



State of California

# LITTLE HOOVER COMMISSION

July 8, 2003

The Honorable Gray Davis  
Governor of California

The Honorable John L. Burton  
President pro Tempore of the Senate  
and members of the Senate

The Honorable Herb J. Wesson, Jr.  
Speaker of the Assembly  
and members of the Assembly

The Honorable James L. Brulte  
Senate Minority Leader

The Honorable Dave Cox  
Assembly Minority Leader

Dear Governor and Members of the Legislature:

The Office of Criminal Justice Planning – California's intended cornerstone for public safety – is poorly managed and in many ways has failed to provide the leadership necessary to fulfill its legal and moral mandate to help communities fight crime, violence and drug abuse.

OCJP has two functions: First, the office administers nearly \$300 million a year in state and federal grants that help communities protect themselves. Numerous reviews have documented OCJP's inconsistent and inadequate management of these grant programs.

Secondly, OCJP is the strategic planner for the State's multiple and disparate efforts to reduce crime and its consequences. But the office has not even attempted to coordinate the efforts of state and local agencies – let alone assertively target resources at the smartest ways to respond to the most dangerous threats.

Given the budget crisis, every dollar matters. The State spends hundreds of millions of dollars on criminal justice programs. When these efforts succeed, Californians are safer and healthier. The cost of failure – overcrowded emergency rooms and courtrooms, prisons and morgues – runs into the tens of billions of dollars.

The Commission believes OCJP should be abolished and its grant programs assigned to more competent departments. But that would only solve the first problem with how California's public safety programs are funded and managed. The Commission also believes the State will need to improve the performance of hundreds of programs – from delinquency prevention to anti-gang efforts – that are administered by more than a dozen state agencies.

If OCJP were fulfilling its planning mission, California's public safety bureaucracy might not look and function as it does. In previous works, the Commission has documented three overarching problems with the State's overall efforts to help communities fight crime:

1. **Resources are not allocated effectively.** Federal and state grants are not distributed in ways that make sure that all communities have a base capacity to protect residents and those communities with the greatest crime receive additional assistance. Too often, dollars flow to communities that are successful in the political arena or in grant competitions rather than to communities where resources are most needed and can do the most good.
2. **Resources are not targeted at proven programs.** While researchers have documented which strategies best prevent and respond to the most pressing social problems, the State does not direct resources to the most successful strategies or to community priorities.

3. **State efforts are fragmented and disparate.** Public safety programs are sprinkled throughout the bureaucracy – many of them duplicative and most of them operating as if the others do not exist. The performance of the programs is not adequately measured and is difficult to assess.

If these problems were rigorously addressed, the State could be confident that public safety would be improved and the demands on victims' programs and prisons would be reduced.

For his part, OCJP's current interim director has vowed to prepare a strategic plan for the office and acknowledges the historic lack of leadership. The State Auditor reports that OCJP has made some progress remedying deficiencies identified in a recent audit regarding a specific grant program.

But the California Council on Criminal Justice, OCJP's mechanism for engaging its state and local partners, has met sporadically, is weakened by declining participation, and its members do not understand their charge. The Commission, in its work to improve services to vulnerable children and struggling families, has repeatedly found OCJP unwilling or unable to improve its own performance, let alone provide the leadership that professionals and community leaders desire. OCJP has failed for too long and the stakes are too high to leave these responsibilities with that office.

The concerns regarding OCJP precede the current administration and the criticisms are bipartisan. The office is top-heavy with administrators and has suffered from steady turnover among the senior managers, making it difficult to trust promises for reform.

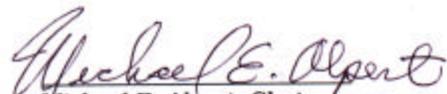
Eliminating OCJP provides policy-makers with the first opportunity to improve how the grant programs are managed. With more than 100 different programs – many of them dealing with the same subject, such as child abuse – the first opportunity is to reduce duplication. The consolidated programs should then be reassigned to agencies with subject matter and administrative expertise, as well as a willingness to further improve how those programs are managed.

