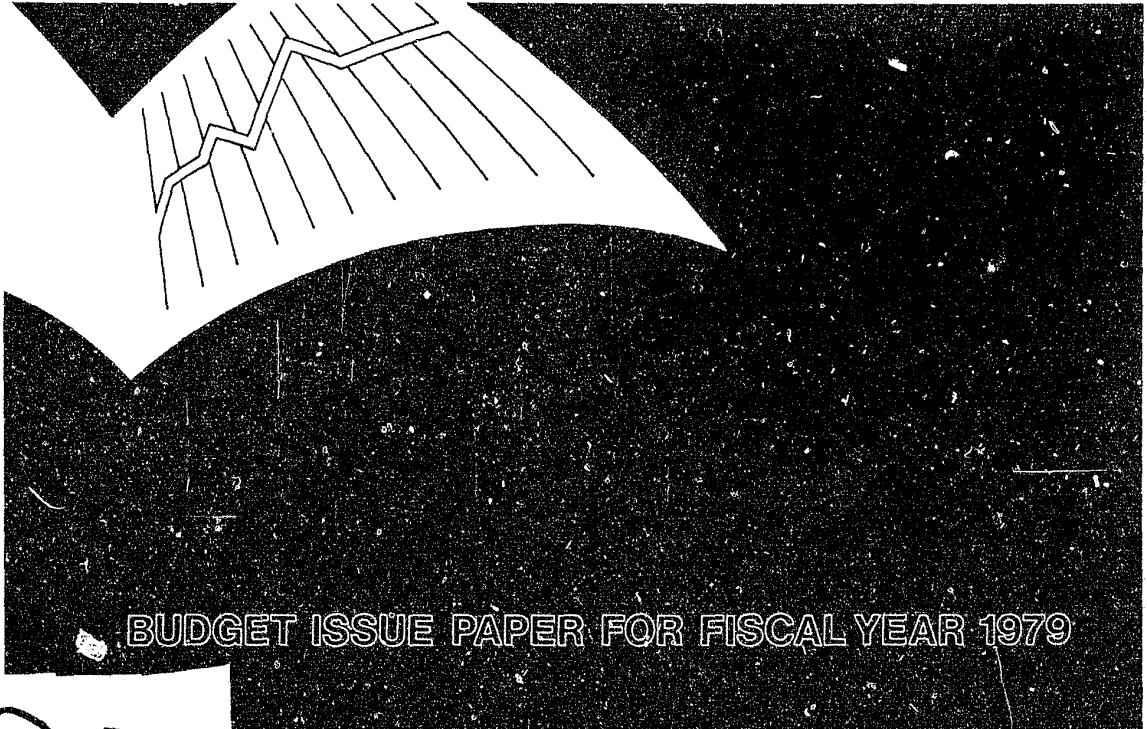


Federal Law Enforcement Assistance: Alternative Approaches

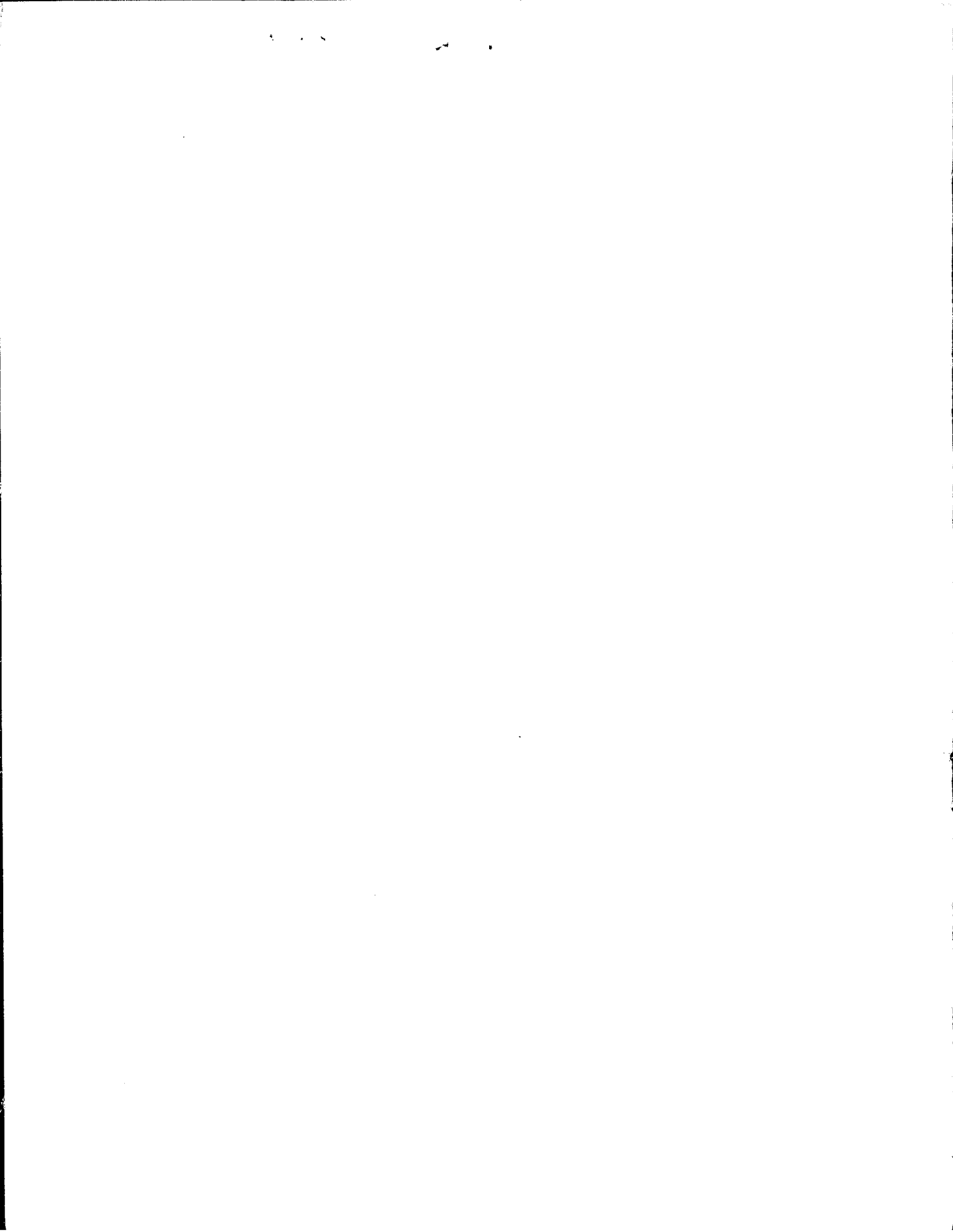
April 1978



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ACQUISITIONS

FEDERAL LAW ENFORCEMENT ASSISTANCE:

ALTERNATIVE APPROACHES

The Congress of the United States

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PREFACE

This analysis of the Law Enforcement Assistance Administration (LEAA) was undertaken at the request of the Senate Budget Committee in anticipation of proposals to reform the LEAA program. The present LEAA authorization will expire at the end of fiscal year 1979, and the Administration is considering major changes in the law enforcement area. In keeping with the Congressional Budget Office's mandate to provide objective and nonpartisan information, this report contains no recommendations.

The study was prepared by Earl A. Armbrust of the General Government Management Staff of CBO's Office of Intergovernmental Relations under the general supervision of Stanley L. Greigg. The author acknowledges the contributions made by David M. Delquadro, Donald G. Deloney, and Peggy L. Cuciti of CBO as well as the cooperation and assistance of the General Accounting Office. The paper was edited by Nancy P. Stewart under the supervision of Robert L. Faherty. Betty Ripple typed the several drafts and Dorothy J. Kornegay and Marsha L. Mottesheard prepared the paper for publication.

