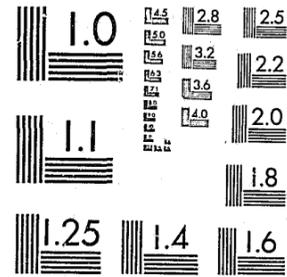


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January 1980  
STATE OF IOWA  
**LEGISLATIVE FISCAL BUREAU**  
Program Evaluation Division

85414

**STATE AND REGIONAL  
STAFF ORGANIZATION**

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January 1980

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## SUMMARY

Pursuant to the October 10, 1979, directive of the Legislative Council, the Legislative Fiscal Bureau conducted an evaluation of the State and Regional Staff Organization of the Iowa Crime Commission. The Legislative Council intended the evaluation to provide recommendations for the consideration of the Appropriations Subcommittee on Transportation and Law Enforcement during Appropriation hearings in January 1980.

State cost for the administration of LEAA funds and grants management has increased greatly since 1969 when the Iowa Crime Commission was established. The state appropriation for administering LEAA funds in Iowa was \$5,000 in F.Y. 1969 and increased to \$210,000 in F.Y. 1980. The 1980 appropriation exceeded the federal minimum required match by \$182,443.

Overlapping responsibilities and duplication of activities occur in all management functions including financial management, grant review and approval, and comprehensive planning. This results in a commitment of 44.3% of state and regional staff time to organization maintenance. This indicates the organization is constantly redefining the relationship between its components.

The *Justice System Improvement Act of 1979* clearly allows for alternative approaches in establishing the nature of intergovernmental relations between the state and units of local government. The act provides greater flexibility to units of local government in the formation of jurisdictions eligible to receive block grants of LEAA funds. The act specifically links the availability of administrative funds to the availability of action funds.

The recommendations of the Legislative Fiscal Bureau were formulated by the Program Evaluation team based on the analyses and conclusions contained in this report, as well as the basic principles for reorganization in Chapter Five.

### Recommendation # 1

The Iowa Legislature should amend Chapter 80C, Code of Iowa, to include:

- Technical revisions to comply with federal law.

- A clear statement of the role of the various governmental components responsible for administration of LEAA funds.

- Uniform administrative requirements to assure consistent administration of block grant awards to eligible jurisdictions.

- A provision for legislative review of the comprehensive state application for LEAA funds.

#### Recommendation # 2

The Iowa Legislature, in enacting revisions to Chapter 80C, should restrict the role of the State Planning Agency to:

- Encouraging the establishment of no more than five eligible jurisdictions, as defined in the *Justice Improvement Act*, covering the entire state for the purpose of receiving and administering block grant funds.

- Monitoring and evaluating block grant applications to assure compliance pursuant to federal and state law.

- Arranging for technical assistance to local units of government and eligible jurisdictions.

- Submitting the comprehensive state application for LEAA funds, preparing portions of the application for state agencies, and preparing other applications for LEAA and JJDP funds as they become available to Iowa.

- Providing staff support to assist the Iowa Crime Commission to meet the requirements of Federal legislation.

#### Recommendation # 3

The Iowa Legislature, in enacting uniform administrative requirements in Chapter 80C, should establish the role of the eligible jurisdictions to be:

- Assuming responsibility for regional planning, submitting block grant applications to the Iowa Crime Commission, administering project grants and monitoring and evaluating project performance.

- Assuming the authority for subgrant awards within the eligible jurisdictions.

- Assuming responsibility for adequate fiscal control and management.

- Assuming responsibility for establishing eligible jurisdictions and obtaining financial and programmatic support from units of local government.

#### Recommendation # 4

The Iowa Legislature should provide authority to the Auditor of State to exercise the responsibility for all financial audit activities of the State related to LEAA funds.

#### Recommendation # 5

The Iowa Legislature, in appropriating state funds for administration of LEAA funds, should restrict the state responsibility for administrative cost to the minimum match required to obtain the portion of federal administrative funds allocated to the State Planning Agency.

- The state appropriation for the first year of operation (F.Y. 1981) under the *Justice System Improvement Act of 1979* should not exceed \$50,000.

- The state appropriation for the subsequent operations under the remaining years of the act should not exceed the minimum required to obtain the maximum federal funds for state administrative purposes.

- The state appropriation for the support of area planning and administration should be discontinued.

#### Recommendation # 6

The Iowa Legislature, in authorizing staff position limitations, should limit the authorized full-time equivalent positions to the maximum salaries and support that can be funded by federal administrative funds allocated to the State Planning Agency and the minimum match required to obtain those funds.

- The position authorization for the first year of operation (F.Y. 1981) under the *Justice System Improvement Act of 1979* should not exceed 10 F.T.E.

- The position authorization for the subsequent operations under the remaining years of the act should not exceed the maximum salaries and support that can be funded by federal administrative funds allocated to.

the State Planning Agency and the minimum match required to obtain those funds.

Recommendation # 7

The Iowa Legislature, in appropriating funds for matching LEAA action funds, should provide only such amounts as are minimally required by Federal law.

Recommendation # 8

Prior to the 1981 hearings of the Appropriations Subcommittee on Transportation and Law Enforcement, the Legislative Fiscal Bureau should prepare a monitoring report for the subcommittee assessing the implementation of recommendations affecting the appropriations to the Iowa Crime Commission.

Recommendation # 9

When the *Justice System Improvement Act of 1979* expires and new legislation is enacted, the Legislative Fiscal Bureau should conduct an evaluation of the governmental components established to administer LEAA funds in Iowa.

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INTRODUCTION

COMMISSIONS ON CRIME\*

Crime Commissions have been established on the local, state, and federal level to investigate, analyze, report, or recommend action on a continuum of crime related topics.

Among the first Commissions was the Society for the Prevention of Crime, started in 1878 in New York. The Society engaged the public by sponsoring an essay contest on how best to reduce crime. Professor Franklin H. Giddings and a panel of prominent citizens awarded the prizes. The proposals to curb crime included a criticism of the policy commissioner, a recommendation that parole be eliminated, and the suggestion that the heads of prisoners be shaved and that they wear striped uniforms.

In 1920, a number of civic groups in Cleveland (headed by the Cleveland Bar Association) commissioned a survey of crime and reported on the machinery of criminal justice. At about the same time, the Chicago Crime Commission was established in response to a sensational case of payroll robbery. The Chicago Commission still exists, looking into various aspects of crime and criminal justice.

In 1925, the Missouri Bar Association lead civic and business leaders

\*This information was extracted from The Social Reality of Crime by Dr. Richard Quinney. Boston: Little Brown & Company, 1970.

in forming a commission to research law enforcement, prosecution, and corrections. Recommendations were made, but few were implemented.

Crime Commissions existed in various forms until 1965 when President Lyndon Johnson, by executive order, established the President's Commission on Law Enforcement and Administration of Justice. The Commission was composed of 19 members with 63 staff, 175 consultants and hundreds of advisors.

The Commission held three national conferences, conducted five national surveys, held hundreds of meetings and interviewed tens of thousands of persons, compiled hundreds of reports and summarized its findings and more than 200 specific proposals in The Challenge of Crime in a Free Society.

On June 19, 1968, Lyndon Johnson signed the *Omnibus Crime Control and Safe Streets Act*. This led to the establishment of the Law Enforcement Assistance Administration (LEAA) to provide federal financial, technical, and research support for the improvement of state and local criminal justice administration. This federal financial assistance provides an influx of federal money to initiate national priority programs and encourage state and local governments' continuation of successful programs after the withdrawal of federal funds.

Since that time, Congress has expanded the agency's basic mission to include other mandates such as preventing and reducing juvenile delinquency, administering the public safety officers death benefits program, and providing financial and technical assistance to community-oriented anti-crime programs. The 96th Congress of the United States is currently formulating the *Justice System Improvement Act of 1979*. This act will reauthorize and reorganize LEAA.

#### PURPOSE OF THIS EVALUATION

The Iowa Legislature, during the 1979 session, adopted intent language requiring the Appropriations Subcommittee on Transportation and Law Enforcement to hold hearings in January 1980 to determine the appropriation for the second year of the biennium for administrative cost of the Iowa Crime Commission. This hearing was required by the Appropriations Bill (H.F. 738) because the reauthorization and reorganization of LEAA was expected to affect the required state match to obtain an LEAA planning grant and program funds for Federal F.Y. 1980-81.

The Legislative Council initiated this evaluation in October, 1979 to analyze the State and Regional Organization of the Iowa Crime Commission to determine where duplication of staff activities may exist. The Legislative Council intended the evaluation to provide recommendations for administrative changes and budget revisions for the consideration of the Appropriations Subcommittee on Transportation and Law Enforcement.

#### REPORT FORMAT

This report is organized into a summary and five chapters. The first few pages of this report contain the summary of the recommendations of the Program Evaluation team.

The first chapter provides a historical overview of the intergovernmental components established to administer the *Omnibus Crime Control Act of 1968*.

The second chapter provides a historical overview of the grants, awards, fiscal management and administrative cost of the Iowa Crime Commission and discusses the nature of federal seed money.

The third chapter presents an analysis of the structure and management functions of the State and Regional Staff Organization established to administer LEAA funds in Iowa.

The fourth chapter reviews the *Justice System Improvement Act of 1979*, as it is in the Conference Report of November 16, 1979. This pending federal legislation will reauthorize and reorganize LEAA.

The fifth chapter contains conclusions, principles for reorganization and recommendations of the Program Evaluation team of the Legislative Fiscal Bureau.

Appendix A is Chapter 80C, the Code of Iowa, which establishes the Iowa Crime Commission.

Appendix B contains a chart of crime statistics for Iowa, 1969-1979. The statistics are contained in this report for informational purposes.

Appendix C contains the executive agency response to the evaluation report.

## CHAPTER ONE

### INTERGOVERNMENTAL RELATIONS: COMPONENTS OF THE OMNIBUS CRIME CONTROL ACT

#### THE SETTING

In the 1950's, the United States was enjoying a recovery from the grim years of depression, war, and uncertainty. There was prosperity for many, peace but for a few, and a belief by all that a secure future was inevitable.

The peace began to shatter; in the deep South racial conflict surfaced violently, the Russians launched Sputnik, and the Cold War was getting colder. The solution to most problems was seen as education for the American youth; millions were entering universities.

The 1960's brought continued economic prosperity for most, educational opportunities for many, and the Vietnam War. The streets of America's urban centers and universities became war zones; fires, shootings, riots, and death continued for years. The solution to most problems was seen as the activation and deployment of the National Guard.

As one of the many responses to the shattered peace, Congress enacted the *Omnibus Crime Control and Safe Streets Act of 1968*.

## INTRODUCTION

The purpose of this chapter is to illustrate the federal, state, and local governmental components which exist to administer the Law Enforcement Assistance Administration (LEAA) funds in Iowa. A brief overview of LEAA, the Iowa Crime Commission, Judicial Planning Committee, Juvenile Justice Advisory Council, State Planning Agency, Area Crime Commissions, and Regional Planning Units is included.

The chart on the next page is helpful in visualizing the structural relationships of the various components.

The relationship of these components, and their roles, is expected to change because of new federal legislation. The overview provided in this chapter is historical in nature and is not meant to reflect pending changes.

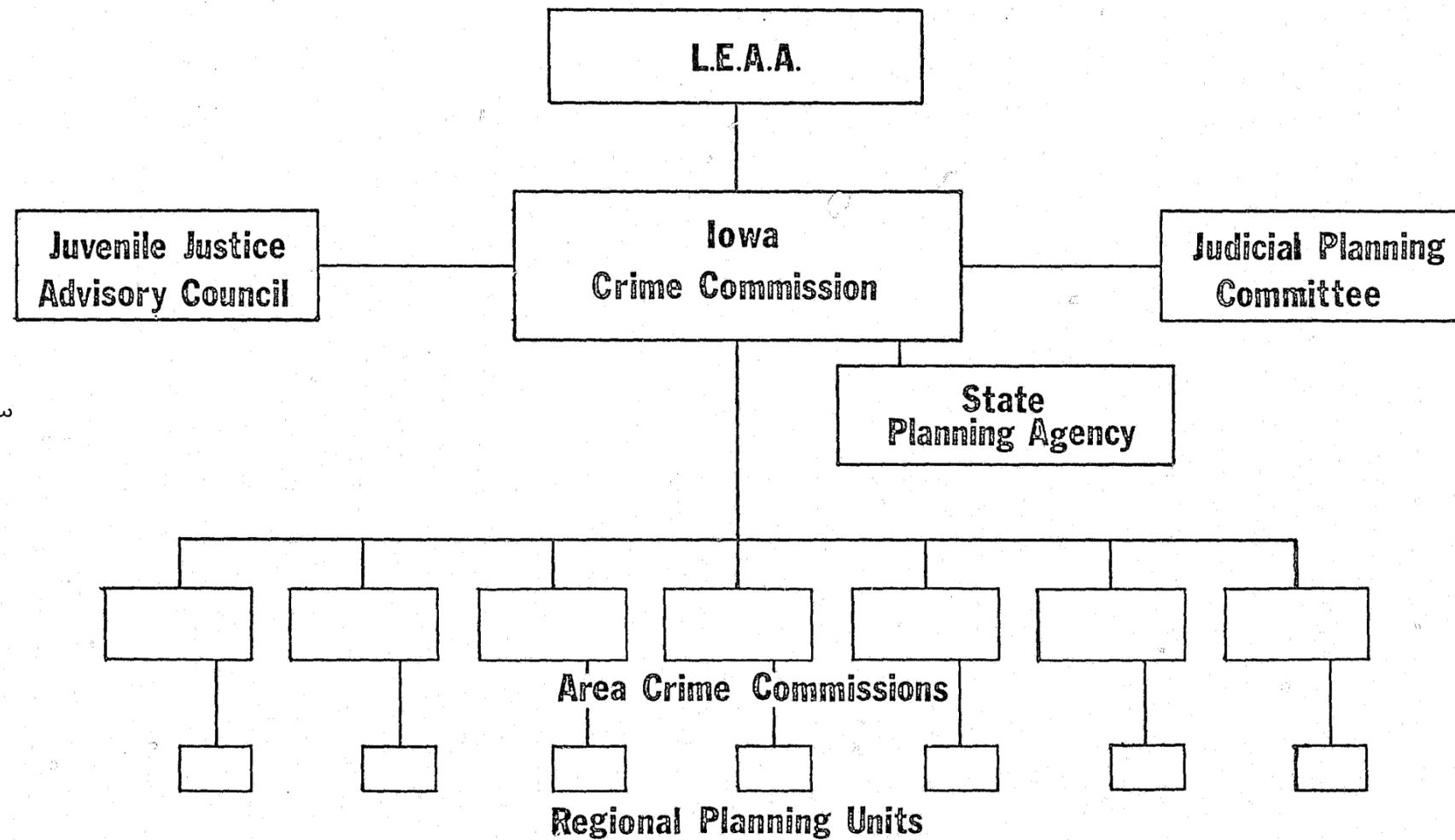
The information was derived from background materials provided by the State Planning Agency and interviews with staff.

## THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

The enactment of the *Omnibus Crime Control and Safe Streets Act of 1968* lead to the establishment of the Law Enforcement Assistance Administration (LEAA) which was created by Congress in 1968 to provide Federal financial, technical, and research support for the improvement of state and local criminal justice administration. Since that time, Congress has expanded the agency's basic mission to include other mandates such as preventing and reducing juvenile delinquency, administering the public safety officers' death benefits program, and providing financial and technical assistance to community-oriented anti-crime programs.

LEAA awards grants to support improvements in all parts of the

**LEAA-State-Local Relationship**



criminal justice system--police, prosecutors, courts, probation, parole, corrections, and juvenile justice agencies. It sponsors comprehensive state planning to improve criminal justice and fosters new approaches to specific nationwide problems such as organized crime and drug abuse. The agency conducts research to increase knowledge about criminal behavior and criminal justice operations and evaluates the effectiveness of various criminal justice programs.