Next, to truly protect Californians, the State needs to reconstitute the California Council on Criminal Justice independent of OCJP with the charge and ability to improve the performance of state efforts to support community-based public safety programs.

The council should be comprised of senior leaders from law enforcement, prevention and treatment agencies. It should be staffed by a small team of professionals reporting to the council. The council should champion efforts to streamline, coordinate and consolidate grant programs. It should assess where the dollars are spent and whether programs show evidence of success. It should report to the Governor and the Legislature regarding which programs and agencies are working together to help communities reduce crime and violence, and changes that need to be made. And it should help build the leadership and other essential capacities that allow communities to help themselves.

This effort would require a small investment that can be funded by reductions in the excess overhead of OCJP. Returned to the General Fund, these resources would do little to solve the State's budget problems. Invested in an assertive council of senior leaders, those dollars could substantially improve the public safety benefits derived from the billions already being spent throughout California. We urge your consideration of these recommendations.

Sincerely,

  
Michael E. Alpert, Chairman

# **Improving Public Safety:** *Beyond the Office of Criminal Justice Planning*

**July 2003**

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# Introduction

Since its inception in 1974, the Office of Criminal Justice Planning has been criticized for not being the champion of public safety that it could be. For nearly 30 years the office has been hounded by persistent complaints that it poorly administers grants to local agencies – its primary function. And the office has simply failed in any meaningful way to plan and coordinate crime reduction activities as required in statute.

The current budget crisis, concerns about administrative excesses, and complaints from community-based organizations have concentrated pressure on the office to reform its ways or perhaps be eliminated. But the significance of OCJP's administrative problems is dwarfed by the lost opportunity to strategically align state and local programs to effectively reduce crime and violence and the abuse of alcohol and drugs.

Over the last decade, the Commission has conducted a number of reviews in which it considered the activities of the Office of Criminal Justice Planning, particularly as they relate to coordinating state efforts and assisting local agencies. Among them:

**1. *Juvenile justice and the prevention of youth crime and violence.***

In reports in 1994 and 2001, the Commission examined policies intended to prevent and intervene when young people go astray. The research and experience in this policy area – and consequently the potential of public programs – is rapidly maturing. But that knowledge is not being well used in California because of the inability to effectively discipline policy-making and program administration to the needs of communities and the evidence of what works.<sup>1</sup>

**2. *The adult correctional system.*** In a 1998 report, the Commission concluded that the State was not adequately developing community correctional programs that in other states are cost-effectively protecting public safety. Developing an effective strategy would require state and local law enforcement, corrections, drug treatment and other service providers to develop a continuum of responses that reduce recidivism. This would be an obvious component of the “comprehensive state plan for criminal justice” that OCJP is directed in statute to prepare, but that strategy has not been developed.<sup>2</sup>

**3. *Drug and alcohol abuse treatment.*** The Commission in 2003 concluded that the State was not coordinating prevention, treatment and enforcement efforts – even though research, practical experience and California's top administrators agree that coordination is

essential to cost-effectively reducing the consequences of drug and alcohol abuse. While OCJP leaders claim to have prepared “California’s Drug Control Strategy,” the report is mostly a compliance document used to satisfy federal requirements. The “strategy” does not significantly address efforts to reduce the demand for drugs. Moreover, it does not identify desired outcomes and the steps to pursue those ends.

In conducting these studies the Commission was struck by widespread opinion among state and community leaders that OCJP was expected – but yet failed – to provide the leadership necessary for stakeholders, public officials, researchers and others to define a common vision and manage programs to reach shared goals. In its review of drug and alcohol policies the Commission was further disappointed by written testimony submitted by OCJP that the office develops an allocation plan for public safety funding. No such plan exists.