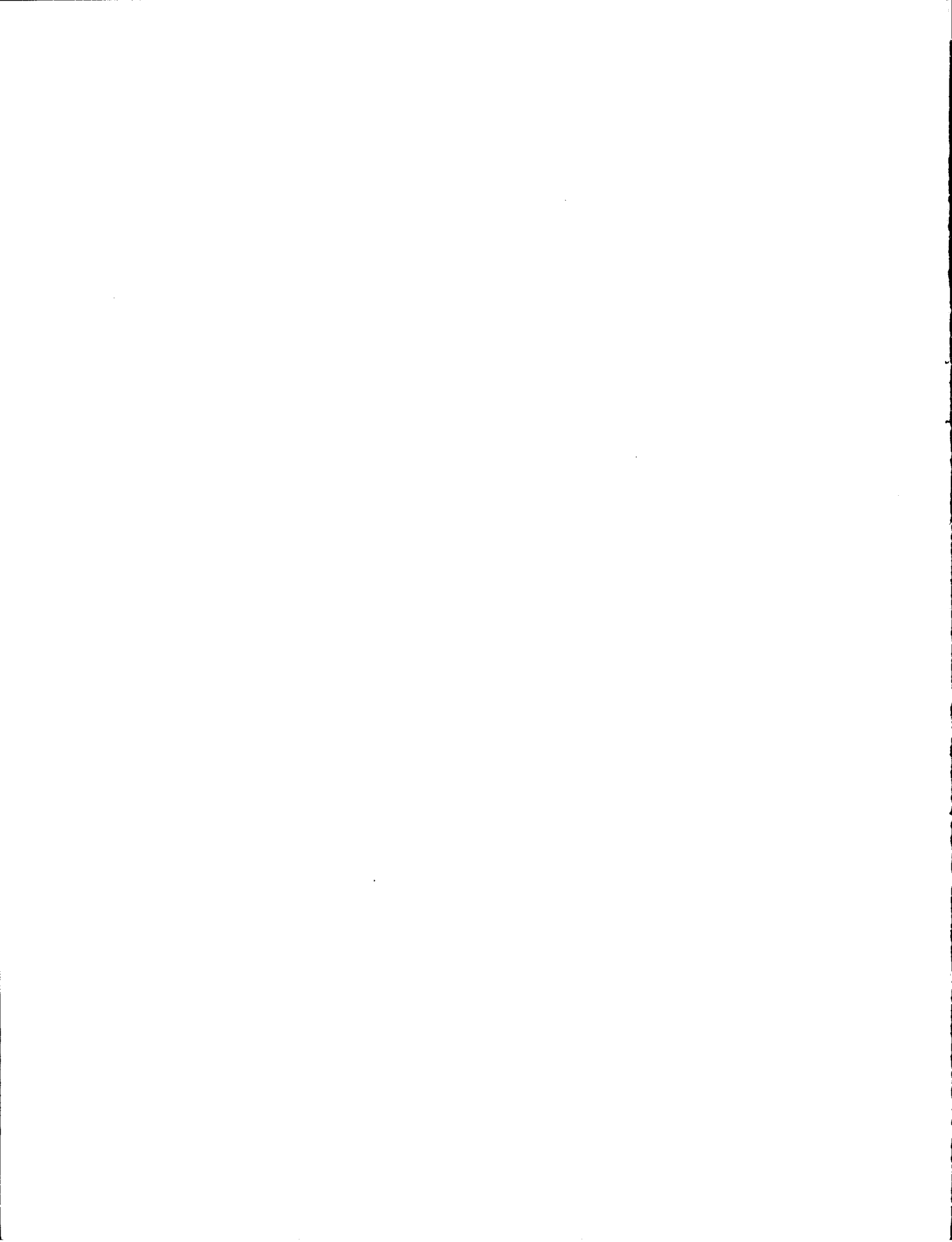
Alice M. Rivlin
Director

April 1978



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SUMMARY

The U.S. criminal justice system, which operates through federal, state, and local agencies, has three major functional components--police, courts, and corrections. In addition, the system includes such program areas as sentencing and code reform, prosecution and public defense, community involvement, and alternatives to institutional confinement.

The Law Enforcement Assistance Administration (LEAA) was established in 1968 to reduce crime and improve the criminal justice system by providing state and local governments with grants to strengthen their law enforcement and criminal justice programs. LEAA assistance is available to all functional components and program areas of the criminal justice system. LEAA was intended to provide "seed money" for innovative programs; it was not intended to underwrite state and local expenditures for criminal justice.

The program has been the subject of criticism and controversy since it was initiated. Major assessments of LEAA have been undertaken by several organizations, both within and without the government. In addition, the Carter Administration is currently considering a major reorganization of the agency's functions. This paper summarizes the major findings of those studies, and presents budgetary alternatives for the future. 1/

The present authorization for LEAA expires at the end of fiscal year 1979, at which time the Congress will need to address the program's future. To date, \$6.6 billion has been appropriated for LEAA. Continuation of the current program would require an additional \$3.9 billion over the next five years (fiscal years 1979-1983), if increases for inflation are included.

1/ Data in this paper concerning the use of LEAA funds and levels of crime were derived from the information-reporting systems of LEAA and the Federal Bureau of Investigation. These sources have reporting limitations, however, which affect the reliability and validity of the data. Caution should therefore be exercised in these areas; unfortunately, other sources of data are not available.

The primary issues concerning LEAA's future are:

- o The validity of the assumptions on which the LEAA program is based;
- o The extent to which continued federal funding of state and local demonstration projects can improve the criminal justice system or reduce crime;
- o The need for a national priority to channel federal funds to state and local criminal justice agencies;
- o The amount of discretion afforded state and local governments in using federal aid for criminal justice; and
- o Whether the federal role in improving criminal justice should be limited to research and data collection.

These issues, in turn, raise the question of whether the current LEAA program (with or without modification) should be continued, replaced with some other type of assistance, limited to research and data collection, or phased out altogether.

THE CURRENT PROGRAM

LEAA funds are administered through an intergovernmental system that consists of LEAA at the federal level, state and regional planning agencies, and other units of state and local government. This intergovernmental approach gives the states wide latitude in determining the use of federal funds and is referred to as a "state block grant system." The State Planning Agencies (SPAs) are the key decision point in determining which jurisdictions are to receive funds, at what level, and for what purpose.

The intergovernmental institutions created by LEAA are generally considered to be the program's most valuable contribution. Even critics of LEAA agree that the program has increased cooperation among functional areas and across jurisdictional lines of the criminal justice system. Nevertheless, LEAA critics have also

argued that the program has created another layer of bureaucracy, which has made few substantive gains. In particular, critics of the program have argued that:

- o State criminal justice plans are of limited usefulness;
- o Well-integrated criminal justice systems do not generally exist at the state and local level; and
- o LEAA's role in approving state plans has been largely perfunctory. (Not enough time has elapsed to assess the new requirement that LEAA evaluate all state plans before approving them.)

LEAA appropriations now represent less than 3 percent of direct state and local expenditures for criminal justice. The bulk of the LEAA funds are for formula (block) grants. For example, in fiscal year 1978, 61.4 percent of all LEAA appropriations will be distributed on a formula basis. The practical effect of the LEAA grant system is that its funds have been used to support a large number of diverse projects, ranging in cost from less than \$1,000 to more than \$1 million and covering such varied activities as establishing a special burglary enforcement unit and providing legal assistance to inmates. On a nationwide level, the functional distribution of LEAA funds has been shifting from police program areas to other functional components of the criminal justice system. The proportion of block grants awarded to police has declined from 79 percent in fiscal year 1969 to 41 percent in fiscal year 1977. There are, however, wide differences in functional distribution for any particular jurisdiction.

The financial assistance provided by LEAA is based on the assumption that an infusion of federal dollars into state and local agencies--mainly their police, courts, and corrections systems--can reduce crime and improve the criminal justice system. Critics question this assumption on the ground that social and economic factors that lie outside the criminal justice system exert a major influence on the level of crime and its associated burden on criminal justice agencies. For example, a statistical analysis based on data for 1960 through 1976 indicates that the level of crime is closely related to the size of the youth labor force (ages 16 to 24) and associated unemployment.

PROGRAM RESULTS

LEAA program results are assessed in three major areas: crime reduction, improvements in the criminal justice system, and advancement of knowledge through research and evaluation.

Crime Reduction

Most grant recipients believe the LEAA program has been of only limited effectiveness in combating crime, in large measure because of the relatively small size of the program and the importance of demographic factors, which cannot be controlled. Advocates and critics of the program generally agree that LEAA cannot be viewed as a success if its main objective is to reduce crime. State Planning Agencies, in fact, have a low expectation of LEAA as a crime-reduction program. They (along with other proponents of federal assistance) believe that the program should be viewed mainly as a means of improving the quality and effectiveness of the criminal justice system.

Improving Criminal Justice

The LEAA program has enabled many jurisdictions to undertake various projects that they could not have funded without federal assistance. LEAA is cited as an important source of funding in areas such as:

- o Reforms in criminal codes and unification of court systems in more than half of the states;
- o Provision of counsel to indigent offenders;
- o Better police services, particularly in the areas of patrol techniques and community relations;
- o Minority recruitment and equal employment opportunity;
- o More humane and rational corrections, probation, and community-based programs; and
- o Special programs in areas such as fighting organized crime, management of prosecution caseloads, and the career criminal program.

Although LEAA funding has contributed to these as well as to many other areas, there is no way to assess the extent to which criminal justice systems have been improved. Because state and local criminal justice requirements have never been inventoried on a nationwide basis according to a common set of standards, it is impossible to determine what level of funding and what types of programs would be needed to improve criminal justice or to reduce crime. More importantly, the LEAA approach is not to underwrite state and local criminal justice expenditures but to improve their criminal justice systems by funding demonstration projects.

The degree to which LEAA block grants have stimulated the development and implementation of innovative programs depends on the criteria applied to "innovative." Under the most stringent standard, only 9 percent of LEAA projects were innovations that had never been tried anywhere. If the criteria are broadened to include "generally accepted undertakings" that are new to a particular state, about 59 percent were innovative.

Advancing Knowledge

One of the most important roles of LEAA is its information function. Detailed reviews of LEAA's research and evaluation activities by the National Academy of Sciences and the General Accounting Office concluded, however, that:

- o The LEAA research program has produced products of mediocre quality and limited usefulness;
- o The extent and type of evaluation effort conducted by LEAA and the State Planning Agencies has been limited, the quality low, and the use little.

Although LEAA has not subscribed to these conclusions, the agency is taking steps to implement the studies' recommendations concerning those areas of the research program over which they have control.

ALTERNATIVE APPROACHES

This paper presents five budgetary options for LEAA over the next five years. Cumulative five-year appropriations for these

options range from \$3.9 billion for continuation of the current program to \$0.75 billion for phasing out the LEAA program entirely.

The five options selected are general examples of possible approaches. Only two of the alternatives assume the need for maintaining a separate federal agency (option I continues LEAA; option IV replaces it with a research agency). The specific options are:

- Option I: Continue funding LEAA at its current level (five-year appropriations totaling \$3.9 billion). Choice of this option would be based on a belief that the program has generally been worthwhile, considering its relatively small size and other constraints.
- Option II: Eliminate LEAA but provide the states with resources equal to the current level of formula grants, to be used in criminal justice programs without federal conditions or guidance (five-year appropriations totaling \$2.5 billion). Choice of this option suggests that the research function has been unsuccessful but that the states and localities have made good use of the moneys provided them directly.
- Option III: Eliminate LEAA but provide the states with resources equal to the current level of formula grants, to be merged into general revenue sharing funds and used in accordance with state priorities, not necessarily in criminal justice programs (five-year appropriations totaling \$2.5 billion). This option is similar to the preceding one, but it does not earmark funds for criminal justice programs.
- Option IV: Limit the LEAA support of the criminal justice system to research, statistics, and evaluation (five-year appropriations of \$1.4 billion). Choice of this option assumes that the most appropriate role for the federal government is to advance knowledge of criminal justice.
- Option V: Phase out LEAA entirely (five-year appropriations of \$0.75 billion).