In addition, it develops reliable statistics on crime victims, offenders, and criminal justice operations; finances higher education for criminal justice personnel and improved criminal justice curricula in colleges and universities; and provides specialized training for criminal justice officials at the state and local levels.

A predominant aspect of the LEAA program is state and local control. LEAA awards planning grants to permit states to develop annual comprehensive law enforcement improvement plans that reflect priorities and needs determined by state and local officials. In most states, as in Iowa, a portion of the LEAA planning grant is made available to local government units or combinations. The plan is prepared by the State Planning Agency, which operates under general authority of the Governor.

Once LEAA approves the plan, the state receives a block grant based on its population. Grants also are awarded for juvenile justice plans, and these allocations are based on populations of persons under 18 years of age. The block grant funds can be used to support a wide variety of improvement efforts in areas such as upgrading law enforcement personnel, organized crime control, reform of prosecution and courts systems, improvement of corrections, and juvenile delinquency prevention programs and facilities.

An important LEAA contribution to the nation's criminal justice and law enforcement system is the many innovative and experimental criminal justice programs that would not exist were it not for LEAA funding. These programs, once their effectiveness has been proven, are implemented in other areas throughout the nation.

More often than not, when LEAA seed money runs out, state or local funding keeps the programs going. At the same time, other jurisdictions support similar programs with their own funds. The Comptroller General's 1974 report (GGD-75-1, Dec. 23, 1974) on grants for law enforcement innovation and improvement projects administered by the Law Enforcement Assistance Administration (LEAA) showed that 64 percent of the long-term projects were being continued without significant reductions after Federal funding ended. The Ninth Annual Report of LEAA says that in 1977, more than 80 percent of the projects considered eligible to continue with non-LEAA funds were continued by recipient units of government after Federal support ended.

#### THE IOWA CRIME COMMISSION

In 1968, the Law Enforcement Assistance Administration (LEAA) was created by the *Omnibus Crime Control and Safe Streets Act* - Public Law 90-351. This law is now known as the *Crime Control Act of 1976*. Congress found that crime is essentially a local problem that must be dealt with by state and local governments if it is to be controlled effectively. The Congress concluded that the financial and technical resources of the Federal government should be used to provide constructive aid and assistance to state and local governments in combating the serious problem of crime and that the Federal government should assist state and local

governments in evaluating the impact and value of programs developed and adopted pursuant to this title.

To meet these requirements, Chapter 80C\* of the Code of Iowa was enacted in 1969. This act established the Iowa Crime Commission to be within the Office of the Governor and to act as the state law enforcement planning agency for purposes established by state or federal agencies. Four basic functions of the Commission are recognized by Chapter 80C. First, the Commission may conduct inquiries, investigations, analyses and studies of all state, county, and city departments and agencies concerned with the problems of crime. Second, the Commission may conduct inquiries, investigations, analyses, and studies into the incidence and causes of crime in Iowa in cooperation with state, area, city, and county agencies. Third, the Commission may develop a statewide program of interagency cooperation in association with federal agencies and officials and those other states concerned with problems of crimes. Finally, based upon its first three functions, the Commission may make recommendations to the Governor, General Assembly and state agencies to carry out the policy and purposes of Chapter 80C.

The Commission presently consists of twelve members who are concerned with or knowledgeable about the problems of criminal justice and who are appointed by the Governor. The present Code is not as explicit as it was prior to June 2, 1978, when Chapter 80C stipulated there would be nine members of which five members must be representative of law enforcement and criminal justice agencies, of whom two shall be officials of cities or counties, two shall be officials of the state, and one shall be a representative

\*See Appendix A.

of a juvenile justice agency. Four members must be citizens who have demonstrated knowledge and concern in the prevention and control of crime and delinquency. At least one citizen member must represent citizens affected by unemployment, low income or substandard housing.

The Iowa Juvenile Justice Advisory Council originated when the 93rd U.S. Congress on September 7, 1974, passed Public Law 93-415 entitled "*The Juvenile Justice and Delinquency Prevention Act of 1974.*" In passage of this act, it was the declared policy of Congress to provide the necessary resources, leadership, and coordination: (1) to develop and implement effective methods of preventing and reducing juvenile delinquency; (2) to develop programs to prevent delinquency, to divert juveniles from the traditional juvenile justice system and to provide critically needed alternatives to institutionalization; (3) to improve the quality of juvenile justice in the United States; and (4) to increase the capacity of state and local governments and public and private agencies to conduct effective juvenile justice and delinquency prevention and rehabilitation programs and to provide research, evaluation, and training services in the field of juvenile delinquency prevention.

By electing to participate in the *Juvenile Justice and Delinquency Prevention Act*, Governor Robert D. Ray designated the Iowa Crime Commission as the agency for supervising the preparation of the required annual juvenile justice plan and the administration of such Federal funds that may be awarded by the Law Enforcement Assistance Administration upon the approval of the state plan. The act did not require legislative approval for state participation.

To assist the Iowa Crime Commission staff in the plan preparation and implementation as well as the allocation of federal and state funds

for juvenile justice projects, Governor Ray appointed the Juvenile Justice Advisory Council comprised of twenty-four individuals knowledgeable in the field of prevention and treatment of juvenile delinquency or the administration of juvenile justice.

The purpose of the Advisory Council is to make recommendations to the Iowa Crime Commission regarding the juvenile justice component of the annual state plan and juvenile justice funding priorities and to provide special technical assistance to state and local programs relating to juvenile justice.

Two of the major goals of this act are as follows:

1. Removal of status offenders and non-offenders (Child in Need of Assistance by Iowa law) from "juvenile detention and correctional facilities" and provide for alternatives to secure detention.
2. Separate "juveniles alleged to be or found to be delinquent" in any institution from having regular contact with adult persons convicted of or awaiting trial on criminal charges.

The Iowa Judicial Planning Committee was created by order of the Iowa Supreme Court on February 20, 1979, pursuant to the *Crime Control Act of 1976*. The committee is composed of a supreme court justice, district court administrator, prosecutor, offender advocate, citizen representative, the state court administrator, and representatives of the judiciary. Currently, the nine member committee is chaired by Justice K. David Harris.

The committee has assumed responsibilities mandated by the Supreme Court Order and *Crime Control Act of 1976*. Its major functions are to establish priorities for improvement of the Iowa Court System, review

court-related Federal grants, and implement and coordinate court improvement projects.

The committee will be awarded \$50,000 annually for a planning staff. These funds are part of the total planning grant awarded Iowa by LEAA. It is mandatory that the \$50,000 be utilized for judicial planning.

The major program areas under the auspices of the Judicial Planning Committee are: Unified court system, maximizing court capabilities, and public involvement in court improvement.

The State Planning Agency (SPA) was established by the Iowa Crime Commission (pursuant to the *Crime Control Act*) as the agency which provides staff support to achieve the four basic functions of the Commission as outlined in Chapter 80C of the Code of Iowa. The SPA, like LEAA, has changed in structure, staff sizes, and required functions several times during the ten years it has been in existence in response to changes in Federal legislation.

Presently, the SPA is authorized 22 F.T.E. in three primary divisions: Fiscal Management, Programs, and Research. The basic function of the SPA is to administer the Federal funds Iowa receives from the Law Enforcement Assistance Administration under the *Crime Control Act of 1976*, and the *Juvenile Justice and Delinquency Prevention Act of 1974* as amended through October 3, 1977. (A detailed analysis of the functions of the SPA is in Chapter Three.)

#### THE AREA CRIME COMMISSIONS

Area Crime Commissions are representative of the law enforcement and criminal justice agencies, units of general local government, and public agencies maintaining programs to reduce and control crime and may include

representatives of citizen, professional, and community organizations.

The purpose of the seven Area Commissions (see map on next page) is to develop plans, review grant requests, make recommendations to the Iowa Crime Commission, provide fiscal accountability, and provide general oversight to the staff operations of the Regional Planning Unit.

The Area Crime Commission retains the policy and decision-making roles as concerns criminal justice planning and grant submission priorities to the Iowa Crime Commission. A Regional Planning Unit, a full-time staff to effect planning and administration, is responsible to the Area Crime Commission and has no policy-making authority of its own.

The Iowa Crime Commission requires that the Area Crime Commissions notify it of any changes (additions or deletions) in Commission membership, Commission officers, Commission bylaws, and changes in staff. The SPA also receives notification of Area Crime Commission meetings and minutes of the meeting.

The Area Crime Commission is charged with the generation of projects after examination of the need. They, moreover, must determine the availability of local match requirements. Therefore, it becomes evident that the Area Crime Commission is not only responsible for the proper utilization of their own public money, but for the Federal funds which assist them in the completion of required projects.

Area Crime Commissions may now submit two types of funding requests (refer to Chapter Two for a detailed explanation) to the state Commission after being reviewed in-depth as to objectives and agreed upon by a majority of the membership of the Area Commission. First, through the submission of the annual area plan, a local Commission requests "mini-block" funding for specific programs. The area plan addresses mini-block requests



in concept of the objectives desired and identifies the amount of Federal funds requested by the respective units of local government. Upon review of all area plans and finding that the requests are consistent with the overall state plan and priorities, the Iowa Crime Commission grants approval of an amount of Federal and state funds to implement identified projects. The Area Commission then makes the final determination on the individual projects which subsequently receive the Federal support. The SPA receives a copy of the final grant project, receiving area approval so projects supported and funds involved can be accounted for as required. The first mini-blocks were awarded in July and the second in November of 1977.

The other process in which financial aid is granted by the state Commission is by individual grant application as in the past. This method involves detailed applications being developed first, submitted to the Area Commission for initial review and approval, and then submitted to the state for review and final determination.

(Prior to 1972, individual counties applied to the Iowa Crime Commission for program funds; at which time, the present approach, or Area Crime Commissions, was established. Initially, there were eight areas, in 1975 this was reduced to seven areas.)

The Regional Planning Units (RPU's) provide staff support (pursuant to the *Crime Control Act*) to the Area Crime Commissions just as the SPA provides support for the Iowa Crime Commission.

The RPU's, like the SPA and LEAA, have changed in size and functions in response to changes in Federal legislation.

Presently, there are seven RPU's with staff sizes ranging from three to five persons. There is a total of 27 staff for the seven RPU's, eight

employed part-time and nineteen employed full-time.

(A detailed analysis of the functions of the RPU's is in Chapter Three.)

#### ACCOMPLISHMENTS OF THE IOWA CRIME COMMISSION

The major accomplishments of the Iowa Crime Commission to 1976 were outlined in a state profile compiled by LEAA. These include movement towards consolidated law enforcement, support and training of the unified court system, developing a statewide telecommunications system master plan, providing funds for construction of the State Law Enforcement Academy, and supporting implementation of the Uniform Crime Reporting System.

Other LEAA reports indicate the Iowa Crime Commission accomplishments to be the establishment of the Rape and Sexual Assault Care Center in Polk County and the Neighborhood Foot Patrol in Des Moines.

## CHAPTER TWO

### THE FISCAL HISTORY AND GRANT APPLICATION PROCESSES 1969 TO 1979

#### INTRODUCTION

The purpose of this chapter is to provide an overview of the type of grants available through the Iowa Crime Commission, the grant application procedure, funds that have been awarded by the Commission, funds management by the SPA, administrative cost, and federal seed money.

There are many Federal restrictions and guidelines relative to the contents of this chapter. Several of these are illustrated and explained, most are not.

As in Chapter One, the information is historical in nature, reviewing events and results from 1969 to 1979. The impact of the new Federal legislation on the subjects reviewed in this chapter has not been taken into account.

The information contained in this chapter was derived from SPA and RPU documents and through staff interviews.

#### GRANT CATEGORIES

The State Planning Agency of the Iowa Crime Commission is responsible for the management of federal funds available to the State of Iowa. These

funds are available to Area Crime Commissions, to local units of government through the Area Crime Commissions, and state agencies. They are allocated to major program areas: Corrections, Juvenile Justice and Delinquency Prevention, Law Enforcement, and other criminal justice programs. The funds are awarded in the form of planning grants, mini-block grants, and action grants.

#### Mini-Block Grant

Area Crime Commissions are awarded state and Federal funds in a mini-block grant by Federal fiscal year. The Iowa Crime Commission establishes an allocation of funds among program categories. The allocation among program categories identifies projects acceptable for funding from the mini-block grant. It is the responsibility of the Area Crime Commissions to subgrant mini-block funds in accordance with program priorities established by the Iowa Crime Commission. No deviation from the approved mini-block grant budget by program category is allowable.

#### Planning Grants

The purpose of planning grants is to support the administrative structure established by the state to manage Federal funds and required state match funds for criminal justice system improvements.

Of all the federal money received at the state level for planning, 60 percent can be used by the state for the operation of the State Planning Agency (SPA). At least 40 percent is required to be allocated to the Area Crime Commissions within the state for administrative purposes.

The general restrictions on the use of planning grant funds are:

- The Federal share of the total administrative cost shall not exceed (90%) ninety percent.

- At least (40%) forty percent of the Federal share of the total administrative cost shall be allocated to the Area Crime Commissions.
- The state shall provide at least (50%) fifty percent of the non-federal share (or 5% of the total administrative cost).

#### Action Grants

LEAA makes funds available to the state in a block grant for use in implementing programs to improve the criminal justice system. These funds are allocated to specific program areas by LEAA. Of the block grant action funds available to the state, a specified percentage determined by LEAA must be passed through to local units of governments. In 1979, the minimum pass-through required by LEAA was approximately (66%) sixty-six percent.

Federal participation for initial year funding cannot exceed 90 percent, with the exception of construction which cannot exceed 50 percent. Federal participation for second year funding cannot exceed 75 percent, with the exception of construction and salary increases which cannot exceed 50 percent.

The required match applicable to action grants is provided by state appropriations and subgrantee appropriations. The state provides, in the aggregate, not less than 50 percent of the required non-federal funding which must be provided by local units of government. All other match is provided by participating subgrantees.

#### Corrections Grants

LEAA makes funds available to the state in a block grant for use in

developing and implementing programs and projects for the construction, acquisition and renovation of correctional institutions and facilities, and for the improvement of correctional programs and practices. Utilization of federal funds cannot exceed 90 percent of the total cost of any project. The non-federal share is provided by money appropriated by the state or units of general local government.

#### Juvenile Justice and Delinquency Prevention Funds (JJDP)

LEAA makes funds available to the state in a block grant for planning, establishing, operating, coordinating and evaluating projects, for development of effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice and delinquency prevention system. Funding priorities are alternatives to detention through the establishment of shelter care facilities. At least 66 2/3 percent of the Federal funds must be made available to units of local government and the remaining funds may be awarded to state agencies. Federal participation in each project does not exceed 90 percent. A minimum of 10 percent non-federal match is required on each subgrant.

#### APPLICATION PROCEDURES

Applications may be submitted by a state agency or by an Area Crime Commission on behalf of a local unit of government.

Applications which are submitted by state agencies are usually prepared by those agencies. If the need arises, the SPA program staff is available to provide assistance in preparing the application. The application is submitted to the SPA for review. Any federally mandated reviews (A-95) must accompany the submitted application.

Applications submitted through an Area Crime Commission are first submitted by a local unit of government to the RPU for review and recommendations. Additional required reviews such as federally mandated reviews (primarily A-95 reviews) are obtained together with any special reviews required by the SPA prior to submission of the application to the SPA. Upon completion of RPU review, the application is taken before the Area Commission for final action. If the application recommendation is approved with or without modification, the application is forwarded to the SPA for review.

All applications, whether submitted by a state agency or local unit of government, must be received by the SPA by the first Monday of the month in order to receive consideration at the following month's Iowa Crime Commission meeting.