OCJP was founded for an important purpose. Its grant-making and leadership responsibilities are essential tools that can help communities prevent and effectively intervene in troubled lives and neighborhoods. Earlier this year, the Commission concluded that the State simply cannot afford – fiscally or morally – to perform these functions ineptly or with disregard for the consequences.<sup>3</sup> The Commission urged policy-makers to seriously consider eliminating the office, and it prepared this report to advance that consideration. The full text of the earlier recommendation is in the box below.

***The State Should Consider Eliminating OCJP***

After examining the role of the Office of Criminal Justice Planning (OCJP) in this and previous studies, the Commission concludes that OCJP has consistently failed to exercise the leadership and policy-making role in criminal justice and delinquency prevention that was envisioned by the Legislature.

The number of criminal justice and juvenile delinquency-related programs the Legislature has awarded to other state departments in recent years suggests its loss of confidence in OCJP’s ability to be an effective steward of public funds.

The Commission believes policy-makers should seriously consider whether this office should be eliminated and its functions distributed among existing and related entities, such as the Board of Corrections or the Department of Justice. The Commission intends to review the office and how these functions might be better performed.

### ***Previous Commission Recommendations on OCJP***

The Commission has examined the role of OCJP from various vantage points over the past decade. In conducting these studies, the Commission realized that OCJP was not fulfilling its charter to provide statewide criminal justice planning. Several studies recommended the State review the effectiveness of OCJP to determine if another entity could better administer criminal justice programs.

**1. *The Juvenile Crime Challenge: Making Prevention a Priority (September 1994)***

**Findings:** The State's central planning mechanism for juvenile delinquency prevention is OCJP, however the office's primary function is to funnel federal and state grants to local entities. OCJP did not effectively communicate research and results from pilot projects to local entities.

**Recommendations** The State should create a single, powerful state body to provide leadership and accountability and develop a clearinghouse of best practice information. The State should review the effectiveness of programs administered by OCJP.

**2. *Never Too Early, Never Too Late To Prevent Youth Crime & Violence (June 2001)***

**Findings:** Prevention programs are spread across multiple agencies and funding streams are fragmented and uncoordinated. OCJP, once responsible for most juvenile justice programs, devolved from this role as lawmakers became increasingly critical of the office's ability to competently administer programs. OCJP failed to effectively oversee the programs it funded and evaluations of outcomes were inadequate. New programs were established in other entities. OCJP did not provide leadership or maintain a resource center to disseminate research. Additionally, OCJP neglected to consistently participate in the *Shifting the Focus* partnership designed to reduce fragmentation and duplication among state agencies involved with youth crime prevention.

**Recommendations:** The State should review programs administered by OCJP to determine if they could be better administered by another agency. A non-profit institute should be created to lead crime prevention efforts and acquire and disseminate research.

**3. *Beyond Bars: Correctional Reforms to Lower Prison Costs and Reduce Crime (January 1998)***

**Findings:** California lacks an integrated strategy for criminal justice activities. State law directs OCJP to annually develop a comprehensive statewide plan to improve criminal justice and prevention endeavors, however OCJP has not consistently prepared this statewide plan.

**Recommendations** The State should create a permanent panel to develop, evaluate, refine and fund its criminal justice programs. The panel, led by the Board of Corrections, should develop a master plan with ongoing assessments and refinements.

**4. *For Our Health & Safety: Joining Forces to Defeat Addiction (February 2003)***

**Finding:** While OCJP has the authority – even the mandate – to coordinate law enforcement aspects of drug control efforts, the office could not provide any tangible contribution toward meeting this goal.

**Recommendation:** The State should consider eliminating OCJP.

## ***Study Methodology***

The Commission's review of OCJP drew from testimony and other information gathered during the Commission projects referenced earlier. The Commission also reviewed analyses by the State Auditor and others. It interviewed members of the OCJP management team and past directors of the office. It conducted structured interviews with program managers at OCJP and the Board of Corrections. It also interviewed consultants and community leaders who have worked with OCJP.