Some \$6.6 billion has been appropriated for the Law Enforcement Assistance Administration (LEAA) since the Congress created the agency in 1968. The primary objective of those appropriations is to assist state and local governments in strengthening their law enforcement and criminal justice activities. Such assistance is usually provided through federal grants administered by LEAA.

LEAA's statutory mandate has been modified several times during the past decade. 1/ The legislative changes have been primarily ones of emphasis. In response to the rising crime rates and the social unrest of the 1960s, the Congress enacted the Omnibus Crime Control and Safe Streets Act of 1968. This act, which created LEAA, emphasized crime reduction and control of civil disturbances through stronger law enforcement activities. Subsequent amendments emphasized LEAA's broader mission, which is often described as a dual mandate--reducing crime and improving the criminal justice system.

The U.S. criminal justice system, which operates through federal, state, and local agencies, has three major functional components--the police, the courts, and corrections. The system includes such program areas as sentencing and code reform, prosecution and public defense, community involvement, and alternatives to institutional confinement. Although improving the effectiveness

1/ The most significant amendments to the Omnibus Crime Control and Safe Streets Act of 1968 have been made by: the Omnibus Crime Control Act of 1970, the Crime Control Act of 1973, the Juvenile Justice and Delinquency Prevention Act of 1974, the Public Safety Officers' Benefits Act of 1976, and the Crime Control Act of 1976.

and efficiency of the various criminal justice agencies is now considered the primary goal of LEAA, reducing crime still remains an objective of the program. Both those objectives are based on several key assumptions:

- o That the basic responsibility and authority for administering criminal justice rests with state and local officials rather than with the federal government;
- o That the application of additional federal funds to state and local criminal justice activities can make an important difference; and
- o That the federal government should not subsidize such ongoing operations but should provide seed money for innovative programs.

During the past ten years (fiscal years 1969-1978), the Congress has appropriated only 68 percent of the funds authorized for LEAA. More significant, the present authorization and appropriation levels are well below the peak years of funding. During fiscal years 1972 through 1976, annual authorizations ranged between \$1.0 and \$1.8 billion, as compared with the \$965 million currently authorized. Appropriations have also dropped substantially--from a high of \$887 million in fiscal year 1975 to \$647 million for fiscal year 1978. 2/ The present authorization expires at the end of fiscal year 1979 and the Congress will again need to address the question of the level of funds and the future of the LEAA program.

Since the program's inception, nearly every facet of LEAA operations has aroused criticism. Debate ranges from disagreement over its basic concept and purpose to program administration and implementation. This paper is intended to assist the Congress in determining the future level of appropriations for LEAA. The paper is based on a review of evaluations undertaken by various governmental and nongovernmental agencies and data obtained by the

2/ These data on funding levels, which include funds for the Juvenile Justice and Delinquency Prevention Act of 1974, were provided by the General Accounting Office (GAO).

General Accounting Office. 3/ The paper does not analyze individual programs within LEAA, rather it provides an overview of:

- o Characteristics of the current program;
- o Program results; and
- o Alternative budgetary approaches.

3/ Significant studies of LEAA have been undertaken by the Advisory Commission on Intergovernmental Relations, the Center for National Security Studies, GAO, the Mitre Corporation, the National Academy of Sciences, and the Twentieth Century Fund. These studies evaluated the program before enactment of the Crime Control Act of 1976. That act reauthorized LEAA and included several statutory amendments. Not enough time has elapsed to assess the impact of the 1976 amendments.



CHAPTER II. THE CURRENT PROGRAM

Assessment of the LEAA program depends to a large extent on one's perspective and expectations. This chapter covers the funding mechanism of LEAA, its expenditure patterns, the validity of the assumptions on which its funding is based, and LEAA's institutional framework.

THE FUNDING MECHANISM

The LEAA program was designed to give the states great flexibility in determining the use of federal funds. In fiscal year 1978, 61.4 percent of LEAA funds will be distributed to the states on a formula basis. The remaining funds (\$250 million) will be either spent directly by LEAA (for example, on research and administration) or distributed at its discretion to state and local governments.

Since the federal government has little discretion over the use of most LEAA funds, the program is considered a state block grant system. In administering the block grants, the states are required to pass on to local governments a minimum percentage of the total grant to the state. The percentage is determined by the size of all criminal justice expenditures at the local level relative to total state expenditures. The actual allocation of the subgrants to local governments is mainly at the discretion of the state government. The State Planning Agency (SPA) 1/ is the key decision point in the LEAA block grant system. As a practical matter, the individual SPAs determine the use of federal funds--within broad statutory limitations and LEAA guidelines. The result of the LEAA grant mechanism is that its funds are used to support a number of diverse projects, ranging in cost from less than \$1,000 to more than \$1 million.

1/ References in this paper to the State Planning Agency (SPA) include the agency staff and the State Supervisory Board.

Over the years, the Congress has diluted the block grant approach by legislating specific categories to which funds are allocated or special emphasis is given. A series of Congressional actions established national priorities in the following areas: corrections (1971), local coordinating councils and attention to high crime areas (1971), juvenile justice and delinquency prevention (1974), planning for the judiciary (1976), community anticrime programs (1976), and special programs for drug enforcement and victimization of the elderly (1976).

EXPENDITURE PATTERNS

Expenditures by all levels of government for criminal justice activities have increased from \$9.5 billion in fiscal year 1971 to \$15.9 billion in fiscal year 1975. The LEAA program represents only a small part of these expenditures--averaging less than 5 percent during this period (see Table A-2 in the Appendix). ^{2/} Since 1975, LEAA appropriations have declined to the point that they are now estimated to represent less than 3 percent of direct state and local expenditures for criminal justice.

For fiscal year 1978, total formula funds are \$397 million. Within these formula funds, \$50 million is earmarked for planning; \$30 million is for corrections; and \$64 million is for juvenile justice. ^{3/} Within those statutory limitations, the SPA is responsible for deciding which particular local jurisdictions are to receive funds and for what purpose.

Distribution to Local Governments

A recurring issue is whether LEAA funds are distributed to the local governments with the greatest need. A major study by the Advisory Commission on Intergovernmental Relations (ACIR) concluded that "a generally balanced pattern has evolved in the distribution

^{2/} General Accounting Office, Overview of Activities Funded by the Law Enforcement Assistance Administration (November 29, 1977), pp. 1 and 5.

^{3/} See Appendix Table 3 for detailed breakdown of spending by year.

of Safe Street funds to jurisdictions having serious crime problems." 4/ This conclusion is based primarily on a finding that, as a group, cities and counties with a population of more than 100,000 received block grants (cumulative from 1969 to 1975) in about the same proportion as their percentage of all crimes reported in the United States in 1973.

In reaching that conclusion concerning balanced funding, the ACIR merged city and county jurisdictions. If cities and counties are analyzed separately, the cities received only 52 percent of block grants even though they had 83 percent of all reported crime. In the counties, the share of funds and percentage of crime was the reverse (48 percent and 17 percent, respectively). Because the counties provide services (such as courts and corrections) that also benefit the city population, ACIR believed the merger to be appropriate. Nevertheless, the extent to which county services actually offset funding disparities is unknown, and significant variation among individual jurisdictions can be expected. 5/

Functional Distribution

An average of only 46 percent of LEAA block grant funds were allocated to police activities in fiscal years 1972 to 1975, whereas 61 percent of all state and local criminal justice funds were so allocated during the same period (see Table 1).

Since 1969, there has been a trend away from using LEAA funds for police activities. The percentage of LEAA funds devoted to the police function has dropped from 79 percent in fiscal year 1969 to 41 percent in fiscal year 1977 (see Table 2). This trend will probably continue in light of the 1976 amendments, which give special consideration to other areas, such as judicial activities. Within the nationwide totals, significant differences in functional distribution occur among individual jurisdictions.

4/ Advisory Commission on Intergovernmental Relations, Safe Streets Reconsidered: The Block Grant Experience, 1968-1975 (January 1977), pp. 189-90.

5/ Ibid., pp. 129-33.

TABLE 1. AVERAGE ANNUAL DISTRIBUTION OF TOTAL CRIMINAL JUSTICE FUNDS AND LEAA BLOCK GRANT FUNDS AMONG POLICE, COURTS, AND CORRECTIONS FOR FISCAL YEARS 1972-1975 a/

	Police	Courts	Corrections	Total
State and Local Direct Expenditures				
Annual average (millions of dollars)	7,023	1,584	2,878	11,485
Percent	61.1	13.8	25.1	100.0
LEAA Block Grants <u>b/</u>				
Annual average (millions of dollars)	226	87	182	495
Percent	45.6	17.6	36.8	100.0

a/ Estimates prepared by the Congressional Budget Office based on data supplied by the General Accounting Office, the Law Enforcement Assistance Administration, and the U.S. Bureau of the Census. In this table, criminal justice funds are limited to police, courts, and corrections.

b/ Grants that benefit more than one function are prorated among police, courts, and corrections.

TABLE 2. DISTRIBUTION OF LEAA BLOCK GRANT AWARDS BY CRIMINAL JUSTICE COMPONENT, FISCAL YEARS 1969-1977: PERCENT OF FUNDS AWARDED

	Police	Courts	Corrections	Total <u>a/</u>
1969	79	8	13	100
1970	64	8	27	100
1971	50	12	38	100
1972	47	17	37	100
1973	46	16	37	100
1974	44	19	37	100
1975	45	19	36	100
1976	40	23	37	100
1977	41	26	33	100

SOURCE: General Accounting Office.

a/ Detail may not add to total because of rounding.

