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UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D C 20548

GENERAL GOVERNMENT
DIVISION

JUN 5 1974

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Mr. Donald E. Santarelli
Administrator
Law Enforcement Assistance
Administration
Department of Justice

Dear Mr. Santarelli:

We have reviewed the way that selected States--Louisiana, Michigan, Pennsylvania, Texas, and Wisconsin--have developed their comprehensive law enforcement plans and the extent to which the Law Enforcement Assistance Administration's (LEAA) appropriate policies and procedures facilitated development of adequate plans. Although most of our work was done during the earlier years of LEAA's program, we believe the information in this report will provide LEAA and the States a perspective from which to determine the extent of progress in developing better plans.

For fiscal year 1974, the five States reviewed received about \$8.56 million for planning purposes under Part B of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

Criminal justice planning is important because of the end it is to serve--effective law enforcement. According to LEAA, comprehensive law enforcement planning, based on State and local evaluations of law enforcement needs, is an indispensable requisite for significant progress in crime prevention and control, increased public safety, and effective utilization of Federal and local funds. Comprehensive planning should also emphasize the unique needs of every part of the law enforcement system and recognize not only their interrelationships but also their relationships with public programs and private interests.

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LEAA has stated that the mere infusion of money (Federal or other) does not insure successful or effective action. Instead, well-defined and realistic goals, careful study and program design, proper allocation of resources, and appropriate techniques are necessary to guarantee desired results.

The States' comprehensive plans are blueprints for the implementation of programs to be financed with LEAA block grant funds provided under Part C of the Omnibus Crime Control and Safe Streets Act of 1968, as amended. It stands to reason, therefore, that to help insure the best possible use of these funds, adequate and meaningful plans are essential.

This review was concerned with the processes utilized in developing the plans and we did not determine whether the plans were serving their intended purposes. However, during our review of the administration of the program to reduce crime in Minnesota--conducted jointly with your Office of Audit staff and the Minnesota Legislative Audit Commission--we examined the development and use made of the State's plans. Those findings were reported on January 21, 1974, (B-171019). Also, our recent report on Federally supported attempts to solve State and local court problems (B-171019, May 8, 1974) discusses difficulties in the application of the courts section of State plans.

PLAN DEVELOPMENT IN THE STATES REVIEWED

For the most part, the comprehensive law enforcement plans developed in the early years of the program by the States we reviewed were formulated from information which was not based on in depth analyses of criminal justice problems and solutions. As a result, those plans were not useful guides for the orderly improvement of the States' criminal justice systems.

Comprehensive law enforcement planning was virtually a nonexistent discipline before the Congress passed the Omnibus Crime Control and Safe Streets Act in 1968. Consequently, there was a lack of experienced criminal justice planners. As pointed out by a former Administrator of LEAA in testimony before the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations in October 1971:

"The Congressional mandate that comprehensive planning be undertaken was a concept of good intention and good sense. But legislative declarations, it goes without saying, are

not self-implementing. The mandate had to be implemented by people--some of whom had never even been in criminal justice before, others of whom had never engaged in planning and practically none who were experienced in criminal justice planning."

This lack of expertise, in our opinion, contributed to early problems in the development of State plans. The Wisconsin State planning agency (SPA), for example, reported in its 1972 planning grant application to LEAA that there was a serious lack of skills in the criminal justice planning profession. Our 1972 analysis of the previous employment histories and educational backgrounds of 14 of the criminal justice coordinators in Texas showed that three had no previous experience or training in law enforcement and planning and that one had only limited planning experience. In Michigan, the justification supporting a March 1972 request for contractor assistance in developing a multi-year criminal justice plan stated that few SPA staff members had the basic skills necessary to direct long-range planning. The justification stated also that this effort would result in training staff members for such planning.

As the States gained experience, they made, and are continuing to make, changes designed to make subsequent State plans more meaningful documents. Our observations on the manner in which earlier comprehensive plans were developed, the manner in which the States have attempted to cope with some of the problems associated with their development, and our suggestions for further improvement follow.

REGIONAL INPUT TO THE COMPREHENSIVE LAW ENFORCEMENT PLAN

For the most part, the lowest level of planning in the States is the regional planning unit. There are certain exceptions, particularly large metropolitan areas, but in many instances these areas have been designated as regional planning units.

At the time the 1971 and 1972 plans were being developed, apparently many local units of government did not believe that it was necessary for them to have planning capabilities. After interviewing local officials in Wisconsin, for example, it was our general impression that they were not interested in criminal justice planning, but were only interested in getting their project applications for Federal funding approved. Also, information obtained in Pennsylvania indicated that officials at the local level felt that their needs were so obvious that formal planning was not needed to identify them.