To better understand what was expected of OCJP – as well as what is possible – the Commission reviewed state and federal statutes, journal articles and research documents on the evolution of criminal justice planning. It interviewed national experts and administrators in other states who have been recognized for improving the performance and accountability of prevention and intervention programs.

Much of this information was focused into a public hearing in the State Capitol in May. A list of the witnesses appears in Appendix A. This introduction is followed by a summary of the origins of OCJP, a description of current OCJP problems and challenges, an analysis of criminal justice planning problems beyond OCJP, the State's role in reducing crime and finally some recommendations for consideration.

## Origins of OCJP

With crime rates climbing in the 1960s, federal policy-makers sought to address the root causes of crime – including poverty, ignorance and hopelessness – rather than just deal with its effects.<sup>4</sup> The Omnibus Crime Control and Safe Streets Act of 1968 required state criminal justice and human service plans to be integrated, with particular attention to programs for youth, and educational and training services. The federal Juvenile Delinquency Prevention and Control Act of 1968 contained similar provisions.<sup>5</sup>

Anticipating the federal legislation, the Legislature enacted the Deukmejian-Moretti Act of 1967, which created the California Council on Criminal Justice (CCCJ) to administer the federal grants and satisfy other provisions of federal law. But within a couple of years, the council had difficulty meeting the needs of California's communities. Among the criticisms:

- ✓ There were unreasonable delays in processing grant applications and the council lost contracts and paperwork.
- ✓ The council failed to define the responsibilities of regional planning agencies, and to communicate with those entities.
- ✓ The council failed to adequately evaluate programs and to develop a meaningful comprehensive state plan.
- ✓ And millions of dollars in grants reverted to the federal government because of inept management.<sup>6</sup>

In response to these problems, the Office of Criminal Justice Planning was created in 1973 to administer grants and perform the federally mandated strategic planning. OCJP was placed outside of the agency structure, with the executive director appointed by, and reporting to, the Governor. Regional and judicial planning entities also were refined and created.

The California Council on Criminal Justice was retained as the “supervising” body for the federal grants and as an advisory body for other issues. The council is comprised of 37 members. Nineteen are appointed by the Governor, and include the Commissioner of the Highway Patrol and the Secretary of the Youth and Adult Correctional Agency. The Senate Rules Committee appoints eight of the members and the Speaker of the Assembly appoints eight. The Attorney General and the Administrative Director of the Courts are ex officio members.<sup>7</sup> The council is staffed by OCJP and so its agendas and activities are shaped by the degree of leadership exerted by the executive director of OCJP. The complete composition of the council is shown in Appendix B.

**OCJP Mission in Statute**

Penal Code Section 13823a lists six functions comprising the OCJP mission:

1. Develop with the advice and approval of the California Council on Criminal Justice (CCCJ) the comprehensive state plan for improving criminal justice and delinquency prevention activity.
2. Define, develop and correlate programs and projects for state criminal justice agencies.
3. Manage federal grant funds and assist CCCJ to meet federal requirements.
4. Ensure that all state and local plans are aligned with the comprehensive state plan.
5. Assist the Legislature, state and local government agencies, and private organizations with criminal justice and delinquency prevention matters.
6. Evaluate programs and activities assisted by federal grants.

Over the years, other federal and state programs were created to counter the latest public safety concerns, including crime and violence prevention, services to victims and witnesses, anti-drug and gang intervention efforts. OCJP's portfolio of programs continued to grow; it now administers some 100 programs with more than 1,200 grantees. The largest programs are listed in the box on page 7. In fiscal year 2001-02, OCJP received \$172.9 million in federal funds and \$144.7 million in state funds for a total of \$317.6 million. Of that, nearly \$290 million was distributed as grants.<sup>8</sup>

In addition to distributing grants, the office is charged with providing technical assistance to grant recipients, coordinating state and local crime reduction efforts, and developing a comprehensive crime reduction plan. OCJP also is responsible for helping the State to develop and implement broader criminal justice policies.<sup>9</sup> The box lists the office's functions as they are defined in statute.