One way to illustrate the wide latitude afforded local jurisdictions in using LEAA funds is to compare the funding distribution among police, courts, and corrections. The General Accounting Office compiled data on the cumulative distribution of LEAA funds from fiscal year 1969 through 1977 for 10 cities and 10 counties. ^{6/} These data show that, among the 10 cities, the proportion of block grants applied to police activities ranged from 40 percent in Hartford, Connecticut, to 73 percent in Columbus, Georgia. The courts received 14 percent in Casper, Wyoming, and 34 percent in both Des Moines, Iowa, and Fort Worth, Texas. The share for corrections ranged from 4 percent in Fort Worth to 33 percent in Twin Falls, Idaho. Similar variations were noted for the 10 counties selected by GAO. For example, the police function received 43 percent of LEAA block grant funds awarded to Franklin County, Ohio, and 87 percent of block grants awarded in New Haven County, Connecticut.

LEAA funds are used for a large variety of projects to reduce crime and improve criminal justice. Projects may cover such diverse activities as setting up special burglary enforcement units to providing legal services for inmates. The type of projects currently funded can be illustrated with information available for fiscal year 1977 (see Table 3). Data are available for only a limited number of projects--covering only about 15 percent of 1977 appropriations--because of recognized limitations in LEAA reporting. Projects related to prosecution activities received more funding in that year than any other category.

ASSUMPTIONS FOR FINANCIAL AID

Financial assistance is provided by LEAA on the assumption that crime can be reduced and criminal justice improved through the infusion of federal dollars into state and local agencies--mainly to police, courts, and corrections. Critics of the LEAA program

^{6/} The particular cities and counties selected were in states considered by LEAA to have reasonably accurate information-reporting systems; it is impossible, however, to determine the extent of "double counting" that results from some projects being reported in more than one functional area.

TABLE 3. DISTRIBUTION OF LEAA FUNDS IN FISCAL YEAR 1977

	Dollars in Millions	Percent of Funds Reported
Police		
Communications	6.6	6.0
Investigations	6.1	5.6
Patrol and crime prevention	6.2	5.7
Burglary units and recovery of stolen property	5.2	4.8
Narcotics squads	7.8	7.1
Surveillance and intelligence	2.8	2.6
Other	<u>9.0</u>	<u>8.2</u>
Total	43.7	40.0
Courts		
Administration, calendaring, and case processing	6.2	5.7
Prosecution	11.5	10.5
Investigation and pre-sentence reports	4.1	3.7
Pre-trial hearings and screening	4.0	3.7
Probation	5.4	4.9
Other, including facilities	<u>7.0</u>	<u>6.4</u>
Total	38.2	34.9
Corrections		
Medical, mental health, psychiatric, diagnostic services, and drug treatment	4.5	4.1
Recreation, religious, social, and visitor services	2.0	1.8
Facilities and construction	8.1	7.4
Other	<u>4.9</u>	<u>4.5</u>
Total	19.5	17.3
Other Programs		
Community-based rehabilitation, operations and construction	6.4	5.9
General facilities and construction	<u>1.5</u>	<u>1.4</u>
Total	7.9	17.8
Grand Total	109.3	100.0

SOURCE: Prepared by the Congressional Budget Office from data obtained by the General Accounting Office, Overview of Activities Funded by the Law Enforcement Assistance Administration (November 29, 1977), Appendixes II, IV, and V. The information on use of LEAA grants is supplied mainly by State Planning Agencies. Its reliability is limited, because of nonreporting and double-counting across program categories.

question this assumption. They argue that the basic forces affecting the level of crime and the resulting burden on government agencies lie outside the criminal justice system. These social and economic forces include demographic factors, economic conditions, and social and community institutions, such as the family, neighborhoods, schools, and churches. 7/ From this perspective, one would expect little to result from channeling money to state and local criminal justice agencies.

Considerable evidence and opinion support the argument that increases or decreases in crime are closely associated with the changes in the size of the youth population: "Crime is a young person's vocation." 8/ Persons aged 16 through 24 have the highest arrest rates and, because of the relatively large size of that population, youths account for about half of the arrests included in the U.S. crime index. A statistical analysis based on data from 1960 through 1976 found that the level of crime is related to the size of the youth labor force and associated unemployment. Changes in these factors statistically explained 97 percent of all variations in the crime rate. 9/ The size of the labor force at a

7/ For a summary of research findings on causes of crime, see Eleanor Chelimsky, High Impact Anti-Crime Program, Mitre Corporation, vol. II (January 1976), pp. 93-96.

8/ Timothy D. Schellardt, interview of James Q. Wilson, James A. Fox, and Marvin Wolfgang, "Maturing Population Will Bring a Decline in Crime, Experts Say," The Wall Street Journal, October 3, 1977, p. 1.

9/ Through a regression analysis by the Congressional Budget Office, the number of persons aged 16 to 24 in the noninstitutional labor force and the unemployment rate for that age group were correlated with the number of crimes reported in the U.S. Crime Index (murder, rape, robbery, aggravated assault, burglary, larceny, and auto theft). The coefficient of correlation (after correction for auto correlation in the error term) was 0.9742; and the Durbin-Watson statistic was 1.358.

given time reflects demographic changes as well as economic conditions. Several recent studies also indicate that changes in unemployment rates influence the level of criminal activity. ^{10/} It is difficult, however, to isolate the effect of changes in unemployment rates from the effect of changes in the size of the labor force.

Proponents of LEAA respond to criticism of the basic assumptions of LEAA financial aid with arguments that:

- o LEAA funds now represent less than 3 percent of total state and local expenditures for criminal justice functions;
- o The program's objectives and capacity have been oversold;
- o The LEAA program should be considered mainly as seed money to stimulate new approaches to reducing crime and improving the quality of the criminal justice system.

Those three points focus on the level and distribution of LEAA funding without considering demographic and economic factors. But if the basic forces affecting the extent of crime are exogenous to the criminal justice system, the assumption that improvements in the criminal justice system can reduce crime is questionable. Further, the state of the criminal justice system may be more affected by the increased number of crimes than by a lack of innovative programs. Current examples of an overload in the system as a result of increased crime include the backlog of court dockets and overcrowding in correctional institutions.

^{10/} Harvey M. Brenner, Estimating the Social Costs of National Economic Policy, Study for the Joint Economic Committee of the Congress (October 26, 1976), pp. 42-45 and 72-77; Richard H. Brown, "Economic Development as an Anti-Poverty Strategy," Urban Affairs Quarterly, vol. 9 (December 1973), pp. 165-210; Congressional Budget Office, Federal Prison Construction: Alternative Approaches (January 1977), p. 9; and William H. Robinson, Prison Population and Costs, Congressional Research Service (April 24, 1974), pp. 19-20.

INSTITUTIONAL FRAMEWORK

LEAA funds are administered through an intergovernmental system that consists of LEAA at the federal level, state and regional planning agencies, and other units of state and local government. This intergovernmental framework is intended to ensure that the LEAA program reflects state and local needs and priorities consistent with federal requirements. The mechanism for achieving that objective is an annual adoption of a comprehensive criminal justice plan for each state.

The annual plans are prepared and adopted by each State Planning Agency in cooperation with the Regional Planning Units (RPU) and other governmental units. (The SPAs and RPU are a direct outgrowth of LEAA and are funded mainly by federal planning grants.) State plans must be approved by LEAA before block grants are awarded. The preparation, adoption, and approval of these plans constitute one of the main reasons LEAA institutions exist at the federal, state, and regional levels. The state plans, which are a fundamental part of the LEAA's criminal justice role, have been controversial since the inception of the program.

Administrative costs of the program are currently estimated at about \$76.8 million for fiscal year 1978: \$26.8 million for LEAA management and operations, and \$50.0 million in grants for planning and associated activities. LEAA has about 800 federal employees and indirectly funds an estimated 3,200 employees of state and regional planning agencies. 11/

Total LEAA appropriations have decreased by about 27 percent since peak funding in fiscal year 1975. Administrative costs, however, have been about the same--some \$77 million. Thus, in proportion to total appropriations, administrative costs have increased from 8.6 percent in 1975 to 11.9 percent in 1978. A pure check-writing program would, of course, have much lower administrative costs. 12/

11/ LEAA regional offices were closed on September 30, 1977.

12/ Administrative costs for General Revenue Sharing, including antirecession fiscal assistance, are less than 0.1 percent.

Strengths and Weaknesses

Proponents of LEAA believe that one of the program's major accomplishments is that "a process has been established for coordination of efforts to reduce crime and improve the administration of justice." 13/ The intergovernmental advantages include cooperation in day-to-day operations and joint efforts that cut across functional and jurisdictional lines. The intergovernmental framework is credited with contributing to a "greater appreciation of the complexity of the crime problem and the needs of the different components of the criminal justice system." LEAA is believed to have established a "solid foundation" for the future realization of a well-integrated criminal justice system. 14/

Critics agree that LEAA has increased communication and coordination among criminal justice agencies. In their view, however, its main product has been the establishment of another layer of bureaucracy--4,000 strong among LEAA, SPAs, and RPUs. This bureaucracy "has been unable to develop strong ties among" the components of the criminal justice system. 15/ It is argued specifically that:

- o State criminal justice plans are of limited usefulness. They are used primarily to allocate funds and to comply with federal requirements. Even as an instrument for allocating federal funds, the annual state plans adopted by the SPAs often do not adequately reflect the needs and priorities of local officials. 16/

13/ Advisory Commission on Intergovernmental Relations, Safe Streets Reconsidered, p. 189.

14/ Ibid.

15/ Ibid., p. 190.

16/ Ibid., p. 85 (view of 42.3 percent of local officials responding to 1975 survey).