The application is then routed to the SPA Fiscal Section to verify the availability of funds. At this point, an application checklist is initiated.

The applications, copies, and checklist are then forwarded to the Grant Coordinator. An initial review utilizing the checklist is made to determine that the application is complete. Any application deemed incomplete is returned as submitted. A copy of the checklist will accompany returned applications identifying deficiencies. Completed applications are entered into the grant application register.

Grant applications from state agencies require that the SPA transmit budget information to the state Comptroller's Office for their review to determine that applying departments have matching funds budgeted and available as required in the grant.

At this point, three copies of the application are prepared for

routing to the Research, Programs, and Fiscal sections.

Upon receiving the application, the Programs Manager and appropriate Program Specialist study the application for general compliance with the annual state plan and perform a general program review which includes, but is not limited to, answering the following questions:

1. Does the narrative include a problem statement which has sufficient documentation to warrant the project?
2. Are the objectives realistic and achievable within the scope of the project?
3. Are personnel positions clearly defined as to the requirements of each position?
4. If applicable, are unsigned contracts included in the application for review by the Courts Specialist?
5. Are travel requests realistic in order to carry out the project?
6. Are training requests necessary and reasonable considering the project's objectives?
7. Are equipment items fully justified in the narrative?
8. Are construction items, if applicable, totaled including, unsigned contracts and environmental impact statements?
9. Are supplies and operating expenses reasonable considering the scope of the project?
10. Are there alternative methods of funding?
11. Can the project function and be administered efficiently as a component of the criminal justice system?
12. What are the prospects for continuation and assumption of costs?

13. Does the application represent a possible duplication of services within the project area?

Upon receiving a request for Fiscal Review, the Fiscal Manager reads and studies applications and examines the allowability as well as the appropriateness of each budget item according to LEAA and SPA financial guidelines and requirements. The review includes but is not limited to the following steps:

1. Eligibility of applicant.
2. Availability of federal and state buy-in funds.
3. Amount of funds to be utilized are consistent with LEAA and SPA guidelines.
4. Accuracy of detailed budget figures.
5. Narrative review to determine consistency with actual budget items.
6. Review detailed budget items for allowability and reasonableness.
7. If applicable, review contract, procurement, construction, equipment, and others as necessary.
8. Review nonsupplanting certificate, matching resolution, signatures, and other appropriate documents for compliance with LEAA and SPA guidelines.

The Research and Evaluation Division reviews the application to determine the level of evaluation desired by the SPA staff. One of four levels, or types of evaluation, (1. Project monitoring to assess compliance with regulations and special conditions; 2. Project monitoring to assess compliance and project activities; 3. Process evaluation which encompasses 1 and 2 and assesses the immediate results of the program;

and 4. Impact assessment encompassing 1, 2, and 3, as well as assessing the long-range impact of the program on the criminal justice system) may be selected as applicable to a particular project.

Several criteria are considered in the selection of the evaluation design to include: the nature of the project, applicant capabilities, cost of the project, proposed activities of the program, quality of the proposal, feasibility of the evaluation, as well as other factors.

The evaluation design is developed, finalized, and filed with the proposal.

Upon completion of all reviews, the research, fiscal and program review sheets are gathered by the appropriate Program Specialist who coordinates and assures that all questions and issues raised have been resolved. This done, the SPA Recommendation Sheet is prepared by the Program Specialist. Any special conditions warranted are noted in the SPA recommendation. A special condition is a requirement which is placed on the application by either the SPA review staff or the Iowa Crime Commission and becomes part of the application. Special condition requirements are those above and beyond the general requirements of the grant application.

Once each month, the Iowa Crime Commission meets to consider applications recommended for funding by the Executive Director and SPA staff. Any questions are answered by the Executive Director or appropriate SPA staff person. Commission members then vote on whether to fund the applications. Commission approval or denial normally represents final action, although appeal procedures are available.

When Commission action is taken, either approval or denial, the Commission chairperson signs the SPA recommendation sheet indicating the

Commission action taken.

FUNDS AWARDED BY THE IOWA CRIME COMMISSION

The Iowa Crime Commission has awarded grants through the Area Crime Commissions since the reorganization of the funding process in 1972.

Grants awarded by area from 1974 to March 9, 1979 are as follows:

Funds Awarded to Area Crime Commissions  
1974 - March 1979\*

TABLE 2.1

<u>NUMBER OF GRANTS</u>	<u>AMOUNTS AWARDED</u>	<u>AREA CRIME COMMISSIONS</u>
112	2,296,638	Northwest
114	2,341,511	Southwest
119	1,969,152	North
188	6,286,079	Central
104	2,391,564	South
138	3,220,011	Northeast
149	3,078,348	Eastern
26	622,312	East (This Area existed for only 2 yrs.)

As of October 31, 1979, the number of active grants in the seven areas was 239. The number of active grants in each area is listed in Table 2.2 on the next page.

\*As compiled by SPA Grant Coordinator.

The Number of Active Grants in  
Each Area Crime Commission

TABLE 2.2

AREA	NUMBER OF ACTIVE GRANTS
Northwest	34
Southwest	29
North	31
Central	46
South	22
Northeast	37
Eastern	<u>40</u>
TOTAL	239

The action funds available to the State of Iowa are allocated under the general program areas outlined in the Annual Action Plan compiled by the State Planning Agency after reviewing the annual plans submitted from each of the seven Area Crime Commissions. Table 2.4 shows the dollar amount and percentage of state awards of action funds in various program areas from 1969 to 1979.

The Iowa Crime Commission and LEAA have awarded approximately 405 grants to state agencies since 1969. The total amount of all awards is approximately \$22,713,943. The funds have been utilized in upgrading corrections facilities, juvenile justice programs and training. The dollar amounts and number, by year, awarded to state agencies are listed in Table 2.3 on the next page.

Funds Awarded to State Agencies  
1969 - 1980\*

TABLE 2.3

FISCAL YEAR	AWARD*	NUMBER OF GRANTS
1969	\$ 3,000	1
1970	706,287	18
1971	966,049	31
1972	1,059,472	26
1973	2,116,395	38
1974	2,612,507	45
1975	3,395,579	50
1976	2,988,271	57
1977	4,729,097	51
1978	1,744,548	47
1979	1,927,687	38
1980	<u>465,051</u>	<u>3</u>
TOTALS	\$22,713,943	405

FUNDS MANAGEMENT BY THE SPA

The State Planning Agency manages some Federal awards which are available to the state over a three-year period. Therefore, the State of Iowa may receive an award during one federal fiscal year and generally has three Federal fiscal years to award those funds to local units of government or state agencies. As of September 30, 1979, the SPA was

\*Recorded in SPA account books as of November 17, 1979.

UTILIZATION OF PART C "ACTION" FUNDS\*

TABLE 2.4

	TOTAL	ENFORCEMENT	%	COURTS	%	CORRECTIONS	%	PREVENTION (1)	%	RESEARCH & DEVELOPMENT (2)	%	JUVENILE	%
FY 69	\$ 327,242	\$ 144,573	44.2	\$ 49,513	15.1	\$ 20,972	6.4	\$ 112,184	34.3	\$ -0-	-0-	\$ -0-	-0-
FY 70	2,415,871	1,544,105	63.9	131,932	5.5	146,396	6.1	587,438	24.3	6,000	0.2	-0-	-0-
FY 71	4,668,270	2,795,404	59.9	249,946	5.4	585,738	12.5	626,053	13.4	-0-	-0-	411,129	8.3
FY 72	5,664,131	2,852,310	50.4	566,585	10.0	1,214,414	21.4	168,419	3.0	40,232	0.7	822,171	14.5
FY 73	6,369,044	3,295,760	51.7	821,237	12.9	1,324,786	20.8	61,679	1.0	222,931	3.5	642,651	10.1
FY 74	6,559,353	3,613,679	55.1	877,769	13.4	1,495,433	22.8	-0-	-0-	114,187	1.7	453,235	7.0
FY 75	6,447,845	3,365,779	52.2	996,092	15.4	1,407,585	21.8	36,733	.6	10,000	.2	631,656	9.8
FY 76 (3)	6,655,000	2,921,972	43.9	867,309	13.0	1,335,521	20.1	43,673	.7	240,128	3.6	1,246,397	18.7
FY 77	4,167,000	1,396,103	33.5	678,652	16.3	1,018,088	24.4	31,157	.7	170,000	4.1	873,000	21.0
FY 78	3,485,000	1,227,593	35.3	558,449	16.0	714,508	20.5	70,450	2.0	150,000	4.3	764,000	21.9
FY 79	3,497,000	1,228,024	35.1	622,091	17.8	608,600	17.4	78,039	2.2	280,936	8.1	679,310	19.4
TOTALS	\$50,255,756	\$24,385,302	48.5	\$6,419,575	12.8	\$9,872,041	19.6	\$1,815,825	3.6	\$1,234,414	2.5	\$6,528,599	13.0

(1) Police Prevention only - does not include Juvenile Prevention

(2) R & D changed to Criminal Justice Information Systems in 1975

(3) Reflects FY 76 Annual and FY Transition funds (15 month total)

Also excluded is Part E Corrections, and Juvenile Justice and Delinquency Prevention Act funds.

11/30/78

\* Compiled by SPA staff.

managing a total of \$19,801,188 of funds for four Federal fiscal years.

Table 2.5 illustrates the fiscal year, funding category, amount, and total dollars currently under SPA management.

Active Funds Managed in the SPA

TABLE 2.5

<u>1979 Award</u>			
Planning:	(79-PF-AX-0019)	\$ 750,000	
Action	(79-AF-AX-0019)	3,497,000	
Corrections	(79-EF-AX-0019)	411,000	
JJDP	(79-JF-AX-0019)	825,000	
Discretionary	(79-MU-AX-0010)	147,500	
Discretionary	(79-ED-AX-0023)	73,500	
Discretionary	(79-DF-AX-0148)	244,966	
Discretionary	(79-DF-AX-0197)	13,702	
Discretionary	(79-MU-AX-0032)	234,000	
			\$ 6,196,668
<u>1978 Award</u>			
Action:	(78-AF-AX-0019)	\$3,485,000	
Corrections	(78-EF-AX-0019)	395,000	
JJDP	(78-JF-AX-0019)	972,000	
Discretionary	(78-ED-AX-0077)	108,303	
Discretionary	(78-JS-AX-0064)	144,733	
Discretionary	(78-ED-AX-0011)	150,000	
Discretionary	(78-ED-AX-0146)	55,922	
			\$ 5,310,958
<u>1977 Award</u>			
Action:	(77-AF-07-0019)	\$4,167,000	
Corrections	(77-EF-07-0019)	490,000	
JJDP	(77-JF-07-0019)	643,000	
			\$ 5,300,000
<u>1976 Award</u>			
Discretionary	(76-ED-07-0007)	\$2,993,562	\$ 2,993,562
TOTAL ACTIVE FUNDS			\$19,801,188

The chart (Table 2.6), located in the center of the report, illustrates the fiscal activity of the Iowa Crime Commission from 1969 to October of 1979. The chart shows Federal awards by state fiscal year,

subsequent awards to subgrantees by state fiscal year, and reversions of Federal awards.

Reversion of Funds

Since 1969, approximately \$1,515,060 of LEAA funds awarded to the state have reverted to the Federal Government according to the accounting books of the SPA as of November 1979. (See Table 2.6 in the center of the report.)

ADMINISTRATIVE COST

The state and local cost of planning, administration of LEAA funds, and grants management, has increased greatly since 1969 when the Iowa Crime Commission was established.

The total cost of administering LEAA funds in Iowa was \$297,309 in F.Y. 1969, and fluctuated from year to year. The total cost for planning in F.Y. 1980 was established at \$933,205. This cost increased (214%) over a period of 11 years.

The state appropriation for administering LEAA funds in Iowa was \$5,000 in F.Y. 1969, and increased to \$210,000 in F.Y. 1979-80. This is an increase of (4,100%) four thousand one hundred percent.

The local matching funds required for the administration of LEAA funds was \$7,359 in F.Y. 1969 and is estimated to be \$200,000 for F.Y. 1979-80. This is an increase of (2,618%) two thousand six hundred eighteen percent.

While the state appropriation (4,100% increase) and local match (2,618% increase) for administering LEAA funds in Iowa increased astronomically, the federal planning grant award applied for F.Y. 1980 (\$551,125) increased only (93.4%) ninety-three percent above the \$284,950

award in 1969.

The annual administrative cost for the Iowa Crime Commission from 1969 through 1980 is shown in the following table.

Administrative Cost of the Iowa Crime Commission 1969 - 1980				
TABLE 2.7				
Federal Fiscal Year	Federal Planning Grant	State Appropriation For Planning	Local Match For Planning Funds**	Total Planning Dollars
1980*	551,125	210,000	200,000	933,205
1979	721,000	79,163	139,182	939,345
1978	726,000	73,351	83,067	882,418
1977	862,000	75,738	73,717	1,011,455
1976	1,033,000	74,444	45,827	1,153,271
1975	801,000	45,335	30,343	876,678
1974	734,000	40,575	27,168	801,743
1973	734,000	81,630	31,078	846,708
1972	504,000	44,410	17,294	565,439
1971	412,000	25,400	16,029	453,429
1970	312,000	25,000	6,075	343,075
1969	284,950	5,000	7,359	297,309

An analysis of the F.Y. 1979-80 planning grant application indicates that the grant request from LEAA is \$551,125 (equivalent to Iowa's plan-

\*Figures for federal planning grant, local match, and total are from the 1980 planning grant applications; the state appropriation figure was taken from H.F. 738.

\*\*Exclusive of in-kind contributions.

ning allocation under Section 205 of the *Omnibus Crime Control Act*). The matching contribution from the state was recorded as being \$182,080, although the appropriation for this purpose was \$210,000. The local contribution was recorded as \$200,000. This resulted in a total administrative budget of \$933,205. The percentage of each contribution is:

Federal	(551,125)	59.0%
State	(182,080)	19.5%
Local	(200,000)	21.5%

The overview of planning grants in this chapter outlines the general Federal requirements for matching planning grants which explicitly states that the State of Iowa is minimally required to provide one-half of the non-federal match, or (5%) five percent of the total administrative budget.

Taking into consideration Federal minimum requirements and recognizing that Federal administrative funds available to the state of Iowa, at their maximum, are \$551,125, the minimum state appropriation required to obtain the maximum Federal match is \$27,556.30.

In view of this analysis, the state has appropriated \$182,443.70 for F.Y. 1979-80 above and beyond the minimum required Federal match for administrative operations.

#### FEDERAL SEED MONEY

Federal grant programs which are designed to limit the length of time Federal funding is provided are commonly called seed money programs. The Law Enforcement Assistance Administration funds are seed money in nature.

From a Federal perspective, seed money programs represent attempts

to stimulate state and local governments to fund projects they would not otherwise fund. An effective seed money program could: (1) provide funds for national priority programs with high start-up costs, (2) alter state and local priorities so that non-federal funds are used for federal priorities, and (3) distribute scarce resources broadly to have a continuing impact on the population to be served.

Some federal officials suggest that the seed money approach was selected to distinguish federal and state responsibilities by avoiding permanent federal control over such controversial matters as law enforcement. Others say the seed money approach limits the duration of the federal funding commitment. This frees funds for other priority programs when they arise. Congressional staff and Office of Management and Budget (OMB) officials say the seed money approach is used to facilitate Congressional acceptance of new programs.

The Comptroller General recently (June 1979) recommended to the Congress:

When the seed money approach has been implemented by the administrative action of federal executive agencies, the Congress should, as part of its normal oversight processes, see that the approach is appropriate. When the seed money approach is used in new programs, the Congress should clearly express Federal funding intentions and emphasize the need for cost assumption planning. Cost assumption planning cannot be expected to result in the continuation of all seed money projects, but it should enhance the prospects for continuing worthwhile projects.