Many of the problems that plagued the original California Council on Criminal Justice persisted in the new Office of Criminal Justice Planning. Some of the initial problems were attributed to the ongoing reorganization during OCJP's first year and excessive emphasis on new program activities, with inadequate attention to recurring deficiencies.<sup>10</sup>

But over the years, OCJP has lost the confidence of the executive and legislative branches. In 1975 the Governor proposed eliminating 200 of its 220 authorized positions and transferring program responsibilities to 21 regional planning agencies. But the federal Safe Streets Act requires state governments to perform certain financial management, planning, and other responsibilities, preventing California from delegating these functions to local agencies.<sup>11</sup>

In turn the Legislature has placed new programs in other agencies, including the departments of Health Services, Social Services, and Justice, as well as the Board of Corrections.<sup>12</sup> While this may have resulted in those programs being better managed, the problems at OCJP have continued and related state programs are even more fragmented. More than a dozen state departments have significant grant programs intended to reduce crime, violence and substance abuse. With no legislative or executive pressure to coordinate activities, departments do not share resources or change their practices.

<b>OCJP Programs and Grants</b>			
<p>OCJP administers approximately 1,200 grants through 100 programs. Between 1999 and 2002, seven programs with awards totaling \$10 million or more accounted for 49 percent of the total funds awarded. Another seven programs with awards valued between \$5 million and \$10 million accounted for another 20 percent of the total awards. These programs are detailed below.</p>			
<b>Program</b>	<b>Competitive/ Noncompetitive</b>	<b>Branch</b>	<b>Three-Year Average Award (in millions)</b>
Drug Control Strategy	Noncompetitive	Drug	\$40.9
Juvenile Accountability Incentive	Noncompetitive	Juvenile	\$18.7
Victim Witness Assistance	Noncompetitive	Victim/Witness	\$18.7
Rape Victim Counseling Center	Noncompetitive	Sexual Assault	\$15
Domestic Violence	Competitive	Domestic Violence	\$12.1
One-Time Local Law Enforcement Grant	Competitive	Crime	\$10
War on Methamphetamine	Noncompetitive	Drug	\$10
Cold Hit	Noncompetitive	Crime	\$9.5
Vertical Prosecution of Statutory Rape	Noncompetitive	Child	\$8.3
Local Forensic Labs	Competitive	Crime	\$8.3
High Technology Crime	Noncompetitive	Crime	\$6.9
Residential Substance Abuse Treatment	Noncompetitive	Crime	\$6.3
Gang Violence Suppression	Competitive	Gang	\$6.2
Child Abuse Treatment	Competitive	Child	\$5.5
<p>The awards listed above account for nearly \$177 million out of the total \$258 million average awarded annually during the three-year period of 1999-2002. Additionally, OCJP awarded an average of \$60 million in grants valued between \$1 million and \$5 million through 27 programs. The remaining \$21 million in average annual awards were in grants valued at less than \$1 million and were awarded through 79 programs.</p> <p>Source: Bureau of State Audits. "Office of Criminal Justice Planning: Experiences Problems in Program Administration, and Alternative Administrative Structures for the Domestic Violence Program Might Improve Program Delivery." October 2002. A complete listing of all OCJP programs is available at <a href="http://www.lhc.ca.gov/bsa/reports/2002.html#oct">http://www.lhc.ca.gov/bsa/reports/2002.html#oct</a>.</p>			

In 2003, the administration through an executive order placed OCJP and the Office of Emergency Services into a new Office of Homeland Security. The interim executive director of OCJP said the reorganization would not affect the office's activities, which raises questions about the purpose of the reorganization.