- o Well-integrated criminal justice systems do not generally exist at the state and local level. Most of the SPAs have little if any impact on program and resource decisions concerning the state's criminal justice system as a whole.
- o LEAA's role in approving state plans is largely perfunctory. LEAA does not have "adequate performance standards for evaluating the quality of state plans." 17/ In fiscal year 1978, however, LEAA began to evaluate all individual state plans before approving them. The evaluation is intended to determine the probable effectiveness of the plans in improving law enforcement and criminal justice and contributing to the states' efforts to deal with crime. 18/

17/ Ibid., p. 192.

18/ Not enough time has elapsed to assess the effectiveness of LEAA's efforts to evaluate state plans.

Assessment of the results of the LEAA program in the three major areas of the agency's concern--reducing crime, improving the criminal justice system, and advancing knowledge through research and evaluation--depends on the value judgments of persons reviewing the program.

REDUCING CRIME

Most advocates as well as critics of the program would agree that, if the objective of LEAA is to reduce the level of crime in the United States, the program cannot be viewed as a success.

The \$5.9 billion appropriated for LEAA from fiscal years 1969 through 1977 has generally been accompanied by a continuing rise in crime. The annual crime rate steadily increased between 1969 and 1975--from 3,636.7 to 5,281.7. ^{1/} The rate declined slightly in 1976 to 5,266.4. It is impossible to know how much of the change in rates is attributable to reporting differences rather than changes in the actual level of criminal activity.

From the standpoint of grant recipients, LEAA has enabled some jurisdictions to undertake crime-reduction activities (for example, new programs or improved operations) that otherwise would not have been possible. In their view, however, the program has had limited success in reducing or slowing the growth in crime. Of 384 state and regional planning officials surveyed in 1975 by the Advisory Commission on Intergovernmental Relations (ACIR), 7

^{1/} The annual crime rate is the number of index crimes reported to police per 100,000 inhabitants. Index offenses included in the Uniform Crime Reports cover seven categories: murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, total larceny-theft, and auto theft.

percent considered LEAA block grants a great success in combating crime, 62 percent thought the grants were moderately successful, and 31 percent believed the program had little or no impact. 2/

In a related ACIR survey of 1,570 state and local officials, 45 percent responded that they thought crime rates would have been no greater or only slightly greater without federal funds. Eighteen percent thought crime would have been far greater; 38 percent, moderately greater. 3/

Relatively few State Planning Agencies expect LEAA to reduce crime: 62 percent believed "little or no reduction in crime should reasonably have been expected as a result of the program." Regional planners and local officials were more optimistic, although 48 and 31 percent, respectively, expected little or no crime reduction. 4/

Even in the LEAA's special "impact cities" program, which provided \$140 million in discretionary funds to eight cities, findings on the effects of the program on crime reduction are inconclusive. At best, a consultant to LEAA found possible crime reduction effects in two cities (Denver and Dallas), where the number of burglaries was below the level expected without federal aid. 5/

Proponents of LEAA temper criticisms that the program has not had discernible success in reducing crime with observations that expectations have been too high and perhaps out of focus. They argue that the mandate to improve the effectiveness and quality of the criminal justice system is equally important.

2/ Advisory Commission on Intergovernmental Relations, Safe Streets Reconsidered: The Block Grant Experience 1968-1975 (January 1977), pp. 91-92.

3/ Ibid.

4/ Ibid.

5/ Eleanor Chelimsky, High Impact Anti-Crime Program, Mitre Corporation, vol. II (January 1976), pp. 385-91.

IMPROVING CRIMINAL JUSTICE

A recent study group in the U.S. Department of Justice cites several improvements in the criminal justice system in which LEAA has been an important source of funding: 6/

- o Reforms in criminal codes and unification of court systems in more than half the states;
- o Provision of counsel to indigent offenders;
- o Better police services, particularly in the area of patrol techniques and community relations;
- o Minority recruitment and equal employment opportunity;
- o More humane and rational corrections, probation, and community-based programs; and
- o Special programs in areas such as fighting organized crime, management of prosecution caseloads, and the career criminal program.

Although LEAA funding has contributed to these areas as well as to many others, there are no means of assessing the extent to which criminal justice systems have been improved. Because state and local criminal justice requirements have never been collected nationally according to a common set of standards, it is impossible to estimate the funding needed to improve criminal justice to reduce crime.

More importantly, the LEAA approach is not to underwrite state and local expenditures but to improve criminal justice by funding demonstration projects. From this perspective, two criteria are used in this paper to assess program results: (a) innovativeness, and (b) success in achieving stated objectives.

6/ Walter M. Fiederowicz, et al., Report to the Attorney General, U.S. Department of Justice Study Group (June 23, 1977), p. 29.

Project Innovation

In attempting to improve the effectiveness and quality of state and local criminal justice systems, LEAA relies heavily on the notion of providing "seed money" for new or innovative programs. The LEAA program is not intended to subsidize state and local operations, but to encourage experimentation and the diffusion of new ideas.

The degree to which LEAA grants have actually been "innovative" depends on the standards applied. Under the most stringent standard, State Planning Agencies reported that only 9 percent of LEAA projects had never been tried anywhere. If the criteria are broadened to include projects that had been tried in other states, the proportion increases to 30 percent.

If "generally accepted undertakings" that are new to a particular state are included, 59 percent of the projects were classified as innovative or new to the state in which the project was located. 7/ Put another way, about half of the 59 percent that were new or innovative were concerned with demonstrating program application and implementation rather than with new concepts or approaches. In view of appropriation cutbacks, future project funding will probably emphasize existing project commitments rather than new or innovative programs.

A qualitative assessment of the discretionary projects provides another measure of innovation in LEAA programs. An evaluation of 233 projects by the Mitre Corporation indicated that about 11 percent were considered innovative. Among the eight "impact cities," the highest percentage of innovative LEAA programs was found in Denver (27 percent), followed by Portland (24 percent), and Dallas (16 percent). The lowest percentages were in Cleveland, Newark, and St. Louis, where they ranged from 3.7 to 5.1 percent, respectively. 8/

7/ Advisory Commission on Intergovernmental Relations, Safe Streets Reconsidered, p. 133.

8/ Chelimsky, High Impact Anti-Crime Program, Chapter VII, Summary.

Project Success

Another way of evaluating the effectiveness of LEAA projects is by assessing the extent to which they achieved their own stated objectives. As a consultant to LEAA, Mitre reviewed 135 projects funded under the eight impact cities program. The projects were selected because Mitre believed sufficient evaluation documentation was available. Overall, the Mitre study found only about one-fourth of the evaluated projects were effective. One-third of the projects were classified as "possibly successful." The successful projects represented about 37 percent of the funds for the 135 projects. ^{9/}

ADVANCING KNOWLEDGE

One of the important roles of LEAA is its information function--as a "federal provider of answers." ^{10/} Responsibility for advancing criminal justice knowledge is shared by LEAA and the State Planning Agencies. The role of the SPAs in that function is limited to evaluating their own programs. LEAA is responsible for both evaluation and research. LEAA's research and evaluation efforts have been studied by several governmental and nongovernmental groups--namely, the National Academy of Sciences, the General Accounting Office, and the Advisory Commission on Intergovernmental Relations. Generally, the findings have been negative: little has been accomplished and results have been of low quality and limited usefulness.

^{9/} Ibid., Table XL, p. 333. It is impossible to know if the success rate would have been different for projects that could not be evaluated.

^{10/} Sara Carey, comments in New Directions for Federal Involvement in Crime Control, Subcommittee on Crime of the House Committee on the Judiciary, Committee Print No. 2, 95 Cong. 1 sess. (April 1977), p. 35.

Research

The research responsibility of the LEAA program rests with its National Institute of Law Enforcement and Criminal Justice. An assessment of the institute was published by a committee of the National Academy of Sciences in 1977. After 18 months of reviewing its work products from 1969 through 1975, the committee concluded that the institute "in its present form is not likely to become a significant and quality-oriented research agency." ^{11/} The study's major findings were:

Quality and Usefulness. Much of the institute's funded research has been mediocre and very little of it is used by SPA staff or practitioners.

Research Administration. Serious shortcomings include: weak advisory system, ineffective and nonexistent review procedures, exclusion of a large majority of the social science research community, and vulnerability to pressures detrimental to research.

Role and Mission. In responding to pressures for a "quick fix" or cure, the institute has neglected its primary mission of developing knowledge and has been unsuccessful in its direct service obligations (for example, technical assistance to SPAs, training programs, project evaluations, and so forth). The institute has been tied "to the pace and demands of LEAA's delivery system," which are impractical for an appropriate research program. It "has been asked to carry too large a share of the burden for making LEAA effective and accountable."

The committee of the National Academy of Sciences developed a number of recommendations based on those findings. The institute and LEAA have concurred with the study recommendations, and they have taken steps to implement those over which they have control. The remaining recommendations would require changes in the organizational relationship between LEAA and the institute.

^{11/} Susan O. White and Samuel Krislov, eds., Understanding Crime: An Evaluation of the National Institute of Law Enforcement and Criminal Justice, National Academy of Sciences, Committee on Research on Law Enforcement and Criminal Justice (1977), pp. 4-6.