In the same report, the Comptroller General recommended to the Office of Management and Budget:

The Director should strengthen seed money program implementation by requiring federal agencies and grantees to begin with clear agreements on the length and amount of federal funding. The Director also should require the applicant to identify potential future funding sources through the grant application process and the A-95 process. Preliminary agreement

on the need for proposed projects should be reached with the potential funding sources before the award of the grant.

The future of federal seed money programs is difficult to predict.

The Comptroller General made an observation that reveals sentiments of some state and local officials:

Because they felt they could not refuse to participate, some state and local officials said they felt trapped by seed money programs. Some other officials referred to seed money as a form of "blackmail." They felt pressured by special interest groups to use available federal seed money funds which create state or local funding commitments.

As a result, states and localities have increased their efforts to control incoming federal funds and, in some cases, have tried to avoid federal seed money programs. Officials in most of the 32 states contacted by GAO said they were taking steps to become more informed about future effects of accepting federal funds.

### CHAPTER THREE

#### THE STATE AND REGIONAL STAFF ORGANIZATION OF THE IOWA CRIME COMMISSION

##### INTRODUCTION

The preceding chapters have briefly reviewed the history of Iowa's response to the *Omnibus Crime Control Act*. Chapter One described federal and state governmental components established for the administration of LEAA funds. Brief overviews of LEAA, the Iowa Crime Commission, Judicial Planning Committee, Juvenile Justice Advisory Council, State Planning Agency, Area Crime Commissions and Regional Planning Units were included.

Chapter Two discussed the fiscal history and grant application processes. Brief overviews of the type of grants available through the Iowa Crime Commission, the grant application procedure, funds that have been awarded by the Commission, funds management by the SPA, administrative cost and federal seed money were included.

These chapters provide a general background which is helpful in understanding the Iowa Crime Commission and the nature of its responsibilities.

The purpose of Chapter Three is to present an analysis of the state and regional staff organization and to identify duplication of activity and overlap of responsibilities in the management functions of the state and regional components established to administer LEAA funds in Iowa.

An analysis of the staffing patterns, management functions and the staff time expenditures are presented.

#### METHODOLOGY

- The basic steps in collecting and analyzing the data were:
- The initial request of background information from the State Planning Agency, followed by specific information requests.
  - The application of a self-administered questionnaire regarding job responsibilities and time expenditures by all SPA and RPU staff persons.
  - An interview with all SPA and RPU staff persons to clarify the self-administered questionnaire and to collect supplemental information.
  - Qualitative and quantitative analysis of data collected from SPA and RPU staffs.

#### STATE AND REGIONAL STAFFING PATTERN

The staff size of the SPA is 20 and the authorized F.T.E. is 22. The staff is organized into three major divisions: Fiscal Management/Administration, Programs, and Research. The organization chart (Table 3.1) illustrates the current structure of the SPA.

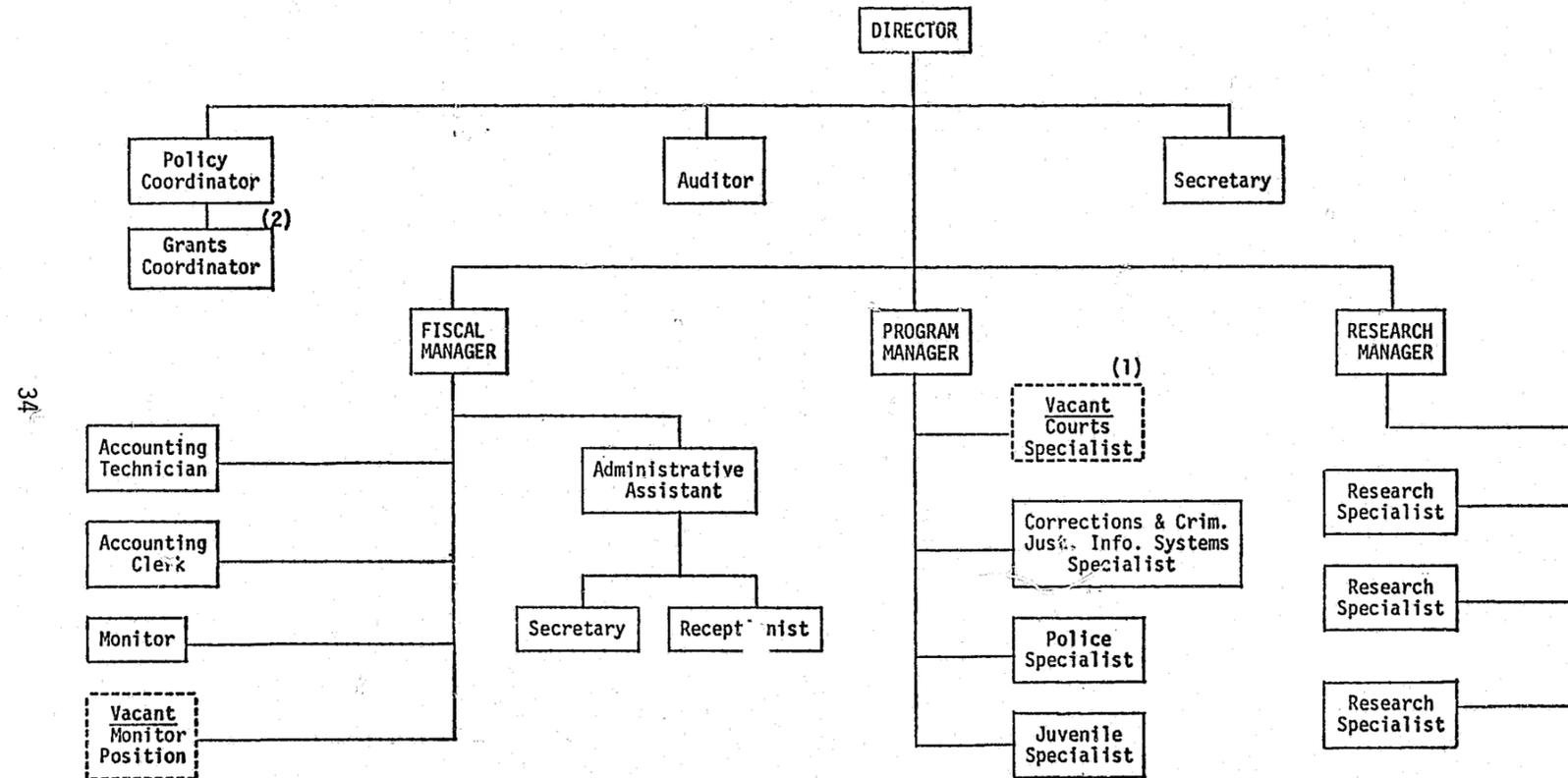
The Regional Planning Units differ in staff size and staffing patterns. The total number of personnel in the seven RPU's is 27. The RPU's are staffed as illustrated in Table 3.2.

#### STATE AND REGIONAL MANAGEMENT FUNCTIONS

The processes which are required for the administration of LEAA funds in Iowa constitute five managerial functions. The federal laws and LEAA

IOWA CRIME COMMISSION  
 STATE PLANNING AGENCY  
 EXISTING ORGANIZATIONAL STRUCTURE

TABLE 3.1



(1) Responsibilities being performed by Program Manager.

(2) Individual has been hospitalized and convalescing from August 27 to October 29 and his responsibilities, in part, were performed by the Monitor.

Staff Patterns of RPU's

TABLE 3.2

Regions → Positions ↓	Northwest Sioux City	Southwest Council Bluffs	North Mason City	South Fairfield	Central Des Moines	Northeast Waterloo	Eastern Cedar Rapids
Director	X	X	X	X	32	X	X
Deputy Director						X	
Fiscal Director	X	X	X	X	32	X	X
Planner					32		X
Planning Assistant					24		
Staff Assistant						20	
Secretary			X		32	X	X
Secretary/ Planner	X			X			
Part-time Secretary		24					18

- NOTE: 1. An "X" indicates that an RPU has a full-time person in the position listed on the left.  
 2. When a number appears, it indicates that this position is being staff part-time in the RPU and the number represents the hours per week the staff person works.

guidelines determine the technical aspects of these functions. The diagram, Table 3.3, illustrates the interaction between the management functions of the SPA and the RPU's.

The work activities of the personnel consolidate into five management functions: the comprehensive planning process; technical assistance, program development and training; grant review and approval process; financial management of grants and grant monitoring; evaluation and auditing. These functions, as illustrated in the chart, flow in a continuous cycle. A sixth and more general area of activity is organization maintenance, including personnel, general administration, internal records maintenance and other activities not specifically linked to one of the five management functions.

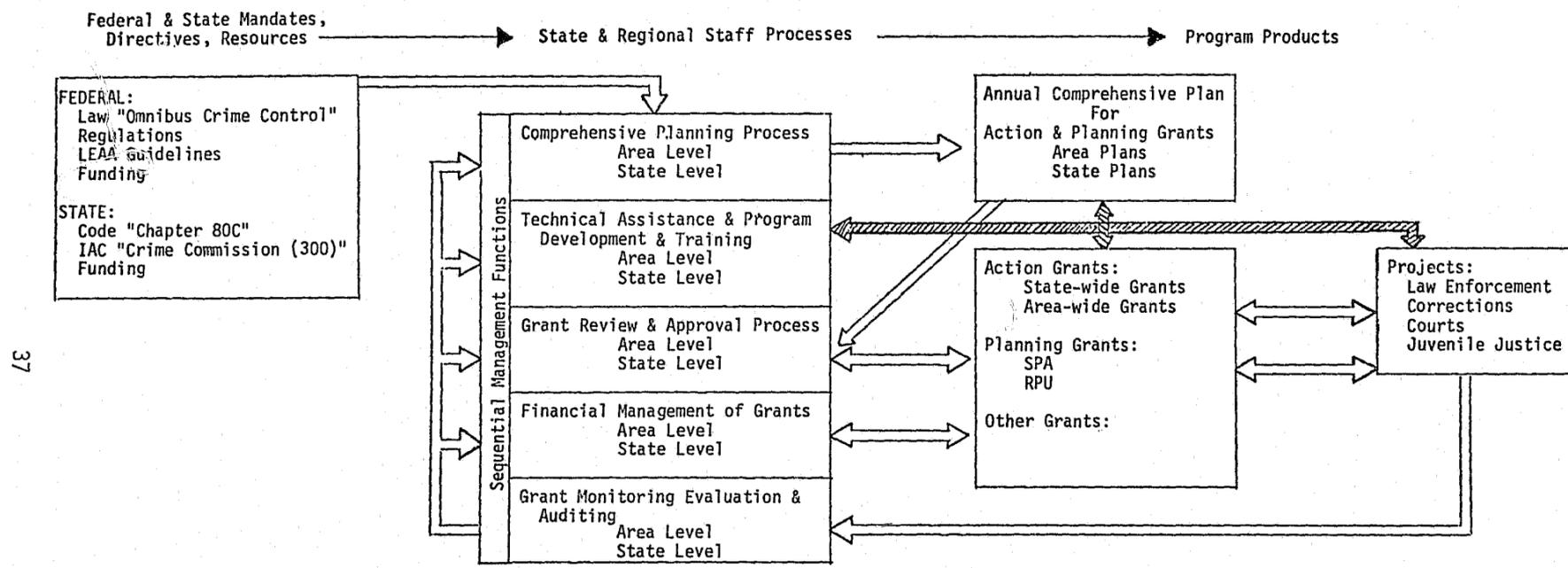
The technical interaction of these five management functions results in program products. The program products are funded projects in law enforcement, corrections, courts and juvenile justice.

The process illustrated in the chart indicates that the starting point is federal law; LEAA guidelines and state law establish the policy and provide the resources to carry out the five management functions.

The comprehensive planning process on the state and regional levels is a required step in obtaining LEAA funds in Iowa. Upon receipt of funds, program development initiates the production of grant applications, which are reviewed and approved. (See Chapter Two.)

Upon approval of the grant, a project is established. Financial management proceeds on both the regional and state level. The RPU's maintain line item accounts on each project. The SPA maintains accounts by total project expenditures. The RPU's and SPA both review project expenditures for compliance with federal guidelines.

TABLE 3.3



37

IOWA CRIME COMMISSION  
State & Regional Staff Organization

MANAGEMENT FUNCTIONS

LFB/PED/11-6-79

The grants are monitored quarterly by the RPU's and SPA based on progress reports prepared by project sponsors. Evaluation of specific projects are performed at the request of the Iowa Crime Commission or at the discretion of the SPA.

The financial audit of the SPA is performed annually by the state auditor. The SPA staff auditor performs annual audits of the planning grants awarded to each RPU and a portion of the program grants in each of the Area Crime Commissions.

The monitoring reports, staff evaluations, and audit information on program grants provide recommendations and feedback into the sequential functions. The purpose of this is to refine the interaction between the functions and improve the programs funded by the Iowa Crime Commission in order to achieve the federal mandate of the Iowa Crime Commission as reiterated in Chapter 80C, Code of Iowa:

"To prevent crime, to insure the maintenance of peace and good order, and to assure the greater safety of the people, law enforcement, judicial administration and corrections must be better coordinated, intensified and made more effective at all levels of government."

#### STATE AND REGIONAL TIME EXPENDITURES

The time expenditures of the SPA and RPU personnel have been analyzed and categorized into the five management functions required to administer LEAA funds in Iowa. The sixth function, organizational maintenance, is composed of time expenditures which the personnel did not link to the five categories. The specific duties of each staff person were consolidated into these six management functions.

Table 3.4 presents this analysis and was derived from the self-reports made by each staff person in the SPA and RPU's.

TIME EXPENDITURES IN THE SPA AND RPU'S

TABLE 3.4

Management Functions	Regional Planning Unit Time		State Planning Agency Time		Total Time Hours	Percent of Total Time %	Equivalent F.T.E.
	Hours	→/↓ %	Hours	→/↓ %			
Comprehensive Planning Process	4,435	82/9	963	18/2.4	5,398	6.1	2.6
Technical Assistance, Program Development, and Training	2,957	37/6	4,947	63/12.4	7,904	8.8	3.8
Grant Review and Approval Process	9,757	64/20	5,520	36/13.7	15,277	17.1	7.4
Financial Management of Grants	10,300	87/21	1,472	13/3.7	11,772	13.2	5.6
Grant Monitoring, Evaluation, and Auditing	2,464	26/5	6,902	74/17.3	9,366	10.5	4.5
Organization Maintenance	19,367	49/39	20,196	51/50.5	39,563	44.3	19.0
TOTAL	49,280	55/100	40,000	45/100	89,280	100.0	42.9
F.T.E.	23.7		20*		42.9		

\*Variance of .8 F.T.E. emerges during calculation because of new staff and long-term staff absentee.

The major observations emerging from the analysis are:

1. 50% of the total time is attributable to regional staff.
2. 44.3% of the total time is expended on organization maintenance.
3. 17.1% of the total time is expended on grant review and approval.
4. 64% of time expended for grant review and approval is attributable to regional staff.
5. 13.2% of the total time is expended on financial management.
6. 87% of the time expended on financial management is attributable to regional staff.
7. Of the remaining functions, the SPA has primary responsibility for: grant monitoring, evaluation and auditing; technical assistance, program development and training.
8. Although it is a primary requirement of the Federal regulations, the least amount of time is expended on the comprehensive planning process. This is primarily a regional responsibility.

#### CONCLUSIONS

The preceding analysis of the state and regional management functions and staff time expenditures clearly indicates duplication in all the management functions.

The disproportionate commitment of staff time to organization maintenance may be indicative of an organization in constant flux and may result from the need to constantly redefine the relationships among the plethora of organizations established to implement the *Omnibus Crime Control Act* and those existing prior to the Act which comprised the criminal justice system in Iowa (courts, sheriffs, police, etc.).