While the programs and strategies have evolved – in California and other states and nations – the essential analysis is the same as in the mid-1960s. The origins of crime and violence are complex. To effectively prevent and respond to these maladies, public agencies and service organizations need to work together. The concept was captured well in the words of the head of Australia's corrections service a decade ago:

*There is no one simple answer to the problem of crime. Crime largely has its genesis in social breakdown and no community or government agency working alone can solve the problem or even stem the tide. The issues cannot be segmented and neatly confined within the boundaries of the various individual government agencies.<sup>13</sup>*

The greatest contributor to social breakdown is poverty. But poverty is not just a dearth of economic resources. Rather, it is a critical lack of personal resources that severely reduces the ability of individuals to cope with the demands of modern society. Among these resources are literacy, social and job skills, and good physical and mental health. Intervening early to provide youth with these attributes is more effective and economical compared to the costs and consequences of crime and incarceration.<sup>14</sup> OCJP was created to meld multidisciplinary prevention and intervention activities with law enforcement efforts to reduce crime.

California has had some brilliant successes at the state and community level where “multidisciplinary” or “collaborative” efforts have turned around lives and neighborhoods, crime rates and death rates. The ultimate function for an office like OCJP – and the source of frustration with the current agency – is the comprehensive planning and coordination necessary to produce these successes. Because of inadequate planning and coordination, these successes remain the notable exceptions in California rather than the rule.

# OCJP's Current Problems

Problems with OCJP are not just historical. Many of the current criticisms regarding OCJP focus on how it administers grants: It has not effectively evaluated programs or providers. It has not appropriately accounted for its expenditures. It has not adequately documented its decision-making procedures.

Other concerns focus on its inability or unwillingness to champion public safety – to coordinate efforts and pull together resources. The office is expected to work with other departments that administer similar programs – to develop standard forms and procedures – and community organizations would benefit if it did. The office is required to assess how drug and alcohol abuse affects California, and a more ambitious effort to do so could save more lives and money.

An essential consideration in this analysis is the persistence and consistent nature of the inadequacies. For nearly 30 years, the office has muddled along. To be fair, some community organizations say the office has occasionally administered a particular program well, and some of the same administrative complaints are raised with other grant-makers, including federal grant-making agencies.<sup>15</sup>

But in a rapidly growing and urbanizing state, where crowded prisons and emergency rooms are demanding more from budgets printed with red ink, more effective criminal justice programs are a necessity.

The performance and accountability of the Office of Criminal Justice Planning have been limited by four core problems: a failure to exert statewide leadership, an excessively political executive team, structural deficiencies and poor business practices.

## **1. Failure to Exert Statewide Leadership**

Rather than leading the fight against crime, OCJP is often reacting to the initiatives of others, or narrowly administering the programs in its portfolio. State law envisions three specific statewide activities. The first is developing a comprehensive plan for the State. The second is coordinating the efforts of state criminal justice agencies. And the third is aligning local efforts to the state plan. Taken together, these activities would constitute a strategic approach to crime reduction. OCJP's leadership consistently has deviated from legislative intent in four ways:

- **Failure to plan.** OCJP has not developed the required comprehensive plan. When pressed by the Commission for a copy of the plan in September of 2002, the interim executive director at the time offered the annual Byrne State/Local Law Enforcement Assistance Funds Grant plan. This document is not a comprehensive crime reduction plan because it deals mainly with law enforcement efforts and gives short shrift to other disciplines. On its Web site, OCJP touts its role in comprehensive planning for public safety and victim services. But its activities are essentially all related to the administration of grants.<sup>16</sup> And many of those administrators see themselves primarily as grant managers rather than part of a larger strategy to reduce crime or violence.<sup>17</sup>
- **Failure to coordinate.** OCJP has not coordinated crime reduction efforts among state agencies and correlated its programs with state criminal justice agencies. The Department of Justice, Board of Corrections, Department of Social Services and Department of Health Services all administer programs similar to those of OCJP. There is little contact, much less coordination, among OCJP and these agencies. For more than two years, many of those state agencies attempted to coordinate efforts through a partnership called Shifting the Focus. OCJP rarely participated, and completely missed the opportunity to use the forum to ensure closer coordination.

