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Assessing Criminal Justice Needs

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Leaders of the criminal justice system agree that the most important issue facing them today is prison and jail overcrowding.

That is the most significant finding of a survey of top State and local officials conducted this year by the National Institute of Justice (NIJ). The NIJ study covered all areas of the country, including both small and large agencies. Scientific polling techniques were applied to the criminal justice system as a whole—to attorneys general, police chiefs, chief justices, corrections directors, district attorneys, judges, sheriffs, wardens, public defenders, court administrators, probation and parole directors, and heads of State criminal justice agencies. The results give a snapshot of the challenges facing the criminal justice system in 1983.

"The findings show a system under great stress," says James K. Stewart, director of NIJ. "Some areas of the criminal justice system are making adaptations that work to the disadvantage of other parts of the system. We need to focus our resources on the overcrowding problem, but if we deal with it on a piecemeal basis, we will not be meeting the needs of the whole system."

The survey, part of the Institute's National Assessment Program, was designed to help NIJ officials plan its activities most effectively. In conducting the survey, researchers from Abt Associates, a research firm based in Cambridge, Mass., contacted nearly 2,400 administrators. More than 61 percent responded, an excellent rate. Followup telephone conversations were held with 117 respondents to obtain further information and understanding of their problems. The of-

From the Director

With limited resources and broad responsibilities for criminal justice research and training, the National Institute of Justice must target its programs to address the areas of greatest need. Traditionally, these needs have been assessed either by the "squeaking wheel" or by the "blue ribbon" approach. The former considers problems in isolation, while the latter relies on a committee to exercise professional expertise in developing recommendations. In 1983, the Institute took a more direct approach by surveying more than 1,400 criminal justice officials from State and local governments in all 50 States. Through mail questionnaires and followup telephone interviews, these men and women were asked to identify the most pressing problems and most critical needs confronting law enforcement and the administration of justice in the United States.

The survey revealed a criminal justice system under tremendous stress. Judges, prosecutors, public defenders, corrections commissioners, police, and others felt overworked and underfunded. Caseloads were reported to be rising and prisons overcrowded at a time when budgets have been capped or cut and staffing levels slashed. Their most urgent needs included better design and security for prisons and jails, improved narcotics investigation and prosecution, and more effective felony representation for indigent defendants. Interestingly, increased Federal funding was not seen as the only solution. Survey respondents were able to identify a wide range of technical assistance, training, and evaluation strategies that might help.

This *Research in Brief* reviews the key findings of the survey's final report, "Assessing Needs in the Criminal Justice System." The views and conclusions summarized here do not represent the official view of the National Institute of Justice. The Institute is publishing this *Brief* in the hope that it will enhance public awareness of the challenges and opportunities facing the criminal justice system today.

James K. Stewart
Director
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ficials appreciated the contact: "You mean someone actually read what I wrote on the survey?" one asked.

Researchers from NIJ and Abt said that consensus on the importance of the overcrowding problem was impressive, since it came in response to an open-ended question, "What do you feel is the most pressing problem confronting your State's criminal justice system today?" While it is not surprising that corrections officials focused on overcrowding, leaders of other agencies shared their concern. Police officials named overcrowding twice as often as any other problem; prosecutors cited it three times as often. Of the six groups in the survey (corrections, police, prosecutors, public defenders, courts, and probation and parole), only public defenders failed to give overcrowding top priority.

While corrections officials have to deal directly with the idleness and potential violence associated with overcrowding, representatives of other agencies said they felt its effect as well. Police, prosecutors, and probation officers said that serious offenders were being placed on probation instead of being incarcerated. Parole officials often have to cope with mass releases under early parole programs; one Pennsylvania county had to provide 250 person-months of additional supervision for early-release parolees without any increase in staff.

Overcrowded institutions are the end product of a tidal wave of cases that has flooded all agencies in the criminal justice system. When asked to name the most pressing problem facing their own agency, administrators generally cited their version of the same phenomenon. Variations on the response "Too large a caseload" were given by prosecutors, public defenders, court officials, and heads of probation and parole departments. Police talked about having too few officers.

The rising caseloads come at a time when State and local governments are, because of economic conditions, cutting back on expenditures. Of the different groups, only the prosecutors came close to rating their financial resources "adequate." A majority of other officials—ranging from 64 percent of corrections officials to 68 percent of probation and parole officials—rated their resources "inadequate." The squeeze was illustrated by a suburban county in Michigan where the felony caseload of the public defender's office has gone up 300 percent from 1977 to 1983, but the staff has been cut 25 percent in the past 3 years.

Other conclusions drawn from the survey:

Drugs and crime. Narcotics problems are a prime concern among police and prosecutors. They said they lacked the sophisticated resources needed to reduce either usage or trafficking. Most agreed with the sentiments expressed by an Indiana police chief: "If you cut down on drug crimes, you would cut down on other problems as well."

Crime prevention. Police had hope for prevention programs, especially those aimed at school-age youngsters to keep them from getting involved with drugs.

