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Ten Years
of LEAA



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Ten Years of LEAA

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A report on the impact that a decade of federal efforts in law enforcement and the administration of justice has had on 59 American cities.

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November 1979



The National League of Cities

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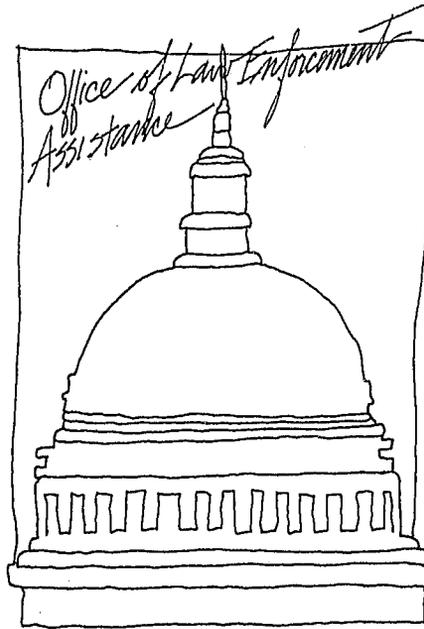
In the past ten years, the Law Enforcement Assistance Administration has been the sole source from which cities could obtain funds to try innovative ideas within their criminal justice systems. Local money for new ideas has not been available because of financial problems encountered by most cities in the 1970s. What has the impact of LEAA and its predecessors been on cities during the decade past? What has its money been used for? How is that usage changing, and how do cities feel about the program now?

The agency is presently in the midst of a new restructuring, the outcome of which is still unknown. At the same time, its appropriations have been dramatically slashed, leading to speculation as to the continuation of the program as it has functioned in the past. The most important challenge will be whether LEAA will be able to streamline its operation effectively enough to work within current budget limitations and at the same time provide the national direction and vision in the criminal justice arena which no other agency can.

How LEAA Came into Being

The Law Enforcement Assistance Administration (LEAA) had its origins in the early 1960s, a period of rapid social change fueled by population migration and urbanization and accompanied by an increase in crime. By 1964, presidential candidate Barry Goldwater had seized on the public outcry against crime in the streets and hoisted the "law and order" banner to national prominence.

In a special message to Congress on law enforcement and the administration of justice in May 1965, President Lyndon Johnson declared his "war on crime," explaining that crime was no longer merely a local problem but had become a national concern. Following this message, President Johnson proposed to Congress legislation to create the Office of Law Enforcement Assistance (OLEA), the forerunner of LEAA.



The OLEA program was designed primarily to promote new ideas in law enforcement by supporting research, innovative programs and criminal justice personnel training. Funded at \$7 million a year, it provided direct grants to local, state and private agencies and institutions.

In July 1965, President Johnson appointed a Presidential Commission on Law Enforcement and the Administration of Justice, headed by Nicholas J. Katzenbach. For 18 months the commission examined the causes and extent of crime as well as possible solutions to the crime problem.

The commission's report, which consisted of more than 200 recommendations, called for establishment of a federal agency to support local law enforcement and criminal justice efforts. It recommended that the proposed agency be administered by a presidential appointee who would work in the Department of Justice under the attorney general.

To implement the commission's recommendations, President Johnson first proposed the Safe Streets and Crime Control Act in his February 1967 message to Congress on "Crime in America." He recommended that Congress establish an extensive categorical federal aid program to assist local governments. The method of funding was to be similar to that of other existing federal grant programs, with direct aid to local governments. The rationale for bypassing the states was that law enforcement was traditionally a local function and responsibility; in addition, states

had shown little interest in law enforcement in the past.

In subsequent congressional action, four amendments to the administration's bill were eventually adopted. The most important was the Cahill amendment, proposed by Rep. William T. Cahill of New Jersey. Instead of the administration's categorical funding approach, which focused on specific areas of national priority, emphasizing the federal-local relationships, Cahill's amendment called for a state block-grant approach to funding. The amendment thus shifted the major share of responsibility for fund allocation and program administration to state governments via the new state planning agencies. The reason for the shift was the belief that a state mechanism could best avoid duplication and conflicts between local and state criminal justice efforts.

The changes in the bill displeased President Johnson, who waited until the last possible moment to sign it. But on June 18, 1968, the Omnibus Crime Control and Safe Streets Act, which created LEAA, was signed into law. This bill, the first major piece of legislation to use the block-grant concept, had been conceived in a period of great national upheaval and was born in the midst of congressional controversy and presidential ambivalence.

The act stated its intent "to assist state and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of

government, and for other purposes." Title I of the act called for the creation of LEAA for the following purposes:

1. "To support statewide planning in the field of criminal justice through the creation of state planning agencies";
2. "To supply the states and localities with block grants of federal funds to improve criminal justice systems";
3. "To make discretionary grants to special programs in the field of criminal justice";
4. "To develop new devices, techniques, and approaches in law enforcement through the National Institute of Law Enforcement and Criminal Justice"; and
5. "To supply money for the training and education of criminal justice personnel."

An examination of LEAA's activities over the past decade reveals a history of controversy. The agency has wrought many changes: changes in mandating administrative design and personnel and in congressional attitudes. These changes have reflected new insights into the nature of crime control and prevention.

Born in a period when America was experiencing political assassinations, a militant antiwar movement and an escalating crime rate crowned by riots in major urban areas, LEAA's early emphasis was understandably on law enforcement. Congress, recognizing the need for a more comprehensive criminal justice program, first amended the act to set

aside funds for corrections. Subsequently, LEAA funds were earmarked for other components of the criminal justice system.

The main insight Congress gained from these changes was an understanding of the importance of maintaining a balanced criminal justice system. This balance, however, was not easy to achieve. As improvements were made in one area of the system, an imbalance in the rest was created. Then the whole system had to be realigned to redress the imbalance. This process has occurred many times during the 10 years of LEAA's existence.

The LEAA program has been criticized for its inability to reduce crime, for its frequent changes in direction and emphasis and for the disproportionate amount of its funds spent on law enforcement. But LEAA's critics have failed to realize that with the agency's limited funding (each year, the program accounts for about 5 percent of total criminal justice expenditures) the only real impact LEAA could have was through the promotion of innovation and experimentation. "Seed" money from LEAA permitted local and state criminal justice planners to try new concepts and techniques that ordinarily would have been prohibited by budget limitations. Even programs that failed were useful to the extent that they provided criminal justice agencies with a knowledge of what would or would not work—knowledge that could then be communicated throughout the system.