Local input for the regional plan is obtained in various ways. In some regions the regional coordinator canvassed local units of government to obtain information on their needs. One region's plan was based on limited contacts and the views of the regional coordinator. In another region group meetings were used to obtain the views of local officials. Also, the regional planning councils include representatives from localities within the region which helps to insure local input to the regional plans.

For the most part, local officials that we interviewed were satisfied with the planning process, however, there was some dissatisfaction. For example:

--In Texas, 7 of 65 officials interviewed expressed dissatisfaction with the planning process, six of the seven were from the same planning region. The general recommendation of these officials was that communication between them and the criminal justice coordinator be improved. About one-half of the budgeted costs included in that region's 1972 submission were based on estimates by the coordinator and the staff. The coordinator advised us that projects in the plan resulted from assessments of local needs based on meetings with local officials; however, the meetings were not documented.

--We interviewed 16 of the 33 members of one regional planning council in Michigan. The region had received a cutback in its planning fund allocation because several of the counties in the region were approved for direct funding. Some members felt this cutback had rendered the regional planning unit virtually useless. At the time of our visit, the council--which used to meet monthly--had not met for about 8 months. For the 1972 plan, the planning efforts of the regional council were limited to the submission of two programs related to training and education for criminal justice personnel

Because the SPAs generally rely on input from regional planning units as the basis for formulating State-wide law enforcement plans, the quality and substance of the State plan is directly contingent upon the quality of the regional plans. Some of the regional plans were of questionable value because of the manner in which they were prepared.

For example, the 1971 regional plan for one region in Pennsylvania was essentially based on the subjective assessments and rough cost estimates of the regional office staff. In Wisconsin, the acting regional planner at one of the regional planning units told us that every project application he received went into the regional plan. In several States, certain officials associated with the planning process referred to the regional plans as "shopping lists." It is doubtful whether plans prepared in this manner could have reflected the most significant needs of the region.

As in the case of fund allocation, modifications were also being made to the manner in which plans were prepared and data was collected at the regional level. For example, a region in Pennsylvania conducted hearings in November and December of 1971 to obtain current views on criminal justice problems and needs. Representatives from more than 70 agencies, institutions, departments, units of government, and community groups participated. After the hearings a committee considered all identified needs and established priorities and guidelines for the region. This region's 1972 plan, therefore, was based on data obtained from local officials tempered by the priorities and guidelines established by the regional planning council.

In Wisconsin, a Committee on Regional Planning was established after considerable concern and opposition to the proposed 1973 plan was expressed by representatives of regional criminal justice councils and local units of government. These representatives charged that there was insufficient local input in the preparation of the plan. This Committee reported to the Governor in July 1973. Also, Wisconsin's regional planning guide for 1974 provided for systematized input from regional planning units in that State for the first time.

Texas informed us that its guidelines were improved for 1974 and expressed the belief that Texas has made an exceptional good faith effort to upgrade the quality of local planning. Texas stated that it believes it should look to the local units of government and their expressions of problems, needs, and solutions, rather than to superimpose its own prerogatives or desires of what they think those problems, needs, and priorities are. Texas also informed us that the Council of Government where we found the dissatisfied local officials has since had a complete change of personnel.

USE OF THE PLAN AS
A GUIDE FOR ACTION

After LEAA approves the State plan, the SPA is to monitor its implementation to insure that the programs, as funded, do not deviate

by more than 15 percent or by more than \$5,000 from the amounts shown in the plan. Deviations in excess of these limitations must be approved in advance by LEAA. The States included in our review have obtained LEAA approval for a number of such deviations

The following chart shows the dollar value of approved deviations in the five States we reviewed.

	<u>Fiscal year 1970 funds</u>	<u>Fiscal year 1971 funds</u>	<u>Fiscal year 1972 funds (as of Feb. 15, 1974)</u>	<u>Fiscal year 1973 funds (as of Feb. 15, 1974)</u>
Louisiana				
Block grant award	\$ 3,344,000	\$ 5,966,000	\$ 7,315,000	\$ 8,485,000
Dollar value of deviations	325,000	818,000	318,316	217,454
Pennsylvania:				
Block grant award	\$10,591,000	\$19,532,000	\$23,679,000	\$27,482,000
Dollar value of deviations	2,896,000	5,910,000	854,148	- 0 -
Texas:				
Block grant award	\$ 9,926,000	\$18,393,000	\$22,480,000	\$26,091,000
Dollar value of deviations	3,943,000	5,409,000	5,919,889	667,569
Wisconsin:				
Block grant award	\$ 3,795,000	\$ 7,309,000	\$ 8,870,000	\$10,294,000
Dollar value of deviations	871,000	293,000	736,000	393,000
Michigan:				
Block grant award	\$ 7,817,000	\$14,692,000	\$17,819,000	\$20,681,000
Dollar value of deviations	note a	note a	3,308,676	4,157,780

†Note a: We did not obtain this information in Michigan for fiscal years 1970 and 1971.