Information processing. Many officials saw computers as a tool that can help them cope with the increased volume of cases, but they need help in adapting computers to their needs.

Crime control policy. Professionals in all areas worried about the lack of consensus among agencies on how to deal with the crime problem, and the lack of coordination in their activities. Public defenders rated this the top problem facing the criminal justice system, and it ranked second or third among the concerns of other officials.

Research. Research got mixed reviews. Some officials were antagonistic, saying that all available funds should go for immediate needs. Others said the problem lay in implementing what was already known. Some were enthusiastic and offered suggestions for both basic and applied research topics.

Training. Officials in all fields put great value on training as an aid to retaining qualified staff. Many mentioned programs offered by other national agencies such as the National Center for State Courts, the National Institute of Corrections, and the National College of Criminal Defense. Some sought regional training centers, saying the time and expense of traveling to a distant location can be prohibitive.

Institutional corrections

Among wardens, sheriffs, jail chiefs, and directors, the pressures of finding room for burgeoning inmate populations overwhelmed all other worries. It was mentioned three times as often as any other pressing problem. Every respondent from a system that held more than 15,000 inmates named overcrowding as his or her biggest headache.

Most of the other concerns voiced by the administrators stemmed from overcrowding: huge caseloads for staff members (15.4 percent mentioned it); other staffing problems (9.3 percent), and the lack of programs for inmates (5 percent). The officials complained of difficulties recruiting and training staff; one warden noted: "My best people work long hours to subsidize the State."

When asked to allocate a hypothetical $100,000 budget, the officials' most critical need was "facility design and security"; it was allocated 21.8 percent of the budget. "Institutions tend to be too secure, or pretty but too loose," remarked one South Carolina official. The next level of financial commitment (11.7 percent of the total) went to staff recruitment, selection, and training.

How could things be improved? "More money" was a typical response, a not surprising sentiment since more than two-thirds of the respondents reported their resources as somewhat to very inadequate. But recognizing that NIJ did not have funds for direct support, several officials asked for help in areas such as evaluating building materials and providing technical assistance on design of buildings.

Police

From their responses, police officals seem frustrated: just when police services are in greatest demand, they do not have enough officers. More than half cited this as their most pressing problem. Shortage of manpower was cited by 31.2 percent, and another

20.3 percent spoke of the difficulty of recruiting, selecting, and training police officers. Big-city chiefs reported they were swamped by calls for service, and needed help in managing them. The largest jurisdictions tended to see their financial problems as the greatest; 92.4 percent of those from areas with more than 1 million population said their funds were inadequate.

When asked what they would do with a hypothetical $100,000 budget, police officials would invest almost twice as much in beefing up narcotics investigation and prevention as in the next areas of concern (burglaries, robberies, and community crime prevention). Many respondents said State and Federal cutbacks had hurt narcotics enforcement. "We used to just funnel information to the State police, but now we have to start investigating by ourselves," said one small-town chief. Heads of small departments said they needed assistance in undercover work, since their own officers were too well known locally to conduct these touchy operations. Officials in Texas, Florida, California, and Oregon said they did not have the resources to cope with increased smuggling by airplanes and boats.

More than half the respondents suggested drug-prevention programs in schools as a priority. Efforts to reduce drug usage through heavy penalties, treatment programs, and undercover operations have fallen short, they said. As one State police official put it, "The target has to be the potential users, and they are grade-school children."

Prosecutors

District attorneys and attorneys general shared police officials' concern about narcotics, describing this program area as most in need of improvement. Prosecutors sought technical assistance and training for their staffs in areas such as the rules of evidence, use of wiretaps, and tracking money in large transactions. They also complained of lack of funds for investigation, both for their own investigators and for police—funds to conduct surveillance, to provide "buy money" for undercover agents, and to purchase needed equipment (ranging from airplanes and boats to body recorders and videotape equipment).

Prosecutors did not agree on the type of drug problems that posed the greatest threat. While some were concerned with major trafficking in heavy narcotics, prosecutors from smaller jurisdictions more often cited marijuana.