Thus LEAA in its first 10 years has proved that the federal government could play a nec-

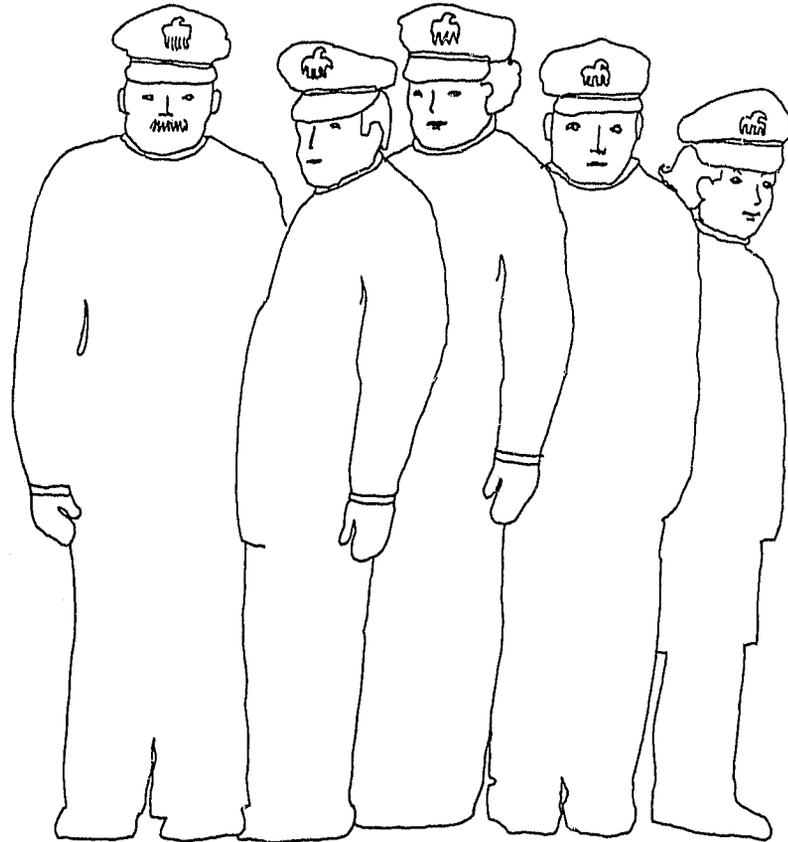
essary role in nationwide approaches to crime reduction. By supplying enlightened leadership, fresh perspectives and funds to try new things, LEAA can facilitate an efficient and humane criminal justice system.

The Administration of LEAA

As already noted, the 1968 Crime Control and Safe Streets Act that spawned LEAA was a result of intensifying public concern about the ability of law enforcement agencies to cope with soaring crime rates. Because of this new focus on a broad problem, a compromise between the levels of government involved had to be designed into the legislation.

Control of the new agency was placed in the hands of a three-person "troika" (including both Democrats and Republicans) which was required to act unanimously. President Johnson's choices for the troika, Patrick Murphy, Wesley Pomeroy and Ralph Sui, were never confirmed, although they did administer the program for the remainder of the Johnson administration. When Richard Nixon became president, their names were withdrawn, and Charles Rogovin, Richard Velde and Clarence Coster were nominated instead. Fifteen months later, Rogovin resigned, stating that the troika was unworkable.

At that time, June 1970, the first reauthorization hearings were being held. Already the agency was under attack, and the hearings provided an opportunity to review and evalu-



ate LEAA's first two years of existence. The key criticisms focused on the states' competence to administer the programs, the lack of sufficient funds for urban areas with the highest crime rates, and the allocation of too much money for law enforcement and too little for courts and corrections.

The Omnibus Crime Control Act of 1970 that resulted addressed some of these problems. The major changes in the 1970 act required the states to allocate "an adequate share" of federal funds to high-crime areas, earmarked 20 percent of LEAA's action funds for corrections and modified the trouble-ridden troika by eliminating the unanimity requirement.

In 1973, LEAA's authorization was again extended. President Nixon's proposal for a special revenue-sharing program for law enforcement, which would have reduced federal restrictions on the use of LEAA funds, was voted down. In fact, much of the criticism of the agency's performance was addressed to LEAA's failure to exercise sufficient control over the states' spending of funds.

During the 1973 reauthorization hearings, big-city mayors pleaded unsuccessfully for direct funding to high-crime, urban areas. They did succeed, however, in changing the law to allow planning grants to be awarded directly to metropolitan areas. Under the 1973 act, the troika was finally replaced by an administrator with two deputies. In addition, matching fund requirements were reduced, offender rehabilitation and juvenile delinquency prevention were added to the declaration of intent, and, perhaps most signifi-

cantly, LEAA's mandate was expanded to include improvement of the criminal justice system, in contrast to the previous emphasis on reduction of crime.

The new congressional focus on juvenile problems was strengthened with the establishment of the Office of Juvenile Justice and Delinquency Prevention within LEAA on August 7, 1974. Before that time, the Juvenile Delinquency Prevention and Control Act of 1968 had been administered by the Department of Health, Education and Welfare.

In October 1976, LEAA was reauthorized again for three additional years. The three-year period represented a compromise between the five-year authorization sought by



the Senate and the one-year period proposed by the House. As in the past, the legislative manipulations prior to enactment were fraught with controversy. Cities again protested that the act did not provide enough local control and that the states were being given a disproportionate share of the responsibility. The Senate adopted a provision instituting a mini-block-grant concept for local units of government, but a similar amendment was rejected by the House. When the final compromise version emerged from the joint conference committee, the mini-block-grant concept was not included.

The 1976 bill did, however, make some important changes, including the following:

1. Establishment of a new Office of Community Anti-Crime Programs within LEAA and earmarking of \$15 million specifically for this purpose;
2. Provisions to strengthen the states' judicial systems;
3. Improvement of evaluation and monitoring procedures;
4. Provision of stronger congressional oversight; and
5. Earmarking of 19.15 percent of LEAA funds for juvenile delinquency programs.