### **OCJP Cannot be Insular**

Attorney General Bill Lockyer testified that OCJP needs to lead through partnerships:

*In the implementation and administration of grant programs, and in planning for effective criminal justice efforts for California, OCJP needs to look outside its own office and consider the interests and needs of other agencies and organizations that work in the same and related areas.*

*Criminal justice issues have a significant impact on the health, welfare and safety of all our communities and, therefore, policies and programs to address these issues must be multi-disciplinary in nature. Reaching out to agencies and disciplines to form strong partnerships with public health, mental health, social services, education and other groups working toward the same goals should be part of OCJP's standard operating procedure.*

- **Failure to align state and local crime reduction efforts.** Federal and state statutes envision aligning local crime reduction efforts with the comprehensive state plan to maximize resources and impact. Without a comprehensive state plan, this task is impossible. In September 2002, OCJP reported in written testimony to the Commission that it is the lead agency responsible for formulating the "Governor's Public Safety Allocation Plan." It described the plan as a "comprehensive, system-wide approach designed to support criminal and juvenile justice agencies, local victim service programs, schools, community-based organizations, community crime prevention programs, and training programs for prosecutors and public defenders." When the Commission requested a copy of the plan, OCJP officials conceded that there was no such document and that the testimony referred to OCJP's informal consultations with the Governor's office on new initiatives.

- **Failure to use CCCJ to advance public safety goals.** CCCJ could be a venue to coalesce state and local leaders around explicit goals, and shape state policies toward those ends. But in recent years, the council has gone months without meeting, has not been adequately used to set priorities to determine how resources should be allocated, and to make the most - or minimize the consequences - of fluctuating budgets.

## 2. Excessively Political Executive Culture

Many of OCJP's failings can be attributed to organizational characteristics and culture. Many of these weaknesses are internal to the organization, and as will be discussed, could be overcome with qualified and directed executives.

- **OCJP has a top-heavy executive and administrative structure.** The normal ratio of managers to employees in California state government is 1 to 10.<sup>18</sup> Of OCJP's 163 authorized positions in 2002-03, 28 are executive level and 49 are administrative. Budget analysts recommend eliminating 17 executive positions and 34 administrative positions.<sup>19</sup> The Senate Select Committee on Government Oversight recently scrutinized the internal organization of the office and criticized its span of control of 3.3 employees per manager. The committee recommended eliminating 24 management positions.<sup>20</sup>
- **OCJP is widely perceived as being a haven for political appointees.** Nine of OCJP's 28 executive level positions are appointed by the Governor and do not have formal minimum qualifications. Appointments are not selected through the civil service or some other merit-based process.<sup>21</sup> Those who deal with OCJP report that many of these appointees lack requisite knowledge and experience.<sup>22</sup>
- **There is frequent turnover in executive positions.** Since 1999, OCJP has had four directors, two of them interim. One of the interim directors lasted 37 months. The current interim director was appointed in November 2002. The other two directors lasted four and eight months respectively. Over the same four years, the office has had four chief deputy directors. The longest lasted 43 months before becoming the interim director for eight months. The current acting chief deputy was appointed in February 2003 and is also chief legal counsel. The other two chief deputies, one of whom was acting, lasted seven and 13 months respectively. The incumbents in four other executive positions have 64 months of experience among them, ranging from two months to 45 months.<sup>23</sup>