Evaluation

The evaluation activities of LEAA and the SPAs have been intensively reviewed by the General Accounting Office during the last few years. The most recent review assessed evaluation activities at LEAA headquarters, the activities at four LEAA regional offices, and the LEAA programs in four states (Pennsylvania, Kansas, California, and Oregon) that together received about 17 percent of LEAA grants awarded in fiscal year 1976. Although the GAO study has not yet been completed, its preliminary findings are generally consistent with those of other studies:

- o The extent and type of evaluation was limited. Of 3,831 LEAA projects, some 17 percent (649) had been evaluated. Of the 61 evaluations examined in detail, only 16 percent were considered to assess adequately the project's outcome or its progress toward an overall goal. (This suggests that less than 3 percent of those projects are subjected to outcome evaluations.) Also, sound evaluation methodology (for example, control groups and independent data collection) was used minimally, and evaluations generally addressed individual projects rather than broader program issues, such as reducing recidivism.
- o The quality of LEAA evaluations was generally low. In assessing 42 sample evaluations in terms of 22 criteria (a total of 924 quality decisions), 79 percent of the total decisions were rated either "item not present," "inadequate," or "poor." An "adequate" rating was given in 20 percent of the decisions, and the highest rating of "superior" was given to only 1 percent. Among the 22 individual criteria, "unbiased and objective writing" received the highest ratings--17 of the 42 evaluations rated the writing either adequate or superior.
- o LEAA and SPA evaluations are little used. Evaluations are not generally planned and designed before project implementation, thereby limiting their quality and usefulness. Few key state officials are consulted in advance by LEAA and SPAs to identify evaluation needs. Decisions to do--and to use--evaluations are not based on the states' comprehensive planning needs, nor do SPAs systematically incorporate evaluation results into the planning process. Overall, 45 percent of key state officials rated their SPA evaluation efforts as either "inadequate" or "very inadequate."

The GAO investigation also found that LEAA and the states did not allocate adequate resources for evaluation. In addition, GAO found they had problems hiring and holding qualified staff.

Continuation of LEAA Programs

Another measure that has been used to evaluate the effectiveness of LEAA is the extent to which its grant projects have become institutionalized. That is, what percentage of LEAA projects are continued by state and local governments when federal funding ends (usually at the end of three years). Based on SPA estimates and a study by the GAO, about 64 percent of all federally terminated LEAA projects are continued at the same or a greater funding level. Budgetary and financial considerations are reported as the dominant reasons for discontinuing projects or funding them at a much lower level. 11/

There is, however, a wide difference of opinion about the meaning of those data. GAO concluded that the rates indicated "limited success in continuing projects." The Advisory Commission on Intergovernmental Relations, on the other hand, observed that the data "could also be interpreted as evidence of surprising success, given state and local revenue problems." 12/

More fundamental than the question of the percentage of LEAA projects that are continued is the question of whether or not they are worthwhile. The SPAs reported that "proven success" was a "very important" factor influencing continued funding. 13/ There is, however, no measure for assessing the extent to which such reports are based on sound evaluation. The low quality and limited usefulness of SPA evaluations suggest that a considerable amount of judgment and subjectively based opinion was used in determining success.

11/ Advisory Commission on Intergovernmental Relations, Safe Streets Reconsidered, pp. 148-51; and General Accounting Office, Long-Term Impact of Law Enforcement Assistance Grants Can Be Improved, GGD-75-1, December 1974.

12/ Ibid.

13/ Advisory Commission on Intergovernmental Relations, Safe Streets Reconsidered, p. 151, Table V-25.

CHAPTER IV. ALTERNATIVE APPROACHES

The budgetary choices for law enforcement assistance over the next five years (fiscal years 1979 through 1983) can be illustrated by describing five funding options. Each is an example of a possible approach--many variations are possible.

- Option I: Continue funding the LEAA program at its current level.
- Option II: Eliminate LEAA but provide the states with resources equal to the current level of formula grants, to be used in criminal justice programs without federal conditions or guidelines.
- Option III: Eliminate LEAA but provide the states with resources equal to the current level of formula grants, to be merged into general revenue sharing funds and used in accordance with state priorities, not necessarily in criminal justice programs.
- Option IV: Limit the LEAA support of the criminal justice system to research, statistics, and evaluation.
- Option V: Phase out the LEAA program entirely.

Only two of the five alternatives selected assume the need for a separate federal agency: option I would continue LEAA; option IV would replace LEAA with a research agency.

Table 4 compares the annual budget authority (appropriations) and outlay levels for each of the options. Cumulative five-year appropriations (1979-1983) range from \$3.9 billion for continuation of the current program (option I) to \$0.75 billion for phasing out federal assistance and research (option V). In fiscal year 1983,

TABLE 4. FIVE-YEAR COSTS OF ALTERNATIVE APPROACHES TO CURRENT LEAA PROGRAM: BY FISCAL YEARS, IN MILLIONS OF DOLLARS

	1978	1980	1981	1982	1983	Cumulative Total
Option I--Continue Current Program <u>a/</u>						
Budget authority	680	725	775	830	890	3,900
Outlays	728	734	749	774	826	3,811
Option II--Provide States with Current Level of Formula Grants						
Budget authority	500	450	480	515	555	2,500
Outlays	723	568	475	480	515	2,761
Option III--Merge into General Revenue Sharing						
Budget authority	500	450	480	515	555	2,500
Outlays	723	568	724	624	545	3,184
Option IV--Limit To Research, Statistics, and Evaluation <u>b/</u>						
Budget authority	455	280	250	245	210	1,440
Outlays	705	540	397	307	231	2,180
Option V--Phase Out LEAA Entirely						
Budget authority	400	200	100	50	--	750
Outlays	667	473	270	133	30	1,573
(Public Safety Officers' Benefits Program) <u>c/</u>						
(Budget authority)	(13)	(13)	(15)	(17)	(22)	NA
(Outlays)	(13)	(15)	(15)	(17)	(22)	NA

a/ Estimates for this option together with those for the Public Safety Officers' Benefits Program equal the CBO five-year projections for the Law Enforcement Assistance Administration. See CBO, Five-Year Budget Projections Fiscal Years 1979-1983, Technical Background (January 1978), Table 40, p. 102.

b/ Estimates do not include funds that might be transferred from other agencies.

c/ Funding for this program continues under all options.

the appropriations for the five alternatives range from \$890 million under option I to zero under option V. 1/ The projected outlays exceed estimated budget authority because commitments under appropriations in prior years are included.

OPTION I: CONTINUE FUNDING LEAA AT ITS CURRENT LEVEL

Under option I, appropriations are projected to increase from \$680 million in fiscal year 1979 to \$890 million in fiscal year 1983. The program would continue at the current 1978 level, with increases to allow for inflation. 2/ As a practical matter, the focus of the LEAA program would be on improving the effectiveness and quality of the criminal justice system rather than on reducing crime in the near term. Continuation of the current program would be favored by those who believe that federal guidance and leadership are significant factors in improving criminal justice at the state and local levels. System improvements would be supported by continuing to fund demonstration projects according to national priorities and funding categories.

The total resources would be well below the peak years of LEAA funding (1973-1975) and would require much greater selectivity in program design and implementation. Within the projected funding level, the reauthorization could make substantial changes in the present program. Key areas that could be considered include: the formula for distributing funds to state and local governments, the mix between formula grants and discretionary funds, and the purposes for which assistance is provided. A reauthorization would be required to extend the program beyond September 30, 1979. Eventually, the funding limit would need to be increased above the current authorization of \$815 million.

1/ Funding for the Public Safety Officers' Benefits Program would continue and is not included in the comparison of options for law enforcement assistance.

2/ Allowances for inflation in options I through IV assume annual cost increases averaging 6.9 percent from 1979 to 1983. No allowance is included in the phase-out of LEAA under option V.

OPTION II: PROVIDE THE STATES WITH THE CURRENT LEVEL OF FORMULA GRANTS, TO BE USED IN CRIMINAL JUSTICE PROGRAMS WITHOUT FEDERAL REVIEW

Appropriations under option II would increase from an estimated \$500 million in fiscal year 1979 to \$555 million in fiscal year 1983. The program would be limited to providing block grants to the states for law enforcement assistance without special categories or other detailed requirements. The projected estimates for block grants would allow modest increases to reflect the impact of inflation and an additional \$75 million in 1979 for transition costs.

This option recognizes that criminal justice is a state and local function. It assumes that the states are able to make decisions without federal review. The approach would preclude the establishment of national priorities for special categories, such as juvenile justice, corrections, and courts. Financial assistance would be placed on a pure block grant or so-called special revenue-sharing basis. Funds could be allocated to the states under the existing population formula or on some other basis (for example, consideration could be given to the size of the youth population or the labor force). So long as federal funds were used for law enforcement and criminal justice purposes, the states would be free to subgrant funds as they saw fit.

Under this alternative, the primary role of the federal government would involve disbursement and reporting activities similar to those carried out by the Treasury Department in administering general revenue sharing (GRS) and antirecession assistance to state and local governments. The estimates assume LEAA would be abolished after 1979. States could opt to continue the SPA planning mechanism established under the LEAA program. Federal responsibility and the accompanying bureaucracy would be reduced by approximately \$27 million. This annual reduction represents payroll and associated costs for some 800 LEAA jobs that would be eliminated. Some expenses would be incurred for carrying out check-writing activities.

This option runs the risk that funds would be diverted from law enforcement and criminal justice to other government programs or used to hold down state and local taxes. Such diversion has been experienced under general revenue sharing--although GRS funds are not limited to particular functional areas, such as criminal justice activities.

OPTION III: PROVIDE STATES WITH THE CURRENT LEVEL OF FORMULA GRANTS, TO BE MERGED INTO GENERAL REVENUE SHARING

Appropriations under option III are estimated to increase from \$500 million in fiscal year 1979 to \$555 million in fiscal year 1983. Termination of LEAA would occur in fiscal year 1981, when it is assumed that GRS would be increased by funds that would otherwise be projected for LEAA formula grants under the current program. That termination would coincide with the reauthorization of GRS, though an interim authorization for LEAA would be required for fiscal year 1980.

The rationale for this option is similar to that for option II--that state and local governments should be given more discretion in the use of federal funds. Option III, however, would allow much greater leeway, because federal funds would not be earmarked for criminal justice programs. As a group, state and local governments would not be financially penalized for the loss of LEAA formula grants.