In 1977, the Office of Juvenile Justice and Delinquency Prevention was reauthorized to continue as a separate entity within LEAA. The chief issue involved in the reauthorization was the requirement for deinstitutionalization of juvenile status offenders. Although the 1974 act had established

deinstitutionalization as a national priority, most states had been unable to achieve complete deinstitutionalization within the allotted two-year time limit. The 1977 act reaffirmed the deinstitutionalization requirement as a condition for receiving block-grant funds, but the time period for compliance was extended to three years and allowances were made for "substantial compliance." Other changes included the establishment of a 50 percent matching funds requirement for planning grants and the elimination of any match requirements for action grants.

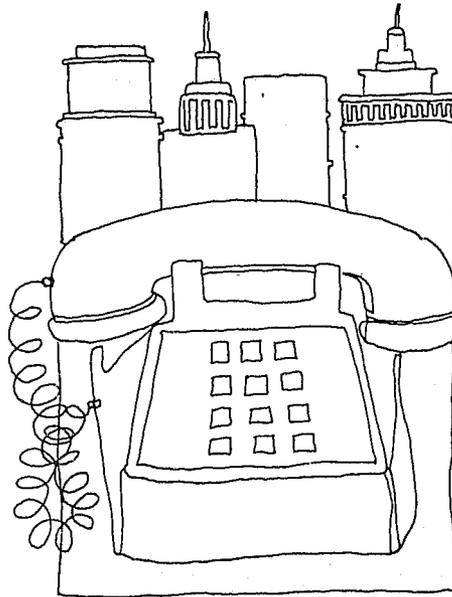
LEAA and the Cities

Given the fragmented history of LEAA authorizations and fundings, what effect did LEAA have on criminal justice programs in urban areas? It was, after all, big cities that President Johnson was thinking of when he launched his "War on Crime." The concept of a direct relationship between cities and the federal government was certainly eroded as a result of the 1968 act under which state planning agencies became the funnel for federal funds and the focus for criminal justice planning. But money did go to cities for new efforts in the fight against crime. Local criminal justice planning offices were established to direct urban criminal justice planning. Ultimately the new efforts were administered at the local level by both elected and appointed officials responsible to the citizens they served.

In September 1979, the National League of

Cities conducted a nationwide telephone survey to assess the impact of LEAA on cities. Representatives of 59 major U.S. cities with populations of 250,000 or more participated. All participating cities had received LEAA funding for a variety of criminal justice projects over the past 10 years. Criminal justice planners in these cities were asked questions about the following programs, all of which were developed through "seed" money from LEAA:

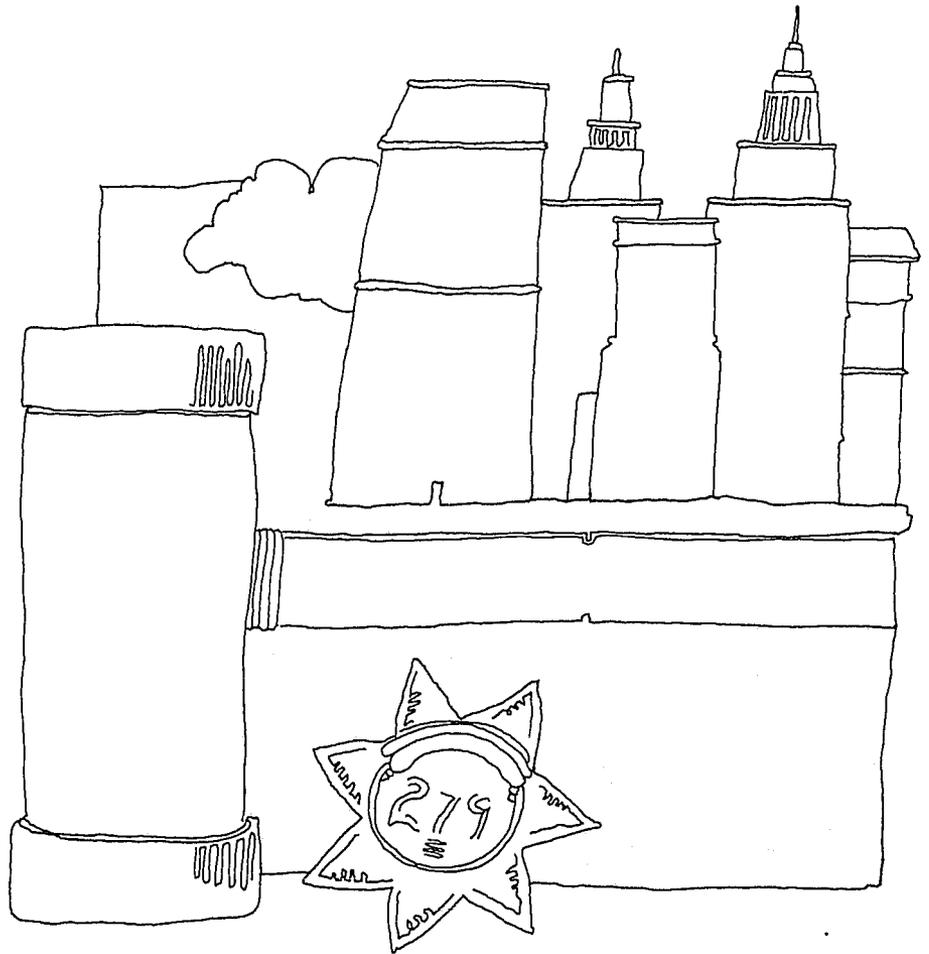
1. Prosecutor's Management Information System (PROMIS)



2. Integrated Criminal Apprehension Program (ICAP)
3. Career Criminal Program
4. "Sting" Operations
5. Deinstitutionalization of Status Offenders
6. Community Crime Prevention
7. Bulletproof Vest Purchases for Police
8. Dispute Settlement Centers
9. Victim Assistance Centers
10. Witness Assistance Centers
11. Victim/Witness Program
12. Jury Management Program
13. Pretrial Release Program
14. Shelters for Battered Women
15. Sexual Assault Prevention Program

Local planners were first asked if any of these programs had previously operated or were currently operating in their cities. Then for each program in operation, city representatives were asked the source of funding: LEAA, state government, local government, other or combination.