Overlapping responsibilities and duplication of activities occur in

major management functions. In financial management and grant review and approval functions, the state and regional staff organizations perform the same, similar, and closely allied activities and share responsibilities for determining the appropriateness of grants and expenditures for LEAA funding under the comprehensive plan (also a shared responsibility). These shared responsibilities may create the need to commit considerable staff resources to organization maintenance.

In the auditing functions performed by the SPA, there is a clear example of decentralized auditing within a state government. The State Auditor has overall audit authority (Chapter 11.1, Code of Iowa) for state government and others receiving state funds. Clearly, this authority has been preempted by the SPA.

While some of these problems result from the requirements of the *Omnibus Crime Control Act* and LEAA guidelines, the state has opted to share financial management and grant monitoring responsibilities with the due regional structures when not required to do so. The state has also opted to preempt the authority of the State Auditor even though this is not required by federal law or regulation.

The analysis will provide a basis in formulating recommendations for organizational change which will result from enactment of the *Justice System Improvement Act of 1979*. This is discussed in Chapter Four.

TABLE 2.6

FUNDS MANAGEMENT  
1969-1979

STATE PLANNING  
AGENCY

TABLE 2.6

FEDERAL AWARDS BY FISCAL YEAR AND CATEGORY	FEDERAL AWARDS	1969		1970		1971		1972		1973		1974		1975		1976		1977		1978		1979		1980		REVERSION
		STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	STATE	LOCAL	
FY 1969																										
Action	337,705	3,000	0	79,146	255,559	(28)	28																			0
Civil Disorder	11,892	0	0	11,892																						0
FY 1970																										
Action	2,501,000			615,249	1,788,622	(98,706)	82,626	106,223	(4,607)					(423)												11,543
Discretionary	149,999					125,776	40,000	(15,354)																		15,777
JDP	779			0		779																				0
FY 1971																										
Action	4,670,000					830,927	3,328,891	285,512	128,700	11,372	69,000															15,598
Discretionary	686,120					105,049	223,564	34,220	397,128	(9,011)	(64,541)	0	(289)													73,841
JDP	3,846					2,252	1,594																			0
FY 1972																										
Action	5,672,000							474,166	1,566,412	932,334	2,305,599	(42,690)	262,789													173,390
Discretionary	315,977							170,500	0	1,108	151,994	0	0	(2,817)	(1,500)	0	(3,308)									7,625
Corrections	668,000							0	0	179,177	379,651	104,130	(13,726)													18,768
JDP	3,761							2,611		1,150																0
FY 1973																										
Action	6,581,000									1,000,256	1,034,609	1,159,028	2,119,265	314,732	925,283											27,818
Discretionary	254,943							106,045	0	0	0	106,045	324,995	(15,789)	0											176,097
Corrections	774,000							0	0	0	0	260,467	323,533	117,760	(375)	(5,802)	(154,506)									72,615
FY 1974																										
Action	6,581,000											819,549	893,492	1,235,709	3,304,413	175,179	152,275									383
Discretionary	220,879											205,978	87,539	0	54,547	0	(126,480)	0	0	0	0	(711)				127,191
Corrections	774,000											0	0	270,280	250,000	203,686	0									50,034
Standards & Goals	19,160											0	0	22,730	0	0	0	(3,570)								3,570
FY 1975																										
Action	6,555,000													861,472	2,384,716	1,133,512	1,971,897	(48,951)	250,203							2,151
Discretionary	993,743													574,665	487,269	0	0	(54,101)	(105)	(2,263)	0	(5,903)	(5,819)			68,191
Corrections	772,000													0	0	457,945	295,482	(41,836)	5,932							54,477
JJDP	200,000													17,260	2,436	2,369	112,747	22,936	13,300	0	532					28,420
FY 1976																										
Action	6,655,000															871,939	1,539,025	721,063	2,712,477	110,356	453,189					246,951
Discretionary	3,287,950															19,376	100,000	3,164,131	0	10,881	0	0	(6,438)	0		0
Corrections	883,000															105,067	43,573	435,236	143,350	85,957	55,981	(43,614)	11,538			45,912
JJDP	385,000															250,000	0	37,614	232,924	17,068	(40,452)	(61)	0			112,907
Standards & Goals	12,937															0	3,697	0	0	9,710	(470)					407
FY 1977																										
Action	4,167,000																	492,878	470,114	711,887	1,919,617	55,893	384,663			131,948
Discretionary	361,232																	0	0	13,061	355,940	(7,769)	0			7,769
Corrections	490,000																	0	323,200	0	(334)	132,430	0			34,704
JJDP	643,000																	0	177,852	0	414,237	52,111	(8,173)			6,973
FY 1978																										
Action	3,485,000																			469,025	1,606,093	416,543	272,856			
Discretionary	928,842																			297,500	289,563	218,225	144,733	(21,179)	0	
Corrections	395,000																			0	0	360,498	0			
JJDP	834,000																			21,366	159,213	35,688	462,706			
JJAC	10,818																					10,818				
FY 1979																										
Action	3,497,000																									
Discretionary	713,668																									
Corrections	411,000																									
JJDP	825,000																									
TOTAL BY FISCAL YEAR		3,000	0	706,287	2,044,231	966,049	3,675,109	1,059,472	2,087,633	2,116,395	3,876,312	2,612,507	3,997,598	3,395,579	7,406,789	2,988,271	3,930,705	4,729,097	4,329,247	1,744,548	5,212,868	1,927,687	2,619,311	465,051	0	1,515,060

## CHAPTER FOUR

### THE JUSTICE SYSTEM IMPROVEMENT ACT OF 1979

#### INTRODUCTION

The first two chapters of this report provide historical and background information. Chapter One overviews the components of the Iowa Crime Commission. Chapter Two overviews the fiscal history and grant application procedures from 1969 to 1979.

The third chapter of this report presents an analysis of the functional responsibilities of the state and regional staff organizations. The purpose of this analysis is to identify duplication of activity and overlap of responsibilities in the management functions. The chapter concludes that duplication exists in major management functions, including: Financial Management, Grant Review and Approval and Planning, as well as in other areas.

The chapter also indicates that the SPA has preempted the overall audit authority of the State Auditor by maintaining an in-house audit function. Additionally, the chapter concludes that a disproportionate commitment of staff time to organization maintenance may result from the structure established to implement the *Omnibus Crime Control Act* and the nature of the relationships between the state, regional, and preexisting organizations comprising the Criminal Justice System in Iowa.

The 96th Congress of the United States has the task of formulating the *Justice System Improvement Act of 1979*. Since early 1979, both the House (H.R. 2061) and the Senate (S. 241) have been drafting their versions of the act. There was not complete agreement on what should constitute the act. The act was assigned to a Conference Committee which released its report on November 16, 1979. Final Congressional action was taken on the Conference Committee Report in December, 1979.

The White House Staff reported that the President has until midnight December 28, 1979, to take action on the legislation.

The *Justice System Improvement Act* will provide alternatives for the administration of LEAA funds in Iowa. The purpose of this chapter is to identify changes in Federal law that will impact the State of Iowa's options for reorganization of the intergovernmental components established to administer LEAA funds.

MAJOR ASPECTS OF THE JUSTICE SYSTEM IMPROVEMENT ACT OF 1979: AS IT IS IN THE CONFERENCE REPORT (96-655)

This review follows the organization of the act. Each section has been reviewed and the relevant sections have been examined in-depth.

Declaration and Purpose

"It is therefore the declared policy of the Congress to aid state and local governments in strengthening and improving their systems of criminal justice by providing financial and technical assistance with

maximum certainty and minimum delay. It is the purpose of this title to:

1. Authorize funds for the benefit of states and units of local government to be used to strengthen their criminal justice system;
2. Develop and fund new methods and programs to enhance the effectiveness of criminal justice agencies;
3. Support the development of city, county, and statewide priorities and programs to meet the problems confronting the justice system;
4. Reduce court congestion and trial delay;
5. Support community anti-crime efforts;
6. Improve and modernize the correctional system;
7. Encourage the undertaking of innovative projects of recognized importance and effectiveness;
8. Encourage the development of basic and applied research directed toward the improvement of civil, criminal justice system and new methods for the prevention and reduction of crime and the detection, apprehension, and rehabilitation of criminals;
9. Encourage the collection and analysis of statistical information concerning crime, juvenile delinquency, civil disputes, and the operation of justice systems; and
10. Support manpower development and training efforts.

It is further the policy of the Congress that the Federal assistance made available under this title not be utilized to reduce the amount of state and local financial support for criminal justice activities below the level of such support prior to the availability of such assistance."

Part A: Law Enforcement Assistance Administration

This part reauthorizes and reorganizes LEAA. It defines the powers of the Administrator and places him or her under the authority of the U.S. Attorney General. This part establishes the Office of Community Anti-Crime Programs.

Part B: National Institute of Justice

This part establishes the National Institute of Justice to encourage research and demonstration efforts pursuant to the purposes of the act. It identifies the duties and functions of the institute. This part authorizes 100% grants for research, evaluation and demonstration projects related to the improvement of criminal justice systems at federal, state and local levels.

Part C: Bureau of Justice Statistics

This part establishes the Bureau of Justice Statistics under the authority of the U.S. Attorney General for the purpose of providing for and encouraging the collection and analysis of statistical information concerning crime, juvenile delinquency and the operation of the criminal justice system and related aspects of the civil justice system. It authorizes 100% grants to achieve these goals.

Part D: Formula Grants

The purpose of the Formula Grant program is to assist states and units of local governments in carrying out specific innovative programs of proven effectiveness with a record of proven success, or which offer a high probability of improving the criminal justice system.

section 401

LEAA is authorized to make grants to states and units of local government for the purpose of:

1. Establishing or expanding community and neighborhood programs that enable citizens to undertake initiatives to deal with crime and delinquency;
2. Improving and strengthening law enforcement agencies, as measured by arrest rates, incidence rates, victimization rates, the number of reported crimes, clearance rates, the number of patrol or investigative hours per uniformed officer, or any other appropriate objective measure;
3. Improving the police utilization of community resources through support of joint policy-community projects designed to prevent or control neighborhood crime;
4. Disrupting illicit commerce in stolen goods and property and training of special investigative and prosecuting personnel, and the development of systems for collection, storing, and disseminating information relating to the control of organized crime;
5. Combating arson;
6. Developing investigations and prosecutions of white collar crime, organized crime, public corruption related offenses, and fraud against the government.
7. Reducing the time between arrest or indictment and disposition of trial;
8. Implementing court reforms;

9. Increasing the use and development of alternatives to the prosecution of selected offenders;
10. Increasing the development and use of alternatives to pretrial detention that assure return to court and a minimization of the risk of danger;
11. Increasing the rate at which prosecutors obtain convictions against habituals, nonstatus offenders;
12. Developing and implementing programs which provide assistance to victims, witnesses, and jurors, including restitution by the offender, programs encouraging victim and witness participation in the criminal justice system, and programs designed to prevent retribution against or intimidation of witnesses by persons charged with or convicted of crimes;
13. Providing competent defense counsel for indigent and eligible low-income persons accused of criminal offenses;
14. Developing projects to identify and meet the needs of drug dependent offenders;
15. Increasing the availability and use of alternatives to maximum-security confinement of convicted offenders who pose no threat to public safety;
16. Reducing the rates of violence among inmates in places of detention and confinement;
17. Improving conditions of detention and confinement in adult and juvenile correctional institutions, as measured by the number of such institutions administering programs meeting accepted standards;

18. Training criminal justice personnel in programs meeting standards recognized by the administrator;
19. Revising and recodifying by states and units of local government of criminal statutes, rules, and procedures and revision of statutes, rules, and regulations governing state and local criminal justice agencies;
20. Coordinating the various components of the criminal justice system to improve the overall operation of the system, establishing criminal justice information systems, and supporting and training of criminal justice personnel;
21. Developing statistical and evaluative systems in states and units of local government which assist the measurement of indicators in each of the areas described in paragraphs (1) through (20);
22. Encouraging the development of pilot and demonstration projects for prison industry programs at the state level with particular emphasis on involving private sector enterprise either as a direct participant in such programs, or as purchasers of goods produced through such programs, and aimed at making inmates self-sufficient, to the extent practicable, in a realistic working environment; and
23. Any other innovative program which is of proven effectiveness, has a record of proven success, or which offers a high probability of improving the functioning of the criminal justice system.

For action grants, the Federal portion of any grant may be up to (100%) one hundred percent for Federal fiscal year ending September 30, 1980. For any later fiscal period, the Federal portion may not exceed (90%) ninety percent.

The Conference Committee noted that the "assumption of cost" by the recipient of the award will be expected after a reasonable period of time.

The amount of funds which LEAA is authorized to grant to any individual state for purposes of administration is outlined in Table 4.1.

Administrative Funds Available From LEAA		
TABLE 4.1		
Administrative Unit	No Required Match	A Required Equal Match
To each state:	\$200,000	+ 7 1/2% of the allocation of the formula grant administered by the state.
To each eligible jurisdiction (B, C & D below)	On the first \$ 25,000	of An amount equal to a maximum 7 1/2% of the allocation of the formula grant.
To the Judicial Coordinating Committee: (Judicial Planning Committee)	\$ 50,000 (Minimum)	& An amount equal to a maximum of 7 1/2% of the allocation of the formula grant.
Other units of local government (E below)	At the discretion of the state	

The State of Iowa is eligible for a \$250,000 match-free administrative grant. If no eligible jurisdictions are formed, the state may also use (7 1/2%) seven and one-half percent of the state's action grant allocation (\$3,217,000 x .075 = \$241,275) providing the state match equally the amount.

Each eligible jurisdiction (B, C, or D) that is formed will be entitled to 7 1/2% of their proportionate share of the state's action allocation. The first \$25,000 is match-free and the remaining matched equally by the units of local government comprising an eligible jurisdiction.

section 402

This section defines the requirements for "eligible jurisdictions" which will plan for and administer the use of LEAA funds for the improvement of the components of the criminal justice system in that jurisdiction.

An eligible jurisdiction can be:

- A. A state;
- B. A municipality which has no less than 0.15 per centum of total state and local criminal justice expenditures, and which has a population of one hundred thousand or more persons on the basis of the most satisfactory current data available on a nationwide basis to the administration but only if such municipality would receive at least \$50,000 of the formula grant for an appreciable year;
- C. A county which has no less than 0.15 per centum of total state and local criminal justice expenditures, and which has a population of one hundred thousand or more persons on the basis of the most satisfactory current data available on a nationwide basis to the administration but only if such county would receive at least \$50,000 of the formula grant for an applicable year;
- D. Any combination of contiguous units of local govern-

ment, whether or not situated in more than one state, or any combination of units of local government all in the same county, which has a population of one hundred thousand or more persons on the basis of the most satisfactory current data available on a nationwide basis to the administration but only if such combination would receive more than \$50,000 of the formula grant for an applicable year.

E. A unit of local government, or any combination of such contiguous units without regard to population, which are otherwise ineligible under the other paragraphs of this subsection.