This alternative would enable local governments to establish funding priorities--in terms of which programs are most important and how they rank with other claims for public funds. The local governments would be free to use the additional GRS funds for criminal justice or any other public purposes. There is thus no assurance that local governments would apply the additional revenue sharing funds to improving their criminal justice systems.

In the past there have been significant differences in the type of law enforcement activities funded by GRS and by LEAA grants. GRS funds were more likely to be used for capital items, one-time expenditures, and support of normal or ongoing operations. ^{3/} It is uncertain whether or not this pattern would continue if LEAA were no longer a source of funding.

^{3/} Advisory Commission on Intergovernmental Relations, Safe Streets Reconsidered: The Block Grant Experience 1968-1975 (January 1977), pp. 136-37.

OPTION IV: LIMIT THE FEDERAL ROLE TO RESEARCH, STATISTICS, AND EVALUATION

Under option IV, the present LEAA program would be replaced by a federal research and statistics program. With the phasing out of LEAA and the increases for research, total appropriations would decrease from \$455 million in fiscal year 1979 to \$210 million in fiscal year 1983. ^{4/} The projected funding assumes a gradual build-up of research capability from \$55 million in fiscal year 1979 to \$210 million in 1983. This provides for continued program growth--without a crash effort--and also allows for inflationary increases.

This option is premised on the belief that the responsibility for improving the criminal justice system and controlling crime should rest entirely with state and local agencies. It further assumes that the federal government is, however, the most appropriate level at which to advance knowledge of criminal justice. A centralized federal effort can, for example, collect nationwide data on a consistent basis, assess alternative approaches that have been tried in various jurisdictions, and serve as a clearinghouse for criminal justice research and information.

The termination of LEAA grants, under this option, assumes that there is little benefit in further federal funding of innovative criminal justice programs, since the potential for such innovation has already been tapped. The block grant program would be phased out by the end of fiscal year 1982, thereby giving the states time to make arrangements to fund some projects formerly funded with LEAA block grants.

The research effort under this option could take several forms. The National Academy of Sciences' Committee on Research on Law Enforcement and Criminal Justice has, for example, recommended that the National Institute of Law Enforcement and Criminal Justice be independent from LEAA, and that the institute include a bureau of criminal justice statistics that would incorporate the

^{4/} Estimates for research and statistics do not include possible transfer of funds from the Federal Bureau of Investigation or other programs.

activities of the National Criminal Justice Information and Statistical Service and those of the National Institute of Juvenile Justice. 5/ The need for a new approach to a federal information-gathering and research role in the criminal justice area has also been raised by other concerned groups. 6/

Unlike other proposals now being considered by the Administration to replace LEAA, this option does not assume continuation of aid to states and local communities. Under this option, however, contracts could be awarded to support research activities.

OPTION V: PHASE OUT LEAA ENTIRELY

Appropriations under option V would decrease from \$400 million in fiscal year 1979 to zero in fiscal year 1983. This option is derived from the belief that, after nine years and more than \$6.6 billion, the federal government and the states have had ample opportunity to experiment with new and innovative approaches to controlling crime and improving their criminal justice systems. The LEAA mechanisms for planning and intergovernmental coordination now in place could be used for deciding what actions to be most appropriate for continued local initiatives.

This approach assumes that much of the increase in crime and overburdening of criminal justice agencies is a result of demographic and economic factors over which state and local government institutions have little control. For example, it is estimated that the size of the young adult population (ages 16 to 24) increased by some two-thirds between 1960 and 1975, and that

5/ Susan O. White and Samuel Krislov, eds., Understanding Crime: An Evaluation of the National Institute of Law Enforcement and Criminal Justice, National Academy of Sciences, Committee on Research on Law Enforcement and Criminal Justice (1977), pp. 109-10.

6/ New Directions for Federal Involvement in Crime Control, prepared by the Subcommittee on Crime of the House Committee on the Judiciary, 95 Cong. 1 sess. (April 1977), pp. 6-9 and 80-96.

it will continue to increase--albeit at a much slower rate--until the early 1980s. Advocates of this option would argue that such demographic factors and economic conditions are so dominant that the current program of limited federal aid has little effect on the criminal justice system, at least on a nationwide basis.

Although federal aid from LEAA would be terminated under this alternative, some assistance for law enforcement activities could be obtained from other federal sources, such as general revenue sharing, Economic Development Assistance, and grant programs administered by various other departments. For example, it is estimated that some \$932 million of general revenue sharing funds will be used for new local law enforcement programs during the next five years (1979-1983).

ADMINISTRATION PROPOSALS

The Administration is reviewing several proposals, which include a reorganization of LEAA functions. Although LEAA may be abolished, assistance to state and local governments for criminal justice activities could be continued in some form. A new criminal justice research and data collection program is also being considered. It is anticipated that the reorganization plan will be sent to the Congress in the spring of 1978. The Administration's final proposal could represent a combination of several of the options presented in this paper.

7/ This Congressional Budget Office estimate is based on the assumption that 2.5 percent of GRS funds projected for fiscal years 1979 through 1983 will be applied to new law enforcement activities.

APPENDIX. HISTORICAL DATA ON LEAA FINANCING

TABLE A-1. LEAA AUTHORIZATIONS AND APPROPRIATIONS, FISCAL YEARS 1969-1978: IN MILLIONS OF DOLLARS

Fiscal Year	Amount Authorized <u>a/</u>	Amount Appropriated <u>a/</u> <u>b/</u>	Percent Change in Appropriations from Year to Year
1969	100.0	60.0	346.5
1970	300.0	267.9	97.5
1971	650.0	529.0	32.1
1972	1,150.0	698.7	20.4
1973	1,750.0	841.2	3.5
1974	1,000.0	870.5	1.9
1975	1,075.0	887.2 <u>c/</u>	(8.7)
1976	1,375.0	809.6	
TQ <u>d/</u>	230.0	205.0	(7.0) <u>e/</u>
1977	1,030.0	753.0	(14.1)
1978	<u>965.0</u>	<u>647.2</u>	
Total	9,625.1	6,569.3	

a/ Includes authorizations and appropriations under the Juvenile Justice and Delinquency Prevention Act of 1974.

b/ Appropriations are adjusted to exclude transfers to other agencies.

c/ Includes \$10 million transferred to Juvenile Justice and Delinquency.

d/ Transition quarter (July 1 to September 30, 1976).

e/ Compared with fiscal year 1976.

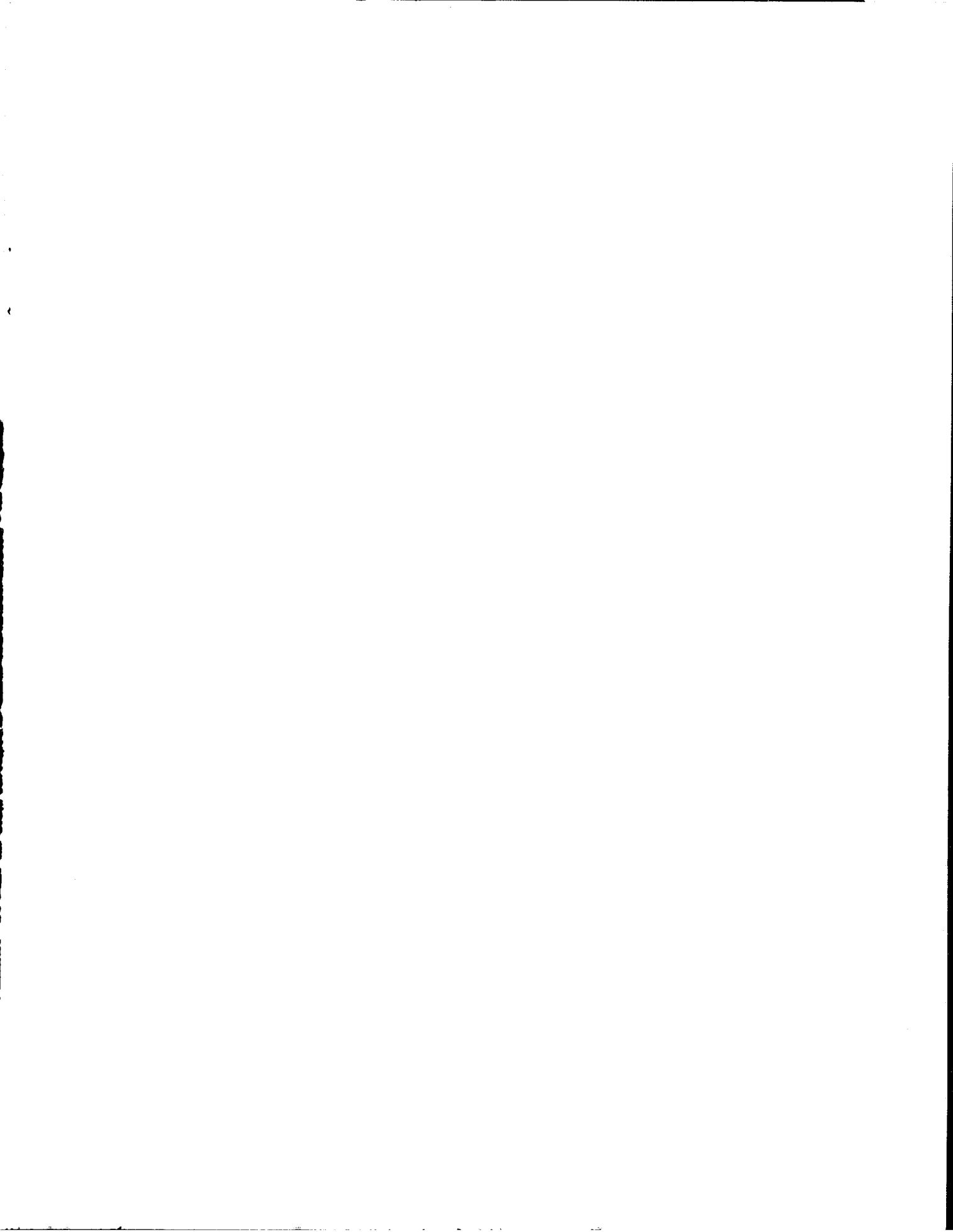


TABLE A-2. COMPARISON OF LEAA, STATE, AND LOCAL CRIMINAL JUSTICE EXPENDITURES, FISCAL YEARS 1971-1975: IN THOUSANDS OF DOLLARS

Fiscal Year	State Expenditures	Local Expenditures	LEAA Expenditures	Total Expenditures	LEAA Expenditures as a Percent of Total Expenditures
1971	2,681,419	6,620,807	232,938	9,535,164	2.44
1972	2,948,091	7,281,248	379,230	10,608,569	3.57
1973	3,303,608	8,052,323	623,214	11,979,054	5.20
1974	3,899,958	9,092,369	769,429	13,761,756	5.59
1975	<u>4,612,373</u>	<u>10,448,613</u>	<u>851,545</u>	<u>15,912,531</u>	5.35
Total	17,445,449	41,495,269	2,856,356	61,797,074	4.62

SOURCE: General Accounting Office, Overview of Activities Funded by the Law Enforcement Assistance Administration (November 29, 1977), p.6.