Figure 1 illustrates the number of programs that operated in the 59 cities during the past 10 years. The most common program in operation was Community Crime Prevention, in which 54 of the 59 surveyed cities were participating. The second most popular program—in which 45 of the surveyed cities were participating—provides shelters for battered women. Figure 2 shows funding sources for these programs. LEAA as the sole source of funding or LEAA funds combined with local or state funds provided the bulk of the financial backing for all of the programs.



Local planners also were asked about LEAA's impact on the following areas of criminal justice:

1. Development of criminal justice planning
2. Formation of criminal justice coordinating councils
3. Development of crime analysis techniques
4. Improved systemwide communications
5. Improved resource allocation and system balance
6. Deinstitutionalization of status offenders
7. Criminal justice training and education
8. Increased criminal justice program evaluation
9. Police officer performance
10. Police officer safety
11. Alternatives to adjudication
12. Alternatives to incarceration
13. Jury management
14. Victim/witness services

In each case, city representatives were asked if LEAA had contributed very much, somewhat, or not at all, to the success of the program.

The results are shown in Figure 3. The overwhelming majority, 38 of the 59 questioned, felt that LEAA had made its greatest contribution in the development of criminal justice planning and formation of criminal justice coordinating councils. LEAA's influence was felt less directly in police safety, but was strong in criminal justice training and educa-

tion programs. From the data collected it is clear that the cities have benefited enormously from participation in LEAA programs.

Each planner was asked to identify his or her city's major benefit from the LEAA program during the past 10 years. The benefit cited by most of those questioned was improved coordination and communication between a variety of agencies and government levels in the field of criminal justice. Criminal justice coordinating councils were said to be especially useful arenas for exchanging information on programs and projects as well as for planning future efforts. This "systems" outlook is credited with improving planning and making it the key to maximum use of available resources.

LEAA also is given credit for funding new, innovative programs in criminal justice. Many of the people questioned readily admitted that lack of local funding sources would have caused them to hesitate to develop more creative programs, but that LEAA money has made such programming possible. Many programs such as PROMIS (Prosecutor's Management Information System) and Victim/Witness Assistance Programs, which now are an accepted part of many cities' plans to combat crime, began as experimental efforts with grants from LEAA.

Other benefits to cities that local authorities credited to LEAA include the availability of equipment and training for police officers and the establishment of guidelines and resources

to enable localities to improve correctional systems.

Despite the high marks given to LEAA in most areas, urban criminal justice professionals expressed concern about some aspects of their relationship with the agency. Their almost universal complaint concerned local relationships with the state planning agencies that are responsible for coordinating statewide policy and programs. These agencies, which can fund or refuse local projects, require extensive justification and paperwork for projects that are approved. Most local planners believe that local criminal justice problems are best handled at the local level. In particular, they cite what they consider the state planning agencies' overregulation and unrealistic guidelines. Local people also complain about the increasing amount of paperwork and forms required at both state and federal levels, coupled with decreased funding. One criminal justice planner said, "It's a trade-off—the paper for the program, but the program is shrinking and the paper is growing."

When local planners were asked for their suggestions about changes in LEAA programs, they asked first for coherent, consistent program guidance at the federal and state levels. Most recognize that the state's role in planning and control over most funds will not be eliminated in the near future. Nonetheless, city representatives asked for a stronger role for local jurisdictions in LEAA programs. Most people questioned suggested that the partnership between the cities and the federal

government should be equal to the federal-state partnership. Most respondents also stressed the importance of good program evaluation to local planning. They emphasized the value of finding out which programs work and why, and then of disseminating this information. To quote one respondent, "Evaluation programs should always include a way to get the information out to the locals."

New Directions for LEAA

As previously noted, cities have been pleading for more local control over LEAA dollars since the creation of the program. Although the basic philosophy behind the block-grant concept has been modified through the years, as funds have been earmarked for corrections, courts, juvenile justice and other program areas, the general notion of local planning as dictated by local needs for LEAA funds has, for the most part, gone unnoticed. But throughout the past 10 years, cities, through their mayors, have petitioned Congress for greater local control.

At last, it appears that Congress has heard the message. At LEAA's tenth anniversary, new legislation is pending that calls for direct funding to cities and city-county combinations. State planning agencies will still function as statewide coordinators of LEAA funds, but the direct pass-through of funds to local planning units will allow cities to plan according to individual needs. Although local program plans will still require approval from

the state planning agency, the proposed legislation dictates that cities will have a much greater role in the establishment of statewide priorities. As a result, a major source of friction between cities and states should be eliminated.

LEAA officials have predicted that fiscal year 1980 will be a year of transition for their organization, a time when the future of LEAA will be evaluated and a new administrative structure will emerge. It seems appropriate, then, to use this year to bring the message of cities to the evolving criminal justice agency.

Crime and the fear of crime are still major urban problems. Cities applaud the new language that will entitle them to more direct federal funding, but they are aware that less money is available to fund the programs they need. Long-targeted needs of cities will not be met unless the federal criminal justice budget is restored to a level at which cities can do more than just identify their problems. It has been predicted, for example, that domestic violence may approach epidemic proportions in the next decade. Yet there is no consolidated data source to aid criminal justice planners in developing local programs to deal with child or spouse abuse. Experiments with victim compensation and victim/witness support programs in various parts of the country have proved successful. Funding to expand this program would permit more cities to offer such aid to the often-forgotten person in the criminal justice system, the victim.

Our cities are pressing for a strong criminal

justice system that is responsive to the problems of urban areas. LEAA's accomplishments over the past 10 years deserve to be recognized. The next 10 years can be even more productive if the agency receives increased federal funding, nationwide support and a renewed commitment to improvement and innovation in the criminal justice system.



Questionnaire for the 10-Year Retrospective Look at LEAA, Used by the National League of Cities in Its Telephone Survey, September 1979

	Very Much	Somewhat	Not At All
1. In your city has LEAA contributed to programs concerned with the—			
a. development of criminal justice planning?	_____	_____	_____
b. formation of criminal justice coordinating council?	_____	_____	_____
c. development of crime analysis techniques?	_____	_____	_____
d. increased systemwide communications?	_____	_____	_____
e. improved resource allocation and system balance?	_____	_____	_____
f. deinstitutionalization of status offenders?	_____	_____	_____
g. criminal justice training and education?	_____	_____	_____
h. increased criminal justice of program evaluation?	_____	_____	_____
i. police officer performance?	_____	_____	_____
j. police officer safety?	_____	_____	_____
k. alternatives to adjudication?	_____	_____	_____
l. alternatives to incarceration?	_____	_____	_____
m. jury management?	_____	_____	_____
n. victim/witness services?	_____	_____	_____

-
2. What has been the major benefit from the LEAA program in your city during the past ten years?