Deviations for the States for fiscal years 1970 and 1971, excluding Michigan, amounted to 29.1 percent and 24.3 percent of the block grant funds awarded. Deviations for all States reviewed for fiscal years 1972 and 1973 funds were 13.9 percent and 5.8 percent, respectively. However, deviation percentages for fiscal years 1972 and 1973 could be substantially understated since States have 3 years in which to obligate their block

grant awards. For example, fiscal year 1972 funds may be obligated until June 30, 1975. Therefore, additional deviations from the plan could occur if changes are made prior to these dates

In many instances program deviations can be indicative of good management in that priorities may change after approval of the plan. The amount of the deviations, however, indicated to us that the plans had not been useful guides for the orderly improvement of the criminal justice systems in those States. This was attributable--at least in part--to the manner in which the plans had been developed.

Many of the regional planning units in Pennsylvania submitted 1971 plans that exceeded the amount of block grant funds that the SPA told them they could expect to receive. In adjusting for these excesses, the SPA did not eliminate individual programs on the basis of an analysis of their relative merit. Rather, they reduced the estimated program costs on a proportionate basis. For example, if a region had overprogrammed by a total of 20 percent, all of the individual program cost estimates contained in the region's plan would have been reduced by 20 percent to bring the plan in line with the 1971 fund allocation. The technique was expedient, however, it treated all programs as having equal merit and priority. This negated to some extent planning that had been done at the regional level. Also, the SPA had to devise a plan for one region that had failed to submit the required data.

Because of the manner in which the 1971 State plan was prepared, it could not be used effectively as a guide for action by the State. To be able to use the plan as a guide, each region would have had to use its plan, as adjusted by the SPA, to control the types and costs of programs funded. An SPA official informed us, however, that the imposition of such a requirement would have been unrealistic considering the effect of the pro rata reductions on the content of the regional plans and the fact that the plans were generally based on judgments rather than on any studies by the regional offices.

Instead, the funds awarded within each of the regions were controlled by the SPA to insure that regional allocations were not exceeded. Also, total funds awarded and expended by individual program categories were controlled in the aggregate to insure that estimated funding levels set forth in the State plan were not exceeded beyond allowable limits without LEAA's prior approval.

Also, the State plans have been rather general in nature. The Texas SPA regional planning coordinator informed us that the program descriptions

in the Texas plan were intentionally broad so as not to exclude the funding of any valid projects. LEAA's Louisiana representative said that State plans are general because they are intended to serve as guides and not line-item budgets. He explained that the purpose of the plan is to provide comprehensive programs to meet the State's major law enforcement needs so that local law enforcement agencies can apply for projects. Because most projects would qualify for funding under a general plan, it would appear to be difficult to use a general plan as an orderly guide for action. This would seem particularly true in States where we noted that projects are approved on a first-come-first-served basis.

CARRYOVER OF UNOBLIGATED
PLANNING GRANT FUNDS

In September 1970, LEAA announced the results of an analysis which showed an "alarmingly high" level of non-utilized 1970 planning grant funds. The amount--about \$7.7 million--prompted LEAA to revise its guidelines for the carryover of such funds. Prior to fiscal year 1971, unobligated planning funds could be carried over for 1 year and the amount of funds that could be carried over was unlimited. Beginning with the funds awarded in fiscal year 1971, however, unobligated funds were available only for the first 6 months of the succeeding fiscal year, and the amount that could be carried over was limited to 15 percent of the amount the State had budgeted for obligation.

Our analysis of the status of the fiscal year 1971 planning funds provided under part B of the act showed that the SPAs had carried over about \$5.4 million. Our analysis of available data showed that, although the amount of the carryover decreased, 26 of the SPAs reported a higher carryover in fiscal year 1971 than they had in fiscal year 1970. On June 9, 1972, after our analysis, we wrote to LEAA's Assistant Administrator, Office of Criminal Justice Assistance, to inquire into LEAA's practice of allowing SPAs to carry forward unobligated planning grant funds to the next fiscal year.

The Assistant Administrator, by letter dated September 7, 1972, stated that LEAA shared our concern over the amount of planning funds carried over by the SPAs and that LEAA would take measures to reduce the amount carried over to fiscal year 1974.

We subsequently reviewed the States' experience with planning funds for fiscal years 1972 and 1973 carried over to fiscal years 1973 and 1974, respectively. About \$6.4 million of fiscal year 1972 planning funds, or

about 18 percent of the funds awarded, were carried over to fiscal year 1973. Twenty-four States carried over more than 15 percent of their fiscal year 1972 funds to fiscal year 1973.