The legislation requires the state to establish or designate and maintain a criminal justice council for the purpose of:

a. Analyzing the criminal justice problems within the state based on input and data from all eligible jurisdictions, state agencies, and the judicial coordination committee and establishing priorities based on the analysis and assuring that these priorities are published and made available to affected criminal justice agencies prior to the time required for application submission;

b. Preparing a comprehensive state application reflecting the statewide goals, objectives, priorities, and projected grant programs;

c. 1. Receiving, reviewing, and approving (or disapproving) applications or amendments submitted by state agencies, the judicial coordinating committee, and units of local government, or combinations thereof;

2. Providing financial assistance to these agencies and units according to the criteria of this title and on the terms and conditions established by such council at its discretion; and

d. Receiving, coordinating, reviewing, and monitoring all applications or amendments submitted by state agencies, the judicial coordinating committee, units of local government, and combinations of such units, recommending ways to improve the effectiveness of the programs or projects referred to in said applications, assuring compliance of said applications with Federal requirements and state law and integrating said applications into the comprehensive state application;

e. Preparing an annual report for the Governor and the state legislature containing an assessment of the criminal justice problems and priorities within the state; the adequacy of existing state and local agencies, programs, and resources to meet these problems and priorities; the distribution and use of funds it allocates, and the relationship of these funds to state and local resources allocated to crime and justice system problems; and the major policy and legislative initiatives that are recommended to be undertaken on a statewide basis;

f. Assisting the Governor, the state legislature, and units of local government upon request in developing new or improved approaches, policies, or legislation designed to improve the criminal justice system of the state;

g. Developing and publishing information concerning criminal justice in the state;

h. Providing technical assistance upon request to state agencies, community-based crime prevention programs, the judicial coordination committee, and units of local government in matters relating to improving criminal justice in the state; and

i. Assuring fund accounting, auditing, and evaluation of programs and projects funded under this part to assure compliance with Federal requirements and state law.

The council shall be created or designated by state law and shall be subject to the jurisdiction of the chief executive of the state who shall appoint members of the council, designate the chairman, and provide professional, technical, and the clerical staff to serve the council. The council shall be broadly representative and include among its membership:

a. Representatives of eligible jurisdictions who shall comprise at least one-third of the membership of the council where there are such eligible jurisdictions in the state;

b. Representatives of the smaller units of local government;

c. Representatives of the various components of the criminal justice system, including representatives of agencies directly related to the prevention and control of juvenile delinquency and representatives of policy, courts, corrections, prosecutors, and defense attorneys;

d. Representatives of the general public including

representatives of neighborhood and community-based and business and professional organizations of the communities to be served under this part; and

e. Representatives of the judiciary including, at a minimum, the chief judicial officer or other officer of the court of last resort, the chief judicial administrative officer or other appropriate judicial administrative officer of the state, and a local trial court judicial officer; if the chief judicial officer or chief judicial administrative officer cannot or does not choose to serve, the other judicial members and the local trial court judicial officer shall be selected by the chief executive of the state from a list of no less than three nominees for each position submitted by the chief judicial officer of the court of last resort within thirty days after the occurrence of any vacancy in the judicial membership; additional judicial members of the council as may be required by the administration shall be appointed by the chief executive of the state from the membership of the judicial coordinating committee or, in the absence of a judicial coordinating committee, from a list of no less than three nominees for each position submitted by the chief judicial officer of the court of last resort.

Individual representatives may fulfill the requirements of more than one functional area or geographical area where appropriate to the background and expertise of the individual.

Applications from eligible jurisdictions (B, C, and D, Page 50) may, at their discretion, be in the form of single applications to the state for inclusion in the comprehensive state application to LEAA. Applications or amendments should conform to the overall priorities, unless the eligible jurisdiction's analysis of its criminal justice system demonstrates that such recommended priorities are inconsistent with their needs. Applications or amendments should conform to uniform administrative requirements for submission of applications. Such requirements shall be consistent with guidelines issued by the administration. Such application or amendments shall be deemed approved unless the council, within ninety days of the receipt of such application or amendment, finds that the application or amendment:

- i. Does not comply with federal requirements or with state law or regulations;
- ii. Is inconsistent with priorities and fails to establish, under guidelines issued by the administration, good cause for such inconsistency;
- iii. Conflicts with or duplicates programs or projects of another applicant under this title, or other federal, state, or local supported programs or applications; or
- iv. Proposes a program or project that is substantially identical to or is a continuation of a program or project which has been evaluated and found to be ineffective.

Where the council finds such noncompliance, inconsistency, conflict, or duplication, it shall notify the applicant in writing and set forth its reasons for the finding:

- The applicant may, within thirty days of receipt of

written findings of the council, submit to the council a revised application or state in writing the applicant's reasons for disagreeing with the council's findings;

- A revised application submitted shall be treated as an original application except that the council shall act on such application within thirty days;

- If an applicant states in writing a disagreement with the council's written findings, the findings shall be considered appealed. The appeal shall be in accordance with a procedure developed by the council and reviewed and agreed to by the eligible jurisdiction. If any eligible jurisdiction in a state fails to agree with the council appeal process prior to application submission to the council, the appeal shall be in accordance with procedures developed by the administration. The administration appeal procedures shall provide that if the council's action is not supported by clear and convincing evidence or if the council acted arbitrarily or capriciously, the council shall be directed to reconsider or approve the application or amendment.

- Approval of the application of such eligible local jurisdiction shall result in the award of funds to such eligible jurisdiction without requirement for further application or review by the council.

Applications from state agencies and eligible jurisdictions (E, Page 51) must be in the manner and form proscribed by the council. The council may deny funding or recommend changes in such an application if they find it:

- a. Does not comply with federal requirements or with

state law or regulation;

b. Is inconsistent with priorities, policy, organizational, or procedural arrangements, or the crime analysis;

c. Conflicts with or duplicates programs or projects of another applicant under this title, or other federal, state, or local supported programs or applications; or

d. Proposes a program or project that is substantially identical to or is a continuation of a program or project which has been evaluated and found to be ineffective.

This section also requires the creation of an office by the chief executive of a jurisdiction (B, C, and D, Page 50) for the purpose of preparing a jurisdiction's application and assuring the application complies with federal and state requirements. It also requires the establishment of a local criminal justice advisory board, under the authority of the chief executive, and defines the purposes of the board and its composition.

The court of last resort of each state may establish or designate a judicial coordinating committee (hereinafter referred to in this title as the 'Committee') for the preparation, development, and revision of a three-year application or amendments thereto reflecting the needs and priorities of the courts of the state. For those states where there is a judicial agency which is authorized by state law on the date of enactment of this subsection to perform this function and which has a statutory membership of a majority of court officials (including judges and court administrators), the judicial agency may establish or designate the judicial coordinating committee. The committee shall:

1. Establish priorities for the improvement of the various courts of the state;

2. Define, develop, and coordinate programs and projects for the improvement of the courts of the state;

3. Develop, in accordance with part D of this title, an application for the funding of programs and projects designed to improve the functioning of the courts and judicial agencies of the state.

#### section 403

This section requires a three-year application with required annual amendment if there are new programs added or programs are not implemented. This applies both to state applications to LEAA and applications by eligible jurisdictions to the state.

The applications must include:

- Analysis of crime problems and criminal justice needs;
- Description of services to be provided;
- Performance goals and priorities;
- A statement on how the programs will achieve the objectives of the act;
- An indication of how the programs relate to similar state and local programs;
- An assurance that applicants shall submit performance reports and an assessment of the impact of the program;
- A certification that Federal funds will not be used to supplant state or local funds;
- An assurance that there are adequate funds

for courts, corrections, police prosecution and defense programs;

- A provision for adequate fiscal control, proper management, auditing, monitoring and evaluation;
- As well as other provisions.

section 404

This section provides the basic rules upon which applications will be approved by LEAA. It generally requires applications to be consistent with the goals of the act and provides that LEAA may suspend or make appropriate adjustments in the applications if warranted by annual performance reports. It also details specific restrictions on the use of these funds.

section 405

This section establishes that the allocation for the state award of action funds and subsequent awards to eligible jurisdictions will be determined by LEAA. The award to the state will be in accordance with one of two formulas, whichever results in the larger amount. The section provides that no state will receive an allocation of action funds which is less than the block grant allocation received by the state in F.Y. 1979, unless the federal appropriation restricts the availability of funds.

The allocation to eligible jurisdictions will be determined by LEAA. The determination will be made by:

- a. Distributing (70%) seventy percent of the formula grant in proportion to the respective share of total state and local criminal justice expenditures made by the eligible jurisdiction;

b. And by distributing the remaining (30%) thirty percent among eligible jurisdictions, in respect to their proportion of the total state and local expenditure for criminal justice in for equal shares in amounts determined as follows:

i. For combating crime, a proportion of the available funds equal to their own respective share of total state and local expenditures for policy services from all sources;

ii. For improving court administration, a proportion of the available funds equal to their own respective share of total state and local expenditures for judicial, legal, and prosecutive, and public defense services from all sources;

iii. For improving correctional services, a proportion of the available funds equal to their own respective share of total state and local expenditures for correctional services from all sources; and

iv. For devising effective alternatives to the criminal justice system, a proportion of the available funds equal to their own respective share of total state and local expenditure from all sources.\*

It further states that such funds that would be available to eligible units of local government which choose not to combine and exercise the

\*LEAA technical staff has informed the Program Evaluation Division that allocations for F.Y. 1981 will be based on data provided by the U.S. Census Bureau Survey of Criminal Justice Expenditure and Employment conducted in 1978.

powers available to eligible jurisdictions shall be set aside in a discretionary fund for the use of the council in making grants to units of local government.

Additionally, this section permits the State Legislature to review the goals, priorities and policies of the council and to make advisory comments prior to its implementation.

This section also permits an eligible jurisdiction to utilize existing general purpose regional planning bodies for the purpose of preparing the jurisdiction's application and other administrative purposes.

#### Part E: National Priority Grants

The purpose of this part is to provide additional funds to states and units of local government to implement designated national priority programs. The grant can be made for an amount equal to 50% of the cost of the program. The remaining cost may be provided from the state's or eligible jurisdiction's action allocation or from any other source of funds. Projects under this part cannot be funded for more than three years and the grant recipient will assume the cost of the program unless this is waived by LEAA.

#### Part F: Discretionary Grants

This part authorizes the provision of additional Federal financial assistance to states, eligible jurisdiction or nonprofit private organizations for the achievement of the goals of this act. The awards may be up to 100% of the cost of the program for a period not to exceed three years.

#### Part G: Training and Manpower Development

It is the purpose of this part to provide and encourage training, manpower development, and new personnel practices to improve the criminal justice system. Grants can be awarded up to 100% of the cost of a program designed to train state and local criminal justice personnel. LEAA is authorized to establish and support training for prosecuting attorneys, F.B.I. training of state and local personnel, and a criminal justice education program. These programs are available for use by the state and its political subdivisions.

#### Part H: Administrative Provisions

This part makes provisions necessary for the administration of the act by the Federal government.

#### Part I: Definitions

This part provides definitions.

#### Part J: Funding

This part authorizes Congressional appropriations and requires that 19.5% of the total appropriation for this act be maintained for juvenile delinquency programs.

#### Part K: Criminal Penalties

This part provides criminal penalties for misuse of Federal assistance, falsification or concealment of facts, or conspiracy to commit offense against the United States.

#### Part L: Public Safety Officers Death Benefits

This part provides the policy for the administration of the Public

**CONTINUED**

**1 OF 2**

Safety Officers Death Benefits program by LEAA.

Part M: Transition - Effective Date - Repealer

This section provides the confirming legislation necessary to affect the transition from the previous act to the new legislation.

CONCLUSIONS

The *Justice System Improvement Act of 1979* has implications for Iowa in two major areas, intergovernmental relations and funding. These conclusions are not intended to encompass every implication for Iowa, but do reflect those aspects related to the purpose of this study.

Intergovernmental Relations

The act clearly allows for alternative approaches in establishing the nature of intergovernmental relations between the state and units of local government. This conclusion is apparent in four specific provisions of the act.

The act provides greater flexibility to units of local government in the formation of jurisdictions eligible to receive LEAA funds from the state. It provides the option for contiguous units of local government, who meet specific requirements for population size and level of criminal justice expenditures, to form administrative organizations to prepare applications and otherwise administer LEAA funds.

Eligible jurisdictions meeting the requirements of population and expenditure may, at their discretion, submit a single application, for inclusion in the comprehensive state application, to obtain their allocation as determined by LEAA. These funds are treated as a block grant to the eligible jurisdiction who is responsible for assuming general

compliance and adequate financial management.

Eligible jurisdictions not meeting the requirements of population and expenditure must apply for funds in the manner proscribed by the state Criminal Justice Council.

Finally, the Iowa Legislature may impose, by state law, specific compliance requirements for the approval of applications from all eligible jurisdictions by the state Criminal Justice Council. These implications are considered in the options for reorganization contained in Chapter Five.

Funding

The act specifically links the availability of administrative funds to the availability of action funds. The act limits the amount of Federal funds that may be expended for administration to 7 1/2% of the action funds allocated to an eligible jurisdiction. Congress intended that the administrative functions be accomplished within this limitation, or that further fiscal liability be assumed by the jurisdiction controlling the funds.

The act stipulates that the allocation of action funds to eligible jurisdictions and state agencies will be based on proportionate shares of Criminal Justice expenditures. This may result in changes in the relative distribution of action funds.

These implications, as well, are considered in the options for reorganization contained in Chapter Five.

## CHAPTER FIVE

### CONCLUSION, PRINCIPLES FOR REORGANIZATION AND RECOMMENDATIONS

#### INTRODUCTION

The Appropriations Subcommittee on Transportation and Law Enforcement will hold hearings in January 1980 to determine the appropriation for the second year of the biennium for administrative cost of the Iowa Crime Commission. This hearing was required by the Appropriations Bill (H.F. 738) because the reauthorization and reorganization of the Law Enforcement Assistance Administration (LEAA) was expected to affect the required state match to obtain an LEAA planning grant and program funds for federal F.Y. 1980-81.

The Legislative Council initiated this evaluation in October, 1979 to analyze the State and Regional Staff Organization of the Iowa Crime Commission to determine where duplication of staff activities may exist. The Legislative Council intended the evaluation to provide recommendations for administrative changes and budget revisions for the consideration of the Appropriations Subcommittee on Transportation and Law Enforcement.

The first chapter of this report illustrates the federal, state and local governmental components which exist to administer LEAA funds in Iowa. Brief overviews of LEAA, the Iowa Crime Commission, Judicial Plan-

ning Committee, Juvenile Justice Advisory Council, State Planning Agency, Area Crime Commissions and Regional Planning Units were provided.

The second chapter provides an overview of the type of grants available through the Iowa Crime Commission, the grant application procedure, funds that have been awarded by the Commission, funds management by the SPA, administrative cost and federal seed money.

Chapter Three presents an analysis of the state and regional staff time expenditures and identifies duplication of activity and overlap of responsibilities in management functions.

Chapter Four reviews the *Justice System Improvement Act of 1979*, as it is in the Conference Report, and provides in-depth review of the parts which impact the alternatives for the administration of LEAA funds in Iowa.

The purpose of this chapter is to review information and conclusions from the previous chapters and present recommendations of the Legislative Fiscal Bureau.

## CONCLUSIONS

### Administrative Cost

The state and local cost of planning, administration of LEAA funds and grants management has increased greatly since 1969 when the Iowa Crime Commission was established. The state appropriation for administering LEAA funds in Iowa was \$5,000 in F.Y. 1969 and increased to \$210,000 in F.Y. 1980. The local matching funds required for the administration of LEAA funds was \$7,359 in F.Y. 1969 and is estimated to be \$200,000 for F.Y. 1980.

The Federal intent with LEAA funds, as with all seed money programs, is to provide an influx of federal money into states for initiating programs of national priority and to allow for the withdrawal of federal funds and resulting assumption of cost by states or local units of government.

### Staff Time Expenditures

There is a disproportionate commitment of regional and state staff time expended on organization maintenance. This may be indicative of an organization in constant flux and may result from the need to constantly redefine the relationships among the plethora of organizations established to implement the *Omnibus Crime Control Act*.

Overlapping responsibilities and duplication of activities occur in major management functions. In financial management and grant review and approval functions, the state and regional staff organizations perform the same, similar, and closely allied activities and share responsibilities for determining the appropriateness of grants and expenditures for LEAA funding under the comprehensive plan (also a shared responsibility). These shared responsibilities may create the need to commit considerable staff resources to organization maintenance.