-
- 3 a. Does your city now have or has it had the following programs—

	Has	Had	No
1. PROMIS	_____	_____	_____
2. ICAP	_____	_____	_____
3. Career Criminal	_____	_____	_____
4. "Sting" Operations	_____	_____	_____
5. Deinstitutionalization of Status Offenders	_____	_____	_____
6. Community Crime Prevention	_____	_____	_____
7. Bulletproof Vest Purchases for Police	_____	_____	_____
8. Dispute Settlement Centers	_____	_____	_____
9. Victim Assistance Centers	_____	_____	_____
10. Witness Assistance Centers	_____	_____	_____
11. Victim/Witness Program	_____	_____	_____
12. Jury Management Program	_____	_____	_____
13. Pretrial Release Program	_____	_____	_____
14. Shelter for Battered Women	_____	_____	_____
15. Sexual Assault Prevention Program	_____	_____	_____

3 b. For each of the programs that you have had in your city, please note the source of funding, if possible.

	LEAA	State	Local	Other	Combination of Sources
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

4. Have there been major problems with the LEAA program in your city in the past 10 years? (Explain briefly)

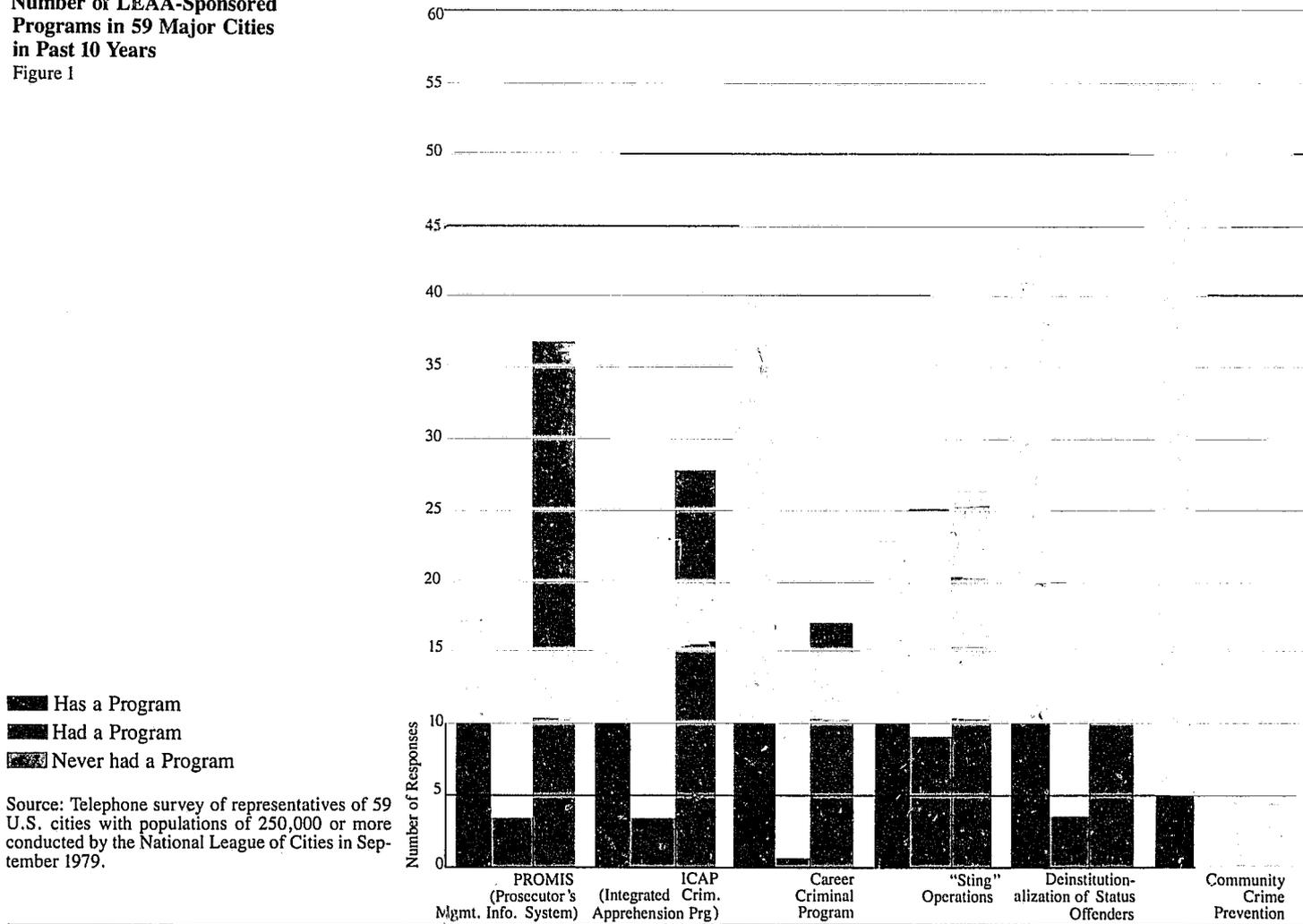
5. What are the three most important lessons you think should have been learned after 10 years of the LEAA program?