Revised instructions were issued by LEAA in February 1973 requiring SPAs to make a concerted effort to reduce the amount of planning funds carried over. Effective with the fiscal year 1974 planning grant awards, an LEAA regional administrator could approve a carryover of up to 15 percent of the State's fiscal year 1973 planning grant funds to fiscal year 1974 if he was satisfied with the efforts of an SPA in reducing its carryover. Funds in excess of 15 percent were to be returned to LEAA.

Notwithstanding this policy, LEAA allowed four States to carryover more than 15 percent of their fiscal year 1973 planning funds to fiscal year 1974. Based on figures supplied by LEAA, we determined that about 28 States will carryover exactly 15 percent of their fiscal 1973 planning funds to fiscal year 1974. Approximately \$6.3 million, or 13 percent, of all fiscal year 1973 planning funds were carried forward to fiscal year 1974.

However, LEAA planning carryovers have decreased annually since fiscal year 1970 as a percentage of funds awarded as shown below.

<u>Fiscal year</u>	<u>Total planning grants awarded (millions)</u>	<u>Carryover to succeeding fiscal year (millions)</u>	<u>Percent of carryover to total funds awarded</u>
1970	\$21	\$7.7	37%
1971	26	5.4	21%
1972	35	6.4	18%
1973	50	6.3	13%

Effective with the fiscal year 1975 awards, regional administrators may approve carryovers amounting to not more than one-twelfth (8.3 percent) of the State's previous fiscal year planning award. Enforcement of the present guidelines will further reduce the amount of funds carried over to the succeeding fiscal year.

CONCLUSIONS

We believe that the States have recognized comprehensive planning as a problem area and are attempting to cope with it. As previously mentioned, the States included in our review were attempting to improve their planning. For example:

- Pennsylvania was successful in encouraging the regional units to hire professional planning staffs.
- Michigan recognized that its earlier planning had only been a minimum effort basically aimed at establishing the financial and administrative framework necessary to insure adequate safeguards. Therefore, it has taken measures to improve its planning process by requesting consultant assistance in long-range planning.
- Louisiana adopted our suggestion of allocating a specific block grant of funds to each regional planning unit. A Louisiana official stated that this policy resulted in marked improvement in preparation of their fiscal year 1974 State plan and has been of prime importance in strengthening their comprehensive planning effort.
- Texas started to disseminate information on successful planning techniques to criminal justice coordinators. As often as is considered practical, the coordinators are invited to the SPA office for consultation in planning and other activities. Also, the State instituted an orientation program for newly employed criminal justice coordinators in April 1972 and provided a series of three 2-day seminars in crime-specific planning beginning in the spring of 1973.
- Wisconsin established a committee on regional planning to examine into various aspects of the planning process.

Also, we believe that there is a continuing need to develop more in depth planning below the SPA level. The statement that local needs are obvious may have been a valid one in many instances, but as the program continues, more of the obvious needs will have been met. Accordingly, in depth planning should be emphasized so that LEAA funds will be used where they are most needed.

Based on our work we suggested in July 1973 that LEAA encourage and assist the States in developing an improved planning capability below the SPA level. We also suggested that LEAA consider assisting the States in developing and presenting training courses designed to provide regional coordinators and other local officials with a knowledge of what their role should be and how to accomplish it

AGENCY COMMENTS AND
OUR EVALUATION

In October 1973, the Department of Justice told us it generally concurred with our suggestion that encouragement and assistance be given the States in developing an improved criminal justice planning capability below the SPA level. It pointed out that the States have recognized the need for planning at the regional level, but a serious lack of criminal justice planning professionals had made the upgrading of planning staffs a very slow process. It said, however, that the availability of comprehensive law enforcement planners has increased over the past 2 years because of training in the fundamentals of crime oriented planning

We were told that while the Department recognized that there is room for improvement in the development of State criminal justice plans, it did not agree that the dollar value of approved deviations provided any reliable measure of good or bad planning practices in the States reviewed.

Concerning deviations, we are not attempting to state that because there were deviations there was poor planning. We believe, however, that the manner in which many of the earlier plans were developed contributed to the significant amount of deviations noted in our review. In analyzing deviations, we agree that one would find many reasons for their presence and that some would be indicative of good management. It is also our view, however, that, particularly in the earlier years of the program, some deviations would have been indicative of poor planning.

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We appreciate the cooperation extended to us by LEAA and SPA officials during our review. We would be pleased to discuss the report with you or members of your staff if you believe it would be beneficial.

Sincerely yours,

A handwritten signature in cursive script that reads "Daniel F. Stanton".

Daniel F. Stanton
Assistant Director