In the auditing functions performed by the SPA, there is a clear example of decentralized auditing within a state government. The State Auditor has overall audit authority (Chapter 11.1, Code of Iowa) for state government and others receiving state funds. Clearly, this authority has been preempted by the SPA.

While some of these problems result from the requirements of the

*Omnibus Crime Control Act* and LEAA guidelines, the State Planning Agency has opted to share financial management and grant monitoring responsibilities with the regional structures when not required to do so. The State Planning Agency has also opted to preempt the authority of the State Auditor even though this is not required by federal law or regulation.

#### The Justice System Improvement Act of 1979

The act clearly allows for alternative approaches in establishing the nature of intergovernmental relations between the state and units of local government. This conclusion is apparent in following specific provisions of the act.

The act provides greater flexibility to units of local government in the formation of jurisdictions eligible to receive LEAA funds from the state. It provides the option for contiguous units of local government, who meet specific requirements for population size and level of criminal justice expenditures, to form administrative organizations to prepare applications and otherwise administer LEAA funds.

Eligible jurisdictions meeting the requirements of population and expenditure may, at their discretion, submit a single application, for inclusion in the comprehensive state application, to obtain their allocation as determined by LEAA. These funds are treated as a block grant to the eligible jurisdiction who is responsible for assuring general compliance and adequate financial management.

Eligible jurisdictions not meeting the requirements of population and expenditure must apply for funds in the manner proscribed by the state Criminal Justice Council.

The Iowa Legislature may impose, by state law, specific compliance requirements for Iowa Crime Commission approval of applications for all eligible jurisdictions.

The act specifically links the availability of administrative funds to the availability of action funds. The act limits the amount of Federal funds that may be expended for administration to 7 1/2% of the action funds allocated to an eligible jurisdiction. Congress intended that the administrative functions be accomplished within this limitation, or that further fiscal liability be assumed by the jurisdiction controlling the funds.

The act stipulates that the allocation of action funds to eligible jurisdictions and state agencies will be based on proportionate shares of Criminal Justice expenditures. This may result in changes in the relative distribution of action funds.

#### PRINCIPLES FOR REORGANIZATION

In formulating recommendations, the Program Evaluation team of the Legislative Fiscal Bureau considered the conclusions concerning administrative cost, the seed money nature of LEAA funds, the time expenditures on the state and regional levels and the *Justice System Improvement Act of 1979*. Several options for reorganization allowable under the *Justice System Improvement Act of 1979* were formulated and discussed.

The options for reorganization were considered as part of a continuum of options which ranged from maximizing state responsibility and authority to maximizing local responsibility and authority. There are many options among the continuum. The responsibility for cost and performance of

specific management functions varied with these options. The authority in establishing policy and determining grant awards also varied.

The recommendations of the Legislative Fiscal Bureau were formulated by the Program Evaluation team considering these basic principles:

- State law should address the relative responsibilities and authority of state and local government and establish policy which would prevent duplication of activities and overlap of responsibilities.

- Local units of government, or combinations thereof, should have primary responsibility and authority for resolution of Criminal Justice problems.

- The state role should be to assist local units of government in efforts related to resolving Criminal Justice problems.

- Authority for grant award decisions and responsibility for management and assumption of cost should reside in the same level of government.

- The cost of administering LEAA funds in Iowa should not exceed the Federal funds available for this purpose and the minimum required match for obtaining the funds.

- The state audit responsibility should not be decentralized into state agencies, and should be retained by the Auditor of State.

#### RECOMMENDATIONS

The recommendations of the Legislative Fiscal Bureau were formulated

by the Program Evaluation team based on the analyses and conclusions contained in this report, as well as the principles outlined above.

#### Recommendation # 1

The Iowa Legislature should amend Chapter 80C, Code of Iowa, to include:

- Technical revisions to comply with federal law.

- A clear statement of the role of the various governmental components responsible for administration of LEAA funds.

- Uniform administrative requirements to assure consistent administration of block grant awards to eligible jurisdictions.

- A provision for legislative review of the comprehensive state application for LEAA funds.

#### Recommendation # 2

The Iowa Legislature, in enacting revisions to Chapter 80C, should restrict the role of the State Planning Agency to:

- Encouraging the establishment of no more than five eligible jurisdictions, as defined in the *Justice Improvement Act*, covering the entire state for the purpose of receiving and administering block grant funds.

- Monitoring and evaluating block grant applications to assure compliance pursuant to federal and state law.

- Arranging for technical assistance to local units of government and eligible jurisdictions.

- Submitting the comprehensive state application for LEAA funds, preparing portions of the application for state agencies, and preparing other applications for LEAA and JJDP funds as they become available to Iowa.

- Providing staff support to assist the Iowa Crime Commission to meet the requirements of Federal legislation.

Recommendation # 3

The Iowa Legislature, in enacting uniform administrative requirements in Chapter 80C, should establish the role of the eligible jurisdictions to be:

- Assuming responsibility for regional planning, submitting block grant applications to the Iowa Crime Commission, administrating project grants and monitoring and evaluating project performance.

- Assuming the authority for subgrant awards within the eligible jurisdictions.

- Assuming responsibility for adequate fiscal control and management.

- Assuming responsibility for establishing eligible jurisdictions and obtaining financial and programmatic support from units of local government.

Recommendation # 4

The Iowa Legislature should provide authority to the Auditor of State

to exercise the responsibility for all financial audit activities of the State related to LEAA funds.

Recommendation # 5

The Iowa Legislature, in appropriating state funds for administration of LEAA funds, should restrict the state responsibility for administrative cost to the minimum match required to obtain the portion of federal administrative funds allocated to the State Planning Agency.

- The state appropriation for the first year of operation (F.Y. 1981) under the *Justice System Improvement Act of 1979* should not exceed \$50,000.

- The state appropriation for the subsequent operations under the remaining years of the act should not exceed the minimum required to obtain the maximum federal funds for state administrative purposes.

- The state appropriation for the support of area planning and administration should be discontinued.

Recommendation # 6

The Iowa Legislature, in authorizing staff position limitations, should limit the authorized full-time equivalent positions to the maximum salaries and support that can be funded by federal administrative funds allocated to the State Planning Agency and the minimum match required to obtain those funds.

- The position authorization for the first year of operation (F.Y. 1981) under the *Justice System Improvement Act of 1979* should not exceed 10 F.T.E.

- The position authorization for the subsequent operations under the remaining years of the act should not exceed the maximum salaries and support that can be funded by federal administrative funds allocated to the State Planning Agency and the minimum match required to obtain those funds.

Recommendation # 7

The Iowa Legislature, in appropriating funds for matching LEAA action funds, should provide only such amounts as are minimally required by Federal law.

Recommendation # 8

Prior to the 1981 hearings of the Appropriations Subcommittee on Transportation and Law Enforcement, the Legislative Fiscal Bureau should prepare a monitoring report for the subcommittee assessing the implementation of recommendations affecting the appropriations to the Iowa Crime Commission.

Recommendation # 9

When the Justice System Improvement Act of 1979 expires and new legislation is enacted, the Legislative Fiscal Bureau should conduct an evaluation of the governmental components established to administer LEAA funds in Iowa.

APPENDIX A

CHAPTER 80C  
IOWA CRIME COMMISSION

Appropriation by 67GA, 1978 session for matching federal funds and restrictions thereon; see 67GA, ch 1019, §1(8) and §2

80C.1 Declaration of policy and purpose.  
80C.2 Commission established.  
80C.3 Commission functions.

80C.4 Duty to file report.  
80C.5 Acceptance of grants.  
80C.6 Commission membership.

80C.1 Declaration of policy and purpose. The general assembly finds that the increasing incidence of crime threatens the peace, security and general welfare of the state and its citizens. To prevent crime, to insure the maintenance of peace and good order, and to assure the greater safety of the people, law enforcement, judicial administration, and corrections must be better co-ordinated, intensified and made more effective at all levels of government. [C71, 73, 75, 77, §80C.1]

80C.2 Commission established. There is hereby established the Iowa crime commission, hereinafter called the commission. The commission shall be within the office of the governor. [C71, 73, 75, 77, §80C.2]

80C.3 Commission functions. The commission shall act as the state law enforcement planning agency for purposes established by state or federal agencies. The commission may conduct inquiries, investigations, analyses and studies of all state, county, and city departments and agencies concerned with the problems of crime, and the commission may conduct inquiries, investigations, analyses, and studies into the incidence and causes of crime in Iowa, in co-operation with state, area, city and county agencies; and develop a state-wide program of interagency co-operation, in association with federal agencies and officials, and those of other states concerned with the problems of crime and based thereupon may make recommendations to the governor, general assembly, and state agencies to carry out the policy and purposes of this chapter. The commission in co-operation with city, county and area agencies, and in conformity with such guidelines as may be promulgated by federal agencies, shall direct research, planning and action programs in furtherance of the policy and purpose of this chapter. [C71, 73, 75, 77, §80C.3]

80C.4 Duty to file report. The commission during the continuance of its operations shall file periodic reports of its progress with the governor, and shall

present a report to each annual session of the general assembly. [C71, 73, 75, 77, §80C.4]

80C.5 Acceptance of grants. The commission with approval of the governor may accept funds, grants, services, facilities and property from any source, and all such receipts of the commission, including gifts, grants-in-aid and other revenue, are hereby appropriated for carrying out the purposes of this chapter. The expenditure of any funds available to the commission shall be by warrant to the treasurer of the state, drawn by the state comptroller upon vouchers authorized by the executive director of the commission.

The commission may:

1. Expend such moneys as may be appropriated by the general assembly, or otherwise shall be available, for study, research, investigation, planning and implementation.
2. Make grants to cities, counties and areas pursuant to law and such regulations as may be applicable.
3. Provide supplies, facilities, personnel and staff for the function and operations of the commission, and for such other purposes as may be necessary and proper to accomplish the policy of this chapter. [C71, 73, 75, 77, §80C.5]

80C.6 Commission membership. The commission shall consist of twelve members who are concerned with and knowledgeable about the problems of criminal justice and who are appointed for four-year terms by the governor subject to confirmation by two-thirds of the members of the senate.

The governor shall appoint an executive director of the commission who shall be the governor's official representative, and who shall be the principal executive administrator of the commission.

No member of the general assembly shall be appointed as a voting member of the commission. [C71, 73, 75, 77, §80C.6; 67GA, ch 1050, §1]  
Initial members appointed, 67GA, ch 1050, §2

APPENDIX B

Summary of Crime Statistics  
State of Iowa  
1969-1979

Source: Office For Planning & Programming.

YEAR	CRIME INDEX	VIOLENT CRIME	PROPERTY CRIME	MURDER	FORCIBLE RAPE	ROBBERY	AGGRAVATED ASSAULT	BURGLARY	LARCENY	MOTOR VEHICLE THEFT
1978 Total Per 100,000	115,348 3,980.6	4,672 161.2	110,676 3,819.4	72 2.5	302 10.4	1,359 46.9	2,939 101.4	25,243 871.1	78,631 2,713.5	6,802 234.7
1977 Total Per 100,000	111,275 3,836.9	4,132 142.5	107,143 3,694.4	67 2.3	305 10.5	1,189 41.0	2,571 88.7	23,367 805.7	77,435 2,670.0	6,341 218.6
1976 Total Per 100,000	116,183 4,046.2	3,793 132.1	112,390 3,914.1	64 2.2	303 10.6	1,176 41.0	2,250 78.4	23,729 826.4	82,711 2,880.5	5,950 207.2
1975 Total Per 100,000	112,182 3,908.4	Not Available	Not Available	70 2.4	297 10.3	1,536 53.5	2,135 74.4	23,492 818.5	78,059 2,719.3	5,583 229.7
1974 Total Per 100,000	94,454 3,413.8			50 1.8	280 9.8	1,391 48.7	1,726 60.5	22,599 791.6	65,153 2,282.3	6,255 219.1
1973 Total Per 100,000	82,216 2,831.5			58 2.0	325 11.2	954 32.9	1,521 55.8	18,413 634.1	Calculated in a Different Manner	5,536 190.7
1972 Total Per 100,000	42,116 1,461.0			47 1.6	243 8.4	764 26.5	1,450 50.3	15,038 521.7	Prior to 1974	4,873 169.0
1971 Total Per 100,000	42,105 1,476.2			50 1.8	245 8.6	857 30.0	1,650 57.8	15,163 531.6		4,375 153.4
1970 Total Per 100,000	40,529 1,434.7			51 1.8	167 5.9	794 28.1	1,209 42.8	14,331 507.3		4,944 175.0
1969 Total Per 100,000	35,320 1,270.1			37 1.3	169 6.1	618 22.2	1,080 38.8	13,600 489.1		4,937 177.5
1968 Total Per 100,000	31,275 1,138.1			45 1.6	178 6.5	682 24.8	964 35.1	13,080 474.2		4,524 164.6



APPENDIX C

Robert D. Ray  
Governor

MISSION State Capitol • Des Moines, Iowa 50319 • Phone 515-281-3241

December 26, 1979

Mr. Gerry D. Rankin, Director  
Legislative Fiscal Bureau  
State Capitol  
Des Moines, Iowa 50319

Dear Mr. Rankin:

Enclosed is a copy of our agency's response to the report prepared by the Legislative Fiscal Bureau's Evaluation Unit.

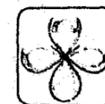
We hope that the report and our response thereof will assist members of the legislative branch in their considerations during the upcoming legislative session. We are prepared to discuss the evaluation and our response with you at your convenience.

Sincerely yours,

Richard E. George  
Executive Director

REG:reg:mjp  
Enclosure

CC: Michael Erbschloe



Iowa  
a place to grow

## I. INTRODUCTION AND PHILOSOPHY

Pursuant to Chapter 3, Section 12 of the Laws of the Sixty-Eighth General Assembly, the Iowa Crime Commission herewith submits its response to the evaluation recently conducted by the new Legislative Fiscal Bureau evaluations unit. In this response we will, in general terms, attempt to outline the philosophy of our organization and the role we see ourselves playing in the criminal justice system. We will discuss what we consider to be misplaced emphasis and ill-advised conclusions on the part of the evaluators and we will set forth what we consider to be a rational approach to the organizational problems confronting the agency in light of the dramatic changes in Iowa's criminal justice system and the statutes governing fund flow.

The Iowa Crime Commission operates upon two major principles. The first centers around our existence as a state agency. We believe that our purpose is to improve Iowa's criminal and juvenile justice system and that the federal funds we administer are only tools toward that end. We have other tools to offer the state. We serve as a sounding board for ideas. We are the only environment wherein interaction between the major criminal justice components takes place. We conduct research and evaluation. We assist communities in program development. If our only mandate were to administer federal funds, we could easily do so without the level of commitment that has evolved toward making Iowa's system better.

The second principle derives from the first. We seek ways to improve the quality of the system. A funding program which does not strive for the highest level of quality is the worst breach of taxpayer faith. A program which abrogates its responsibility to make unpopular decisions or conduct difficult negotiations serves only itself rather than the people.

Our overall criticism of the evaluation is that it fails to acknowledge these two major principles. The evaluation does not approach the Crime Commission as an Iowa agency responsible for quality criminal justice improvement. Rather, the evaluators perceive the Commission as a mere conduit for federal funds. This narrow viewpoint admittedly simplifies their task. However, it results in an evaluation that frankly does not convey the substance of the Crime Commission to the Legislature. The recommendations set forth in Chapter 5, if adopted, would condemn the agency to this narrow role in the future.

Our organizational chart has fluctuated and we have been subjected to a series of radical changes in the past few years. Throughout this period of change we have sought to retain the highest quality of staff in order to provide the highest level of service. We have a long way to go. In some areas we are still in developmental stages. We feel, however, that our past performance and our future potential are critical in any consideration of future structure.