6. What are three major changes you would like to see in the program for the future?

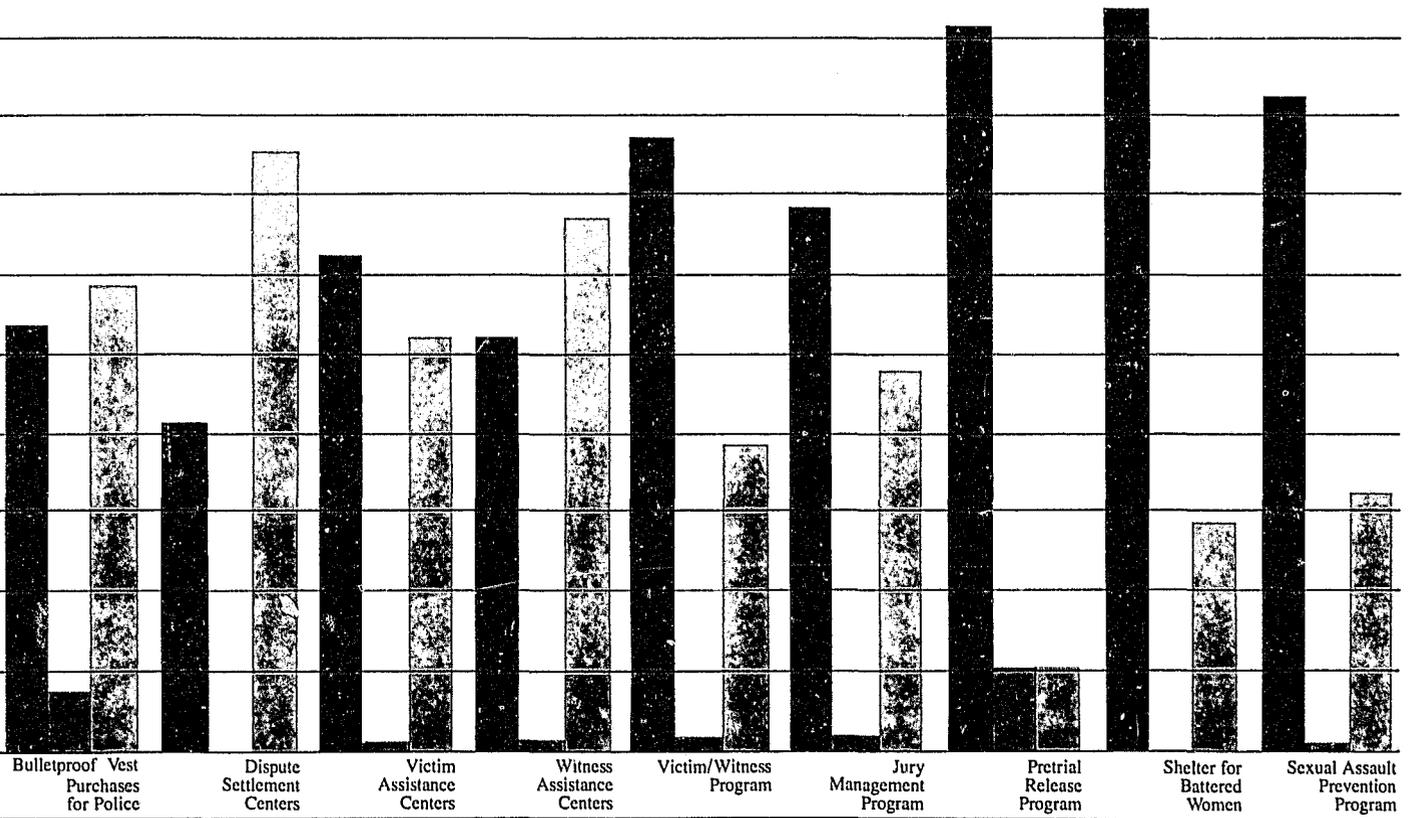
7. Do you think the LEAA program should be continued?