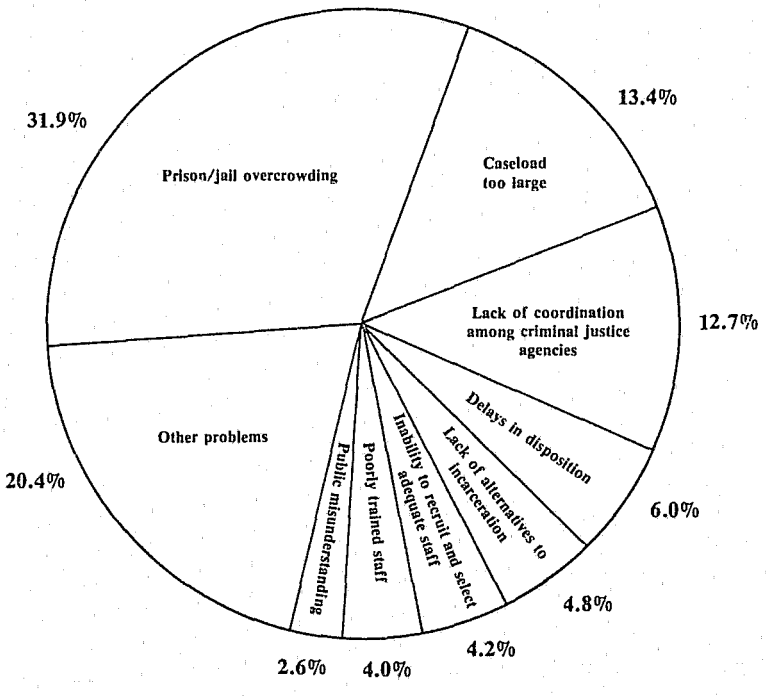
When asked for ideas on combatting illicit drugs, prosecutors expressed an interest in forfeiture laws that would enable the States to seize the assets of major traffickers. But they saw progress as requiring long-term effort. One prosecutor said that private agencies in his State had given funds to several counties to hire agents for occasional "sweeps" of narcotics offenders, but added that these tactics failed to exert the continual pressure that is needed.

Prosecutors also showed significant interest in learning to use computers, in victim/witness programs, and in specialized types of prosecutions, such as those targeting career criminals.

Courts

Among judges and administrators of court systems, excessive caseloads were mentioned as the major problem by 36 percent of the respondents, three times as many as mentioned the next concern. A State chief justice attributed the growth of court cases to "legislative changes and an increasingly litigious society prompting more cases than the courts can handle with existing staffing policies and facilities." To keep up with the pressure, the respondents saw the greatest hope in computers for case management: docketing court appearances, generating subpoenas, notifying jurors, and monitoring traffic fines (one area that was "falling through the cracks," several officials said). But finding the right computer and the right software was a difficult task. Court officials cited problems in meshing the computer needs of local areas with those of State government. Often, they said, the needs of a small jurisdiction could be met by a microcomputer, but these were sometimes not compatible with State hardware. The basic recordkeeping needs of a small county are often different from those of the State, which needs to collect and aggregate statistics of greater complexity. Many respondents sought technical assistance for software development and modification.

Most pressing problems for State criminal justice systems



The second greatest concern among judges was for counsel for indigent defendants—not exclusively out of concern for criminals' rights, some judges noted, but because adequate defense resources result in more efficient court operations and in the long run save taxpayers money.

Public defenders

Those in charge of providing counsel for indigents often seemed, from their questionnaires and interviews, to feel alone. One defender in Arizona even questioned whether public defenders were part of the criminal justice system. Many said that police and prosecutors had far more resources for prosecution than they had for defense. Their problems were illustrated by their low response rate (49 percent), which seemed to be due to heavy schedules of in-court appearances and a lack of secretarial help. Of 78 respondents, not one rated financial resources "very adequate."

When asked what their biggest problem was, more than 43 percent cited heavy caseloads; the next concern, public misunderstanding, got 6.9 percent. Defenders attributed their growing caseloads to growing populations, higher crime rates, and the state of the economy, which forces people to use public defenders instead of private attorneys. The problems seemed to be most acute in smaller jurisdictions. Sometimes, in addition to high caseloads, geography can present a problem; in Minnesota, for example, one investigator was solely responsible for all cases in 17 rural counties.

The defenders saw their most critical need as improving the quality of representation in felony cases. They sought funds for expert witnesses, for legal research, and for investigators. Several respondents were concerned with the quality of training available, and said they had difficulty attracting and retaining experienced attorneys.

Probation and parole

The problem of too-large caseloads was mentioned three times as often as the next problem (lack of consensus in the criminal justice system) by probation and parole officials. One California county has laid off 119 agents in the past 3 years. Tougher laws (such as drunk-driving statutes) had sent more offenders their way, and prison overcrowding had forced judges to increase the use of probation, officials said. More serious offenders were being put back on the streets on probation, and more parolees were coming out of the prisons under early release programs; officials sought help in learning to deal with these types of individuals.

Respondents often expressed faith in the potential of probation and parole. As one parole official put it: "Most criminal problems can be worked out in a free society rather than in institutions if alternatives are given the appropriate resources." But finding those resources has become more and more difficult; some 80 percent of State probation and parole directors rated their financial resources inadequate. Some officials have geographical problems: in Wyoming, there are only 40 agents to cover a State in which six counties are each larger than Massachusetts.

The probation and parole officials would put most of their hypothetical $100,000 budget into direct services. They wanted help in starting work-release or education-release programs, restitution and community-service programs, and volunteer systems that involve families, employers, and friends of probationers. They noted a need for programs to deal with special types of clients: juveniles, the retarded, alcoholics, and drug abusers. Training was mentioned as a need by 65 percent of the respondents; several noted that there is no national training center as there is for other areas of the criminal justice system.

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