Specific goals for programs are often difficult to determine, frequently causing later assessment to focus on other objectives and making it hard to understand why policymakers want to know how or why dollars were put into particular programs in particular ways. The cooperation that occurs during crisis situations suggests that development of a “crisis-type” model in noncrisis periods is possible if similar “common denominators” of clear purpose and need, such as “serving the victim,” can be institutionalized.
- Clear definitions of roles and responsibilities at all levels are needed since federal agencies hold states accountable through their assessments yet often leave them unempowered when they bypass the states to provide direct funding to localities, as in the Local Law Enforcement Block Grant program.

The Next Steps in Addressing the Impact of Federal Criminal Justice Assistance

After identifying and deliberating the major issues and problems of assessing the impact of federal assistance for state and local criminal justice, symposium participants returned to their original groups to consider what steps should now be followed in the system. Specifically, they were to determine the three most important things that must be accomplished before the impact of federal funding can be assessed and then to recommend the actions, roles, responsibilities, and products necessary to achieve those three things. The following items represent their final determinations and recommendations:

- Identify all the program funds from *all* sources going through the state and local criminal justice agencies.
- Attract funding at the state level which is tied to the state's planning strategy. This may require technical assistance for tracking, possibly including orientations and new programs such as mentoring for new state planning officials.
- Define the audience(s) and levels of assessment involved in evaluations, with prior consultation (but not necessarily prior consent) with the states before funds are awarded to local agencies.
- Establish clearly stated goals and actions identified through careful planning; persevere at getting key stakeholders at all levels to focus on the problem of goal definition.
- Determine the purposes of assessment and who uses it, including the question of who is paying for the assessment, and focusing on the utilization of the assessment from the beginning.
- Establish small-scale local evaluation models from which results can be aggregated from local to state to national levels, with careful education of all the levels about why evaluation is appropriate; this may require increased technical assistance and education by BJA, reinforcement of state planning agencies and state statistical analysis centers (SACs) as mid-level sources of expertise, and creation of "crime prevention extension services" in SACs or universities similar to the traditional Department of Agriculture model.
- Develop a cross-departmental, White House-level office, similar to ONDCP, focused on violence control, with all available federal dollars visible to all relevant state actors.
- Foster an environment of "systemic improvement" within all levels which recognizes success and leadership through strategic planning and emphasizes

consistent OJP leadership and personnel in key positions.

- Earmark dollars for evaluation, planning, and monitoring, such as the current 10% maximum set-aside in the Byrne program, fenced off from other programs and the now frequent state and local diversion.

Symposium participants also proposed several ideas for future symposia related to that held in Denver. Among the suggestions were the following:

- A new symposium on the topic of the audience(s) and level(s) of assessment to be addressed in evaluations, looking in particular at the differences among states;
- Follow-up studies funded by OJP to determine the factors associated with the institutionalization of programs at state and local levels;
- Simulations using assessment scenarios which would be worked through by representatives of state and local agencies;
- More emphasis on “best practices,” bringing representatives of agencies recognized for superior assessment into meetings with others interested in and/or needing improvement in their capacities; and
- Increased participation in future symposia by local agency representatives and officials from non-criminal justice departments and organizations that fund related programs requiring assessment.

Conclusion

Federal assistance to state and local governments for criminal justice programs dealing with drug abuse and violent crime has grown substantially over the last three decades. Initially predominantly funded by the Department of Justice (DOJ), programs now receive funding from other federal departments and offices with functions affected by crime as well as from private foundations with special interests. In turn, with billions of dollars being invested, determining the effectiveness of the funded programs based on evaluation of impact has grown as a major concern. However, the lack of coordination of funding streams, planning and priorities, reporting requirements, and other elements of the process has emerged as an impediment to comprehensive assessments and attributions of effectiveness.

Concluding that macro-level, “comprehensive” assessment of program effectiveness is generally unrealizable, participants in the Denver symposium suggested a federal role in setting strategy and goals for state and local programs by which those programs can be assessed while allowing practitioners flexibility in implementation. Federal agencies can also promote evaluation capacity and technical assistance at state and local levels to

facilitate better micro-level assessments which might be aggregated in meta-analyses for better understanding. Federal agencies can also promote integrating models such as that being developed currently by the White House Office of National Drug Control Policy or the “extension service” model long used by the Department of Agriculture. Key to improving assessment, in the eyes of symposium participants, will be better coordination and collaboration in funding and implementing programs at all levels; until that occurs, assessment will be difficult and attribution of impact to particular spending even more so.

The Denver symposium demonstrated that, with experience, practitioners and researchers have identified key obstacles to effective assessment that can be addressed by determined federal action. Despite the difficulties that have arisen, participants were nevertheless able to outline reasonable recommendations for improvement. While not leading to “comprehensive” assessment, assessment can be raised above current practice and continue its evolution from its original starting point with the federal programs born three decades ago.

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ATTACHMENT A

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Symposium on the Impact of Federal Funding for Drug Abuse and Crime

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