Number of LEAA-Sponsored Programs in 59 Major Cities in Past 10 Years

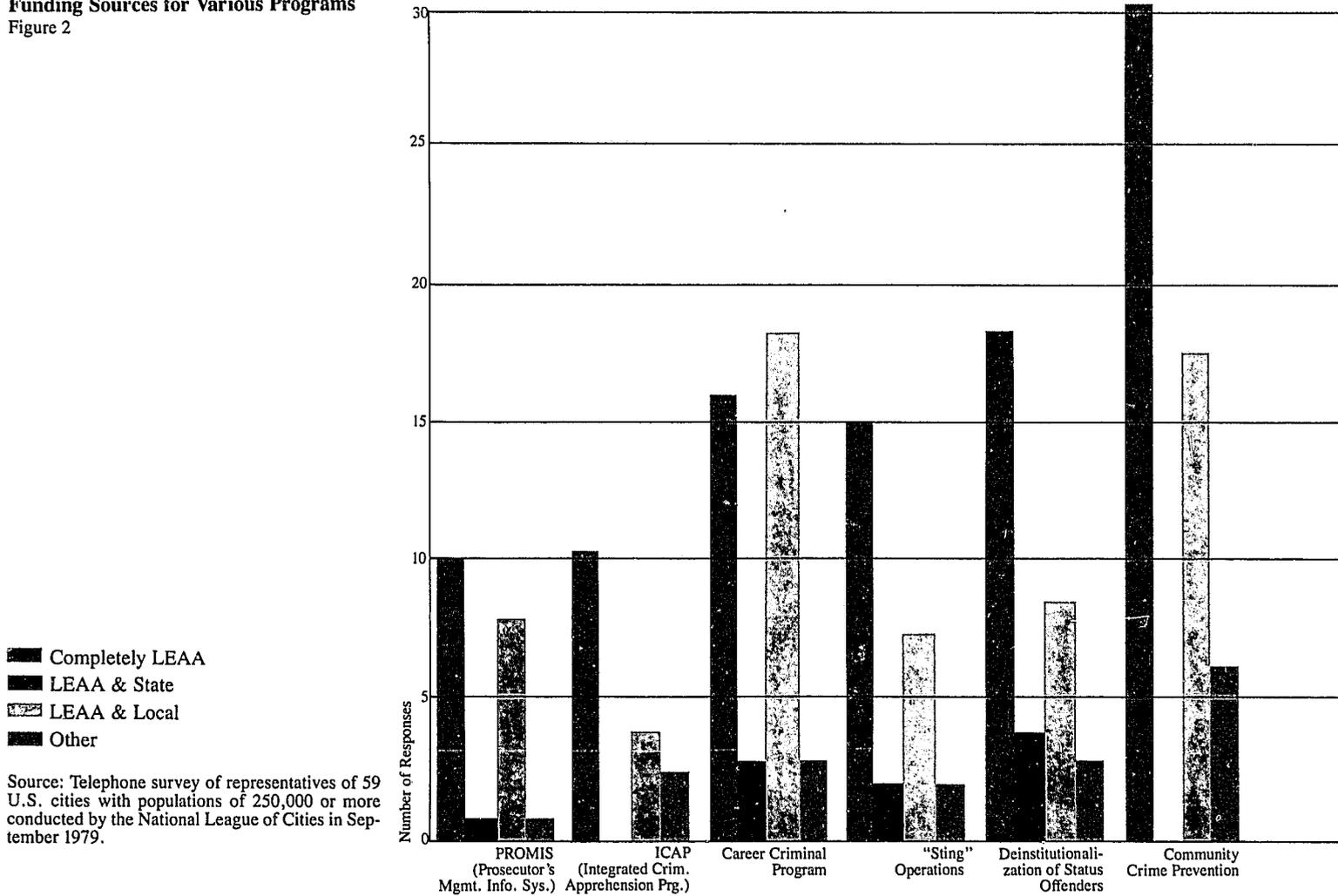
Figure 1



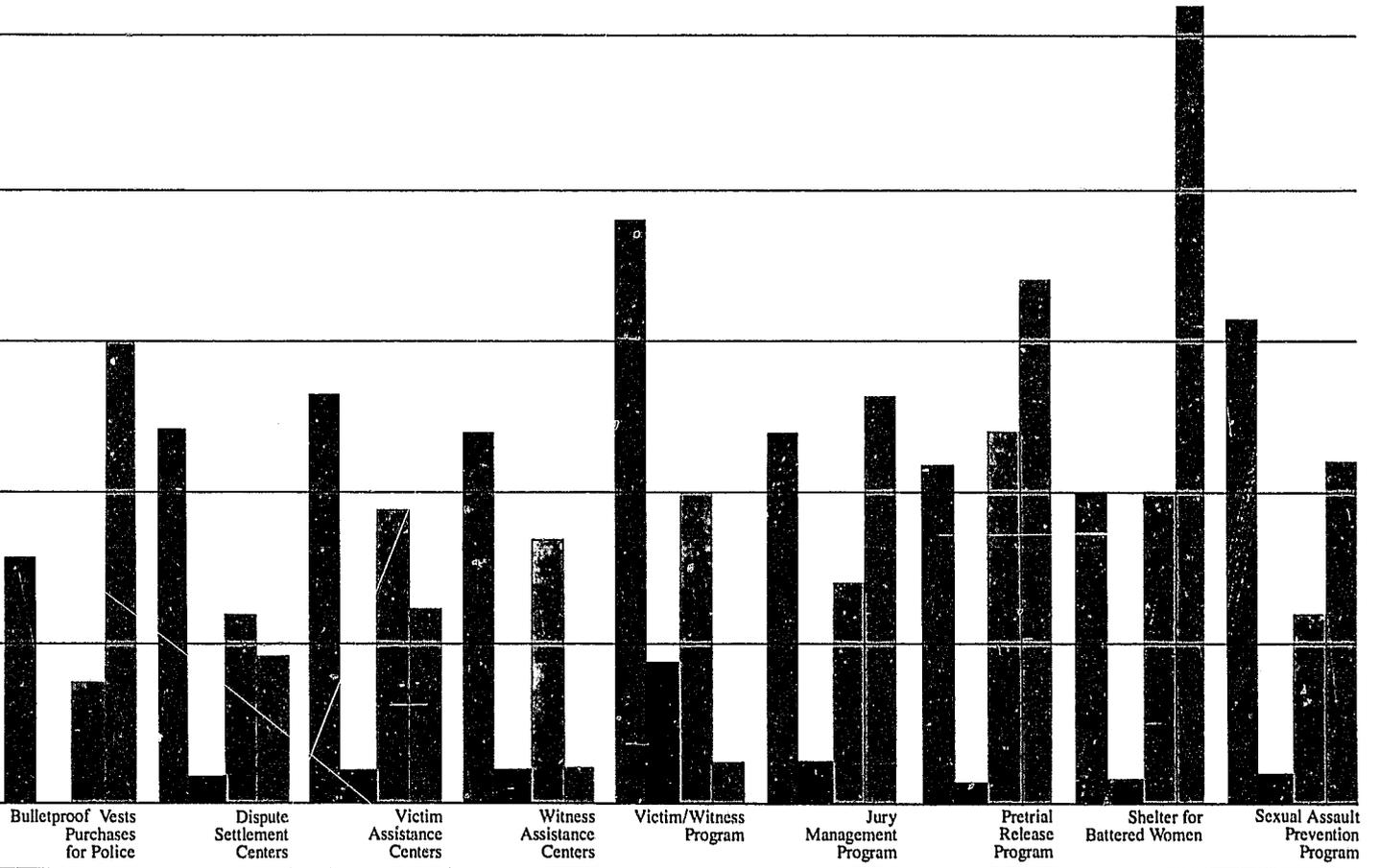
Source: Telephone survey of representatives of 59 U.S. cities with populations of 250,000 or more conducted by the National League of Cities in September 1979.