## II. COMMENTS ON THE BODY OF THE EVALUATION

The evaluation document was developed in a five chapter format. Rather than deal with every point where we may differ, we will attempt

to cover each chapter in general terms and digress to specifics where we feel it is necessary to enhance the reader's understanding.

In chapter one, the evaluators discussed the political climate which precipitated the establishment of our original federal legislation. It outlined the evolution of the programmatic and administrative aspects of the Crime Control Act as well as the creation of Iowa's response to that act, the Iowa Crime Commission. The report also discussed the ancillary organizations that are part of the system which has evolved around the Crime Commission.

The first chapter is essentially accurate although in some cases incomplete. A description of the organizations that surround the Commission would be incomplete without discussion of their interactions and the purposes they serve in facilitating interdisciplinary and intergovernmental communications. A dismissal of the accomplishments of the agency in an eight line statement gives the agency and its affiliates substantially less credit than they are due. In this case, however, it is understandable since the focal point of the evaluation was not whether we had done a quality job but whether we had done or could do a cheap job.

Chapter two dealt with the funding history of the agency from both an administrative "overhead" point of view and our "action" (project) fund standpoint. The process description is correct to the extent necessary for understanding. The role of the staff in program development and the provision of assistance in project initiation should have been discussed more fully. This point is important to us because we believe that while we must represent a bureaucratic process, we are also responsible for helping grant applicants through that process.

There are some errors in information as well as problems which arise from faulty interpretation of the fund distribution section of chapter two. When presenting an historical perspective on the agency's development it should be remembered that it was originally incorporated within the Office for Planning and Programming. As such, agency costs were diffused within the present organization. The net effect is that using the first year of operation as a basis upon which to calculate costs presents a dramatically distorted perspective on cost progression.

Table 2.7 indicates a \$5,000 state appropriation for fiscal year 69 planning. This \$5,000 was not received by the Iowa Crime Commission until October 16, 1969 (State FY-70). The use of FY-69 as a base year for determining percentage increase in state appropriations for planning presents a distorted picture for the following reasons:

1. \$5,000 was not received or expended by the Iowa Crime Commission until State FY-70. Iowa received notification of its initial planning award on October 28, 1968. The matching requirement was not applicable to this initial planning award but was applied to the total planning grant award for federal FY-69 funds (\$284,950). The use of federal FY-69 planning funds was carried forward into State FY-70.
2. Table 2.7 shows matching funds exclusive of in-kind match. During the infancy of the LEAA program in Iowa in-kind contributions were allowable as part of the required match against grants. Although not a direct cash outlay against planning expenditures, failure to reflect in-kind contributions in the table further distorts the use of FY-69 as a base year. Total

in-kind contributions against federal FY-69 funds for the Iowa Crime Commission were \$14,497.52. Of this amount only \$4,457.67 was actually accrued prior to August 1, 1969.

3. Since the inception of the State Planning Agency in July 1968, the expenditure of federal FY funds for planning has accrued over two state fiscal years. Table 2.7 indicates appropriated match by federal fiscal year funds only and does not account for the use of these funds beyond the twelve month state fiscal year.

Table 2.7 sets forth the appropriation information in such a manner that it appears the state agency has total utilization. To present a truer picture the appropriation amounts should be divided between amounts for state planning operation and amounts for local planning. In FY-80 \$100,000 was specifically set aside for local planning purposes by the Legislature.

The report states that, pursuant to federal requirements, the State of Iowa is minimally required to provide one-half the non-federal match, or 5% of the total administration cost. This statement is only partially correct. The state is required to provide one-half the required non-federal share (5%) of total cost of local action funds. However, on state grants (i.e. Iowa Crime Commission administrative expense) the state must provide the total required non-federal share or 10%. Because of the error in calculating minimum match requirements as stated above, the minimum match required for federal FY-80 funds is as follows:

	\$551,125	(Federal funds available)
Less	50,000	Judicial Planning Committee allocation
	<u>\$501,125</u>	

To Areas @ 40%	\$200,450 ÷ .90 x .05 = \$11,136.00
For State @ 60%	\$300,675 ÷ .90 x .10 = <u>\$33,408.00</u>
Total match required	\$44,544.00

Thus, the state provided \$165,546 more appropriation than the minimum that was required.

Chapter three presents an overview of the Crime Commission's organization as well as an analysis of the basic functions of the agency in terms of duplication of services. Here we are confronted with the heart of the question. Does duplication exist? Resoundingly, yes, answers the report. What is meant by duplication? What is good, what is bad? Why does it exist that way? The report is silent on these questions.

Through its silence, the report enables the reader to lend his or her own interpretation to the information. The careful reader, without prior bias, becomes confused and is allowed to conclude either positively or negatively about the agency's operations.

The question asked the researchers was whether unnecessary duplication of effort or services existed between the state agency and the regional offices. Consequently, although not stated, the hypothesis to be tested in the evaluation should have been something like this: "Excessive duplication of effort is produced between the SPA and the area crime commissions". In order to conclude on the validity of the hypothesis the researchers should have first presented an operational definition of excessive duplication and then proceeded to measure the levels to which it exists in our organization. The study never adequately defined or measured excessive duplication. Rather the study chose a simplistic course to measure duplication.

The researchers asked the respective SPA and area crime commission staff members to define their jobs in terms of level of effort devoted toward a specific activity. The evaluators then grouped these answers into six basic functional categories. Where an area staff person listed "technical assistance" and a state staff person did the same, the evaluators concluded duplication existed. No effort was made to determine if the functions were complementary, coordinated or separate processes. As a result, the researchers failed to reject or prove the hypothesis that the Legislature had raised.

Other points arise in our examination of chapter three. We feel the report, through selective quotation, implies a strong negative connotation to the concept of "seed money" that has characterized the program we administer. Such connotation is unfair in this context and deserves rebuttal: Our agency has never "blackmailed" applicants into accepting our funds. We have, to the contrary, strongly emphasized the obligations that are incurred by the applicant in terms of cost assumption. We have always interpreted the non-supplantation statute in favor of the applicant and have adjusted our funding policies to meld with state and local budgeting processes.

We have saved state and local government millions of dollars in start-up and one-time costs associated with the initiation of programs that the people of Iowa needed. We pride ourselves on our flexibility in dealing with our client units of government. We feel our record of local assumption of costs speaks for the value of the projects that we initiate in concert with the state and local government of Iowa.

We object to the undefined, catch-all category of "organizational maintenance". The category devours nineteen positions without explanation other than a cryptic ". . . disproportionate commitment of staff time. . ." paragraph (p. 40). Does this category include clerical time, filing, typing, etc.? What does it include? What would be typically proportionate for an agency with an accountability level similar to ours? What would be proportionate for an organization that has to spend man-years appearing before local, regional, state and federal officials? Is it fair to measure the distribution of staff effort at a time when the program is at its highest level of fluidity? We contend that it is neither fair nor accurate to do so. It is less so to report such findings without definition or discussion.

Chapter four relays the basic elements of the new federal legislation. Accurate in content, the chapter is worth study by those who wish to learn more about the new statute. We would add, however, a clarifying quote from the Senate conference committee which we feel defines congressional intent as to how the states should respond organizationally to the law:

The bill, in an intergovernmental sense, is designed to allow each State to take account of the differences and preferences of local units of government or its regions.

The committee recognizes that many of the planning units in the States have made a significant and important contribution to the LEAA program over the last 10 years. The Congress recognized early the role that the regional planning units could play in the LEAA program and over the years has made a number of amendments to the LEAA Act to design and encourage coordinated approaches to law enforcement and criminal justice.

Important contributions have also been made by the criminal justice coordinating councils in States such as Ohio and Kentucky where combined city-county units plan comprehensively for criminal justice improvements that affect the operations of the criminal justice unit at the county and city levels.

The committee recognizes that in authorizing entitlement grants to major units of local government some coordination may be made more difficult because major local governmental units may wish to receive funds directly without having the funds flow to a regional planning unit for ultimate distribution to the eligible units within the area covered by the regional planning unit. However, the bill expressly provides the combinations of units can receive funding and where two or more eligible units combine, the total funding that would go to those eligible units can go to the regional unit. In addition, the match free funds available for each eligible unit can be aggregated in combinations so that if two eligible units join together the combination will receive a total of \$50,000 in match free funds. In addition, the bill expressly provides that eligible units of local government can waive their eligibility and compete for funds with the balance of the local units. [emphasis theirs] Thus, in a given state, it is possible under this provision that all of the eligible units could waive their eligibility and compete with all other units of local government for the funding available under this program. In some States, such as Ohio, major city and county combinations now receive a greater share of the total funds passed through to the units of local government than they would receive under the pass-through provisions of the Law Enforcement Assistance Reform Act. Nothing in this bill is intended to prohibit those States from continuing those practices. What is provided, however, is an option.

Report of the Committee on the  
Judiciary, United States Senate  
(Report No. 96-142)

Congress intended that each state look at its own situation and decide the best structure for its purposes. The evaluation team looked at the new law and made its proposal. That proposal exists at one end of the whole spectrum of possibilities.

Chapter five summarizes the report, presents "principles for reorganization" and sets recommendations. We have dealt with chapters one through four previously. Here we must respond point for point on both the principles and the recommendations:

1. "State law should address the relative responsibilities and authority of state and local government and establish policy which would prevent duplication of activities and overlap of responsibilities."

-- We believe the state, through statute, rules, and policy should work to prevent unnecessary duplication of activity and responsibility.

2. "Local units of government, or combinations thereof, should have primary responsibility and authority for resolution of Criminal Justice problems."

-- The criminal and juvenile justice systems consist of incredibly complex interactions among local government, judicial districts, state agencies and private providers. Such a complex system requires an administrative response that transcends the simplistic "local" or "state" context.

3. "The state role should be to assist local units of government in efforts related to resolving criminal justice problems."

-- We concur with this statement so long as it does not limit the state role to a narrow definition of local assistance.

4. "Authority for grant award decisions and responsibility for management and assumption of cost should reside in the same level of government."

-- We think this statement means that all decisions should be either at one level of government (state) or the other (local). We feel that decision making authority and responsibility should be clearly defined. However, that does not necessarily mean that one group or the other should be excluded from the decision making process.

5. "The cost of administrating LEAA funds in Iowa should not exceed the Federal funds available for this purpose and the minimum required match for obtaining the funds."

-- To set a monetary limit on administrative costs is proper.

To sacrifice quality programming, accountability and expertise in helping improve Iowa's criminal justice system as a result of such limitation would be unconscionable.

6. "The state audit responsibility should not be decentralized into state agencies, and should be retained by the Auditor of State."

-- The audit function should be located where it best serves the needs of the state.

We feel it is important to note the differences in opinion between the researchers and our agency because the bulk of the recommendations stem not from the evaluative effort, but rather, from the statement of principles. Our responses to the recommendations are as follows:

Recommendation #1

--We believe that Chapter 80C of the Code of Iowa should be amended and feel the recommendation of the evaluators is appropriate.

Recommendation #2

--We feel that this recommendation is unfounded in its own specificity.

The Legislature should amend 80C to assure administrative accountability. To set structure by statute risks the establishment of cumbersome and inflexible organization.

We believe that our operational role should be defined in terms of quality and service capability rather than limited by the narrow federal context translated into inflexible state statute.

Recommendation #3

--The role of eligible jurisdictions should be fixed in administrative rule.

Recommendation #4

--Audit authority does rest with the state auditor. He needs no further statute to enhance that authority. The audit function should rest with the organization that best accounts for the combined audit interests of the federal and state governments.

Recommendation #5

--We reject this recommendation as counter to the needs of Iowa. We propose the structure set forth in our fiscal year 1981 budget request.

Recommendation #6

--We reject this recommendation as counter to the needs of the state. We propose the structure set forth in our fiscal year 1981 budget request.

Recommendation #7

--The Iowa Legislature, in considering the budget of the Iowa Crime Commission, should appropriate in accordance with the services provided by the agency and its value to the state in terms of criminal and juvenile justice system assistance. The Legislature should reject a federal-statute-compliance approach to its consideration of the Iowa Crime Commission.

Recommendation #8

--The Legislative Fiscal Bureau should monitor the activities of all agencies.

Recommendation #9

--A better time to evaluate the program would be prior to new legislation. This could aid in basic participatory decision making rather than add to the confusion inherent in a reauthorization process.

III. CONCLUSION

The Iowa Crime Commission welcomed the evaluation effort. Under normal circumstances we would have responded with somewhat less enthusiasm, but our agency was genuinely concerned about the state of flux that our major programs were in as well as maintaining a flexible response to our clients. In addition, we were gravely concerned about misapprehension that members of the Legislature had concerning our program. We felt that the evaluation would assist both our internal organizational questions and help clarify our role for the Legislature.

This evaluation does neither. Consisting of two basic parts, the first, comprised of chapters one through four, attempts to overview the entire history of our program, funding patterns, administrative structure and achievements. It describes the new federal legislation and relays selected observations to the reader. In the second part, chapter five, the evaluation proposes its version of a Crime Commission organization.

We have outlined some of the major responses we have concerning chapters one through four. In the main we are less concerned with the substance of this part than its form. Through selected quotes and inappropriate percentile calculations the evaluation plucks the agency and its operations from the incredibly difficult real world of federal, state and local intergovernmental relationships and proceeds to dissect it within a context that no governmental organization of any branch could survive.

For example, the central issue of the evaluation was to determine if there is an ". . . unnecessary duplication of activities between SPA and RPU staff". The evaluators established a definition of the major operational functions, fit job descriptions of staff into those categories and where the SPA and RPU staff both performed a function, duplication was perceived. Worse yet, the evaluators defined a catch-all management category called "organizational maintenance" which was incorporated, per se, into the duplicative area.

Not only was the casual reader left to define whether the term "organizational maintenance" was good or bad or even what was meant or included in its definition but the evaluators lost track of their mandate as well. The simple identification of duplication was not the issue.

The key was to find unnecessary duplication. No effort was made to discern the difference, leaving the reader to conclude that all duplication was unnecessary and therefore non-productive.

Taken as a whole, this loss of perspective by the evaluators was understandable. To view the agency's past and present and to view its future are clearly distinct perceptions. With the new federal legislation providing a myriad of potential administrative approaches, it was a simple matter to dismiss what had evolved through ten years of economic, political and administrative experience and instead imagine the Crime Commission to be non-existent. In that context, the evaluators only needed to draft their ideas on a cheap way to implement a federal law.

The result is a two part report, each of which relates only vaguely to the other. The conclusions do not flow from the body of the work. Rather, the recommendations stem from what was called the "principles for reorganization" section (p.69). Here we find the evaluators presenting their independent rationale as to why the recommendations should be accepted by the reader. Perhaps they felt this was necessary since the body of the report failed to establish the desired context.

It is always easier to attack someone else's work than to do the work yourself. We are not comfortable presenting a defensive response to the evaluative effort. We cannot, however, accept a document such as this when such acceptance would have a critical bearing upon the future of this agency and the services that we provide the people of this state. The Crime Commission prides itself on its organizational flexibility. We have been engaged in a constant effort to identify the options available to us that are in the best interests of the state.

Implementation of the evaluative group's recommendations would result in an immediate and protracted period of dysfunctionality. To pretend that the structure is not there and to pretend that there is little more to implementing a law than just telling people to be honest and obey the rules belies the range of experience that our agency has had. Mistakes are made. Cross checks and balances between state and local interests improve the system. Oversight of program development and implementation makes for better programs. The evaluator's proposition, while minimally compliant with federal law and clearly cheaper than our proposed response, is not in the best interest of Iowa. The best interest of Iowa is represented by a system which has demonstrated a concern for improvement in the criminal justice system while maintaining a remarkable level of accountability and fiscal responsibility.

**END**