TABLE A-3. LEAA APPROPRIATION HISTORY, FISCAL YEARS 1969-1978: IN THOUSANDS OF DOLLARS

Budget Activity	1969 Actual	1970 Actual	1971 Actual	1972 Actual	1973 Actual
Direct Assistance (formula grants)					
Planning formula grants	19,000	21,000	26,000	35,000	50,000
Corrections formula grants	--	--	25,000	48,750	56,500
Juvenile justice formula grants	--	--	--	--	--
Criminal justice formula grants	24,650	182,750	340,000	413,695	480,250
Collateral Assistance (discretionary grants and contracts)					
Criminal justice programs (Part C disc.)	4,350	32,000	70,000	73,005	88,750
Correctional programs (Part E disc.)	--	--	22,500	48,750	56,500
Juvenile justice programs					
Special Emphasis	--	--	--	--	--
Juvenile Justice Institute	--	--	--	--	--
Technical Assistance	--	--	--	--	--
Concentration of Federal Effort	--	--	--	--	--
Total juvenile justice	--	--	--	--	--
High crime area program	--	--	--	--	--
Community anticrime program	--	--	--	--	--
Technical assistance	--	1,200	4,000	6,000	10,000
Educational assistance and special training programs					
Law Enforcement Education Program	6,500	8,000	21,250	29,000	40,000
Educational Development	--	--	250	1,000	2,000
Internship	--	--	500	--	500
Section 402 Training	--	--	500	1,000	2,250
Section 407 Training	--	--	--	--	250
Total educational assistance	6,500	18,000	22,500	31,000	45,000
National Institute of Enforcement and Criminal Justice	3,000	7,500	7,500	21,000	31,598
Data systems and statistical assistance	--	1,000	4,000	9,700	21,200
Public Safety Officers' Benefits Program	--	--	--	--	--
Management and Operations	<u>2,500</u>	<u>4,487</u>	<u>7,454</u>	<u>11,823</u>	<u>15,568</u>
Total	60,000	267,937	528,954	698,723	841,166 <u>a/</u>
Transfer to Other Agencies	3,000	182	46	196	14,431
Total Appropriated	<u>63,000</u>	<u>268,119</u>	<u>529,000</u>	<u>698,919</u>	<u>855,597</u>
Positions (PFT)	225	343	448	546	660

SOURCE: Data provided by LEAA Budget Division.

a/ Excludes \$14.2 million transferred to Department of Justice.

b/ Excludes \$7.829 million transferred to Department of Justice.

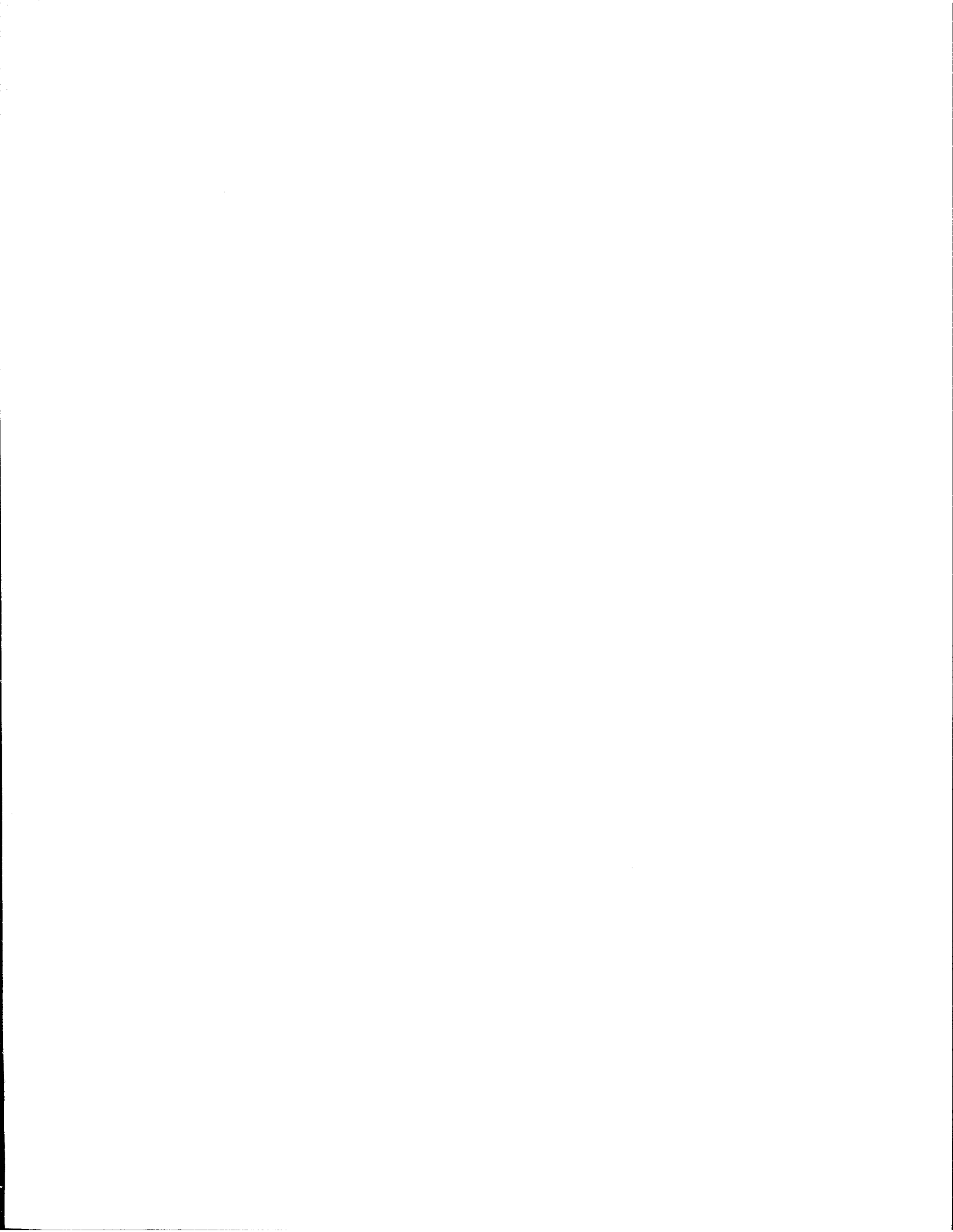
TABLE A-3. (Continued)

1974 Actual	1975 Actual	1976 Actual	Transition Quarter Actual	1977 Actual	Total Fiscal Years 1969 - 1977	1978 Actual
50,000	55,000	60,000	12,000	60,000	388,000	50,000
56,500	56,500	47,739	10,500	36,838	338,327	29,849
--	10,600	23,300	5,750	47,625	87,275	63,750
480,250	480,300	405,412	84,660	313,123	3,204,790	253,717
88,750	84,000	71,544	14,940	55,256	582,595	44,773
56,500	56,500	47,739	10,500	36,838	335,827	29,849
--	10,750	11,560	2,950	18,875	44,075	21,250
--	3,150	4,000	1,000	7,500	15,650	11,000
--	--	--	--	--	--	3,000
--	--	500	--	1,000	1,500	1,000
--	13,900	16,000	3,950	27,375	61,225	36,250
--	--	--	--	14,600	14,600	--
--	--	--	--	15,000	15,000	15,000
12,000	14,000	13,000	2,500	13,000	75,700	11,000
40,000	40,000	40,000	40,000	40,000	314,750	30,000
2,000	1,500	500	--	500	7,750	500
500	500	250	--	300	2,550	300
2,250	2,250	2,250	600	3,250	14,350	3,168
250	250	250	--	250	1,250	250
45,000	44,500	43,250	40,600	44,300	340,650	34,218
40,098	42,500	32,400	7,000	27,029	219,625	21,000
24,000	26,000	25,622	6,000	21,152	138,674	16,000
--	--	--	--	15,000	15,000	15,000
17,428	21,500	23,632	6,560	25,864	136,816	26,844
870,526	887,171 <u>b/</u>	809,638	204,960	753,000	5,922,075 <u>a/b/</u>	647,250
149	7,829	--	--	--	25,833	--
<u>870,675</u>	<u>895,000</u>	<u>809,638</u>	<u>204,960</u>	<u>753,000</u>	<u>5,947,908</u>	<u>647,250</u>
691	801 <u>c/</u>	822	822 <u>d/</u>	830	--	700

c/ Excludes 51 positions appropriated through juvenile justice supplemental.

d/ Includes 20 positions transferred from Bureau of Prisons, 1 from Department of Health, Education and Welfare.





END