Funding Sources for Various Programs
Figure 2

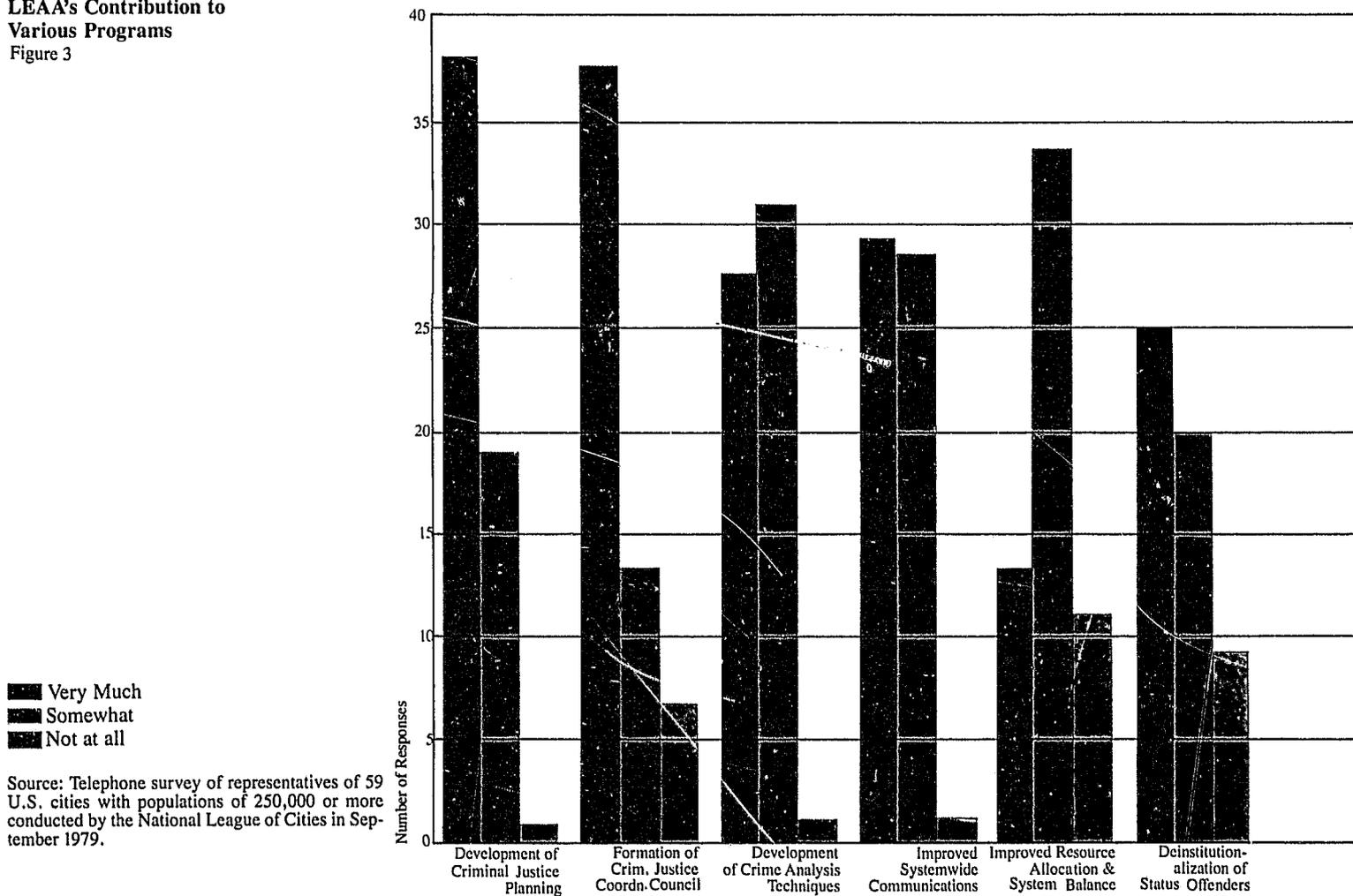


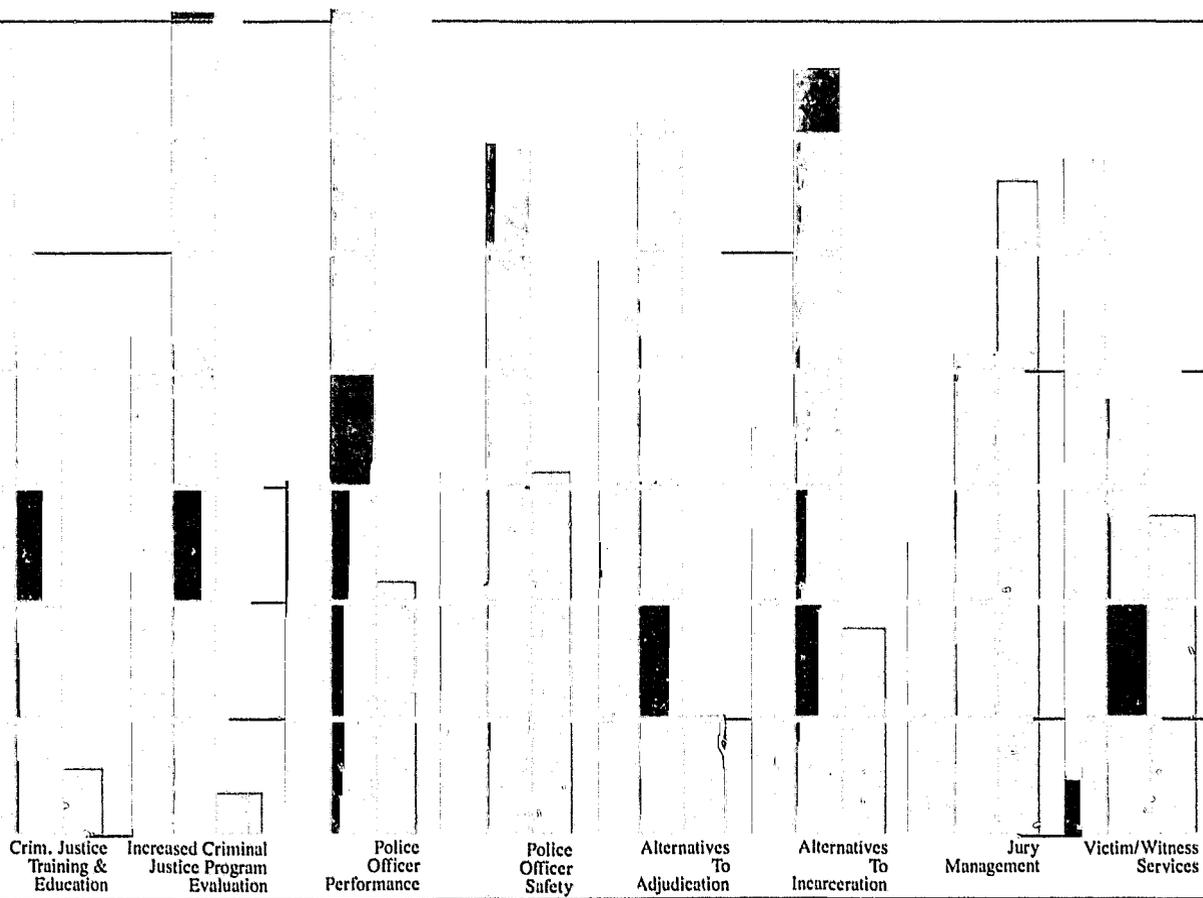
Source: Telephone survey of representatives of 59 U.S. cities with populations of 250,000 or more conducted by the National League of Cities in September 1979.



LEAA's Contribution to Various Programs

Figure 3





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END