**"OCJP's span of control of 3.3 employees per manager appears to be the most overdone in state government."**

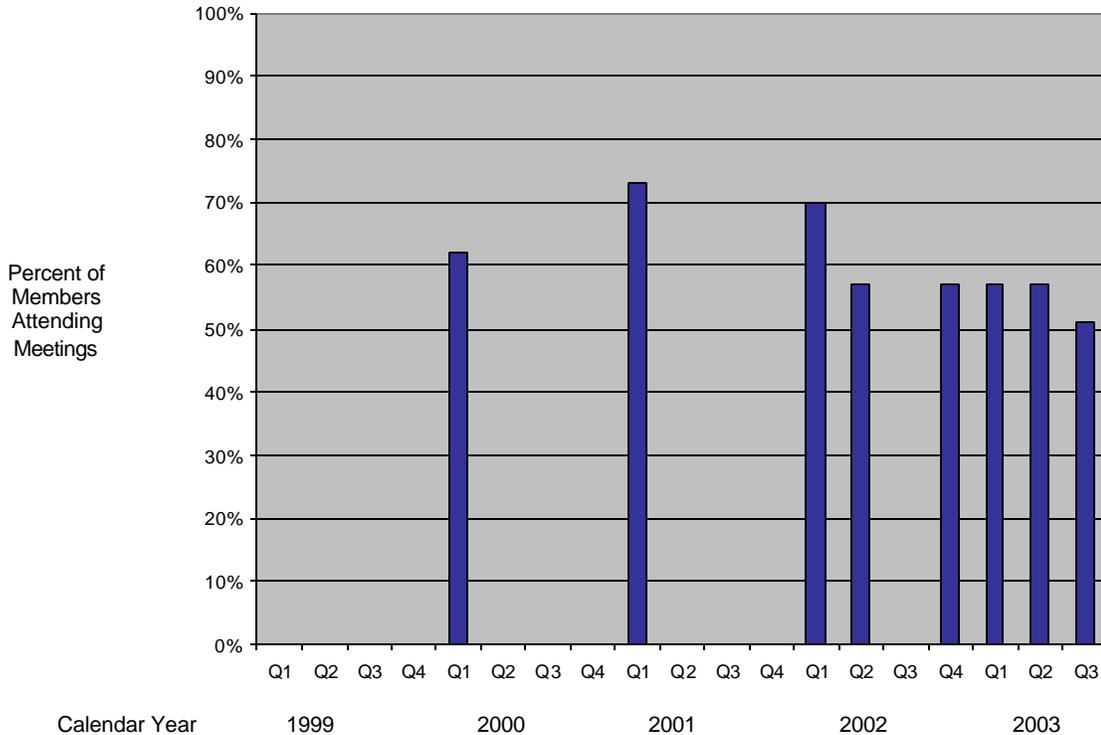
The California Senate Select Committee on Government Oversight

### **3. Structural Deficiencies**

OCJP's organizational structure does not support the mission to plan and coordinate criminal justice activities in California. Specifically:

- **CCCJ is not structured to be effective.** The potential benefits of CCCJ are limited by its dependence on OCJP, its size and composition. OCJP staffs the council, and has been able to limit the council's activities and its ambitions. Penal Code 13811 permits CCCJ to meet 12 times each year. In recent years, OCJP has planned quarterly CCCJ meetings. As the chart shows, CCCJ meets less than half as often as planned. The council's size undoubtedly contributes to its passivity. With 37 members, it is too unwieldy to operate cohesively to develop statewide goals, priorities and strategies. Attendance has declined since January 2001 and generally is running below 60 percent. Because law enforcement is overly represented on the council, prevention and intervention opportunities to reduce crime are underused. Finally, there is no accountability mechanism to ensure that CCCJ functions in statute are accomplished.

**California Council on Criminal Justice Meetings  
1999-2003**



- **No OCJP unit is charged with developing the comprehensive plan.** No executive is responsible for developing the comprehensive plan required by law. Nor is there an organizational unit performing this critical function. The jobs of coordinating programs among state criminal justice agencies and aligning state and local plans also are not assigned to a designated unit within the organization.

#### 4. Poor Business Practices

OCJP's most frequently documented shortcomings concern the administration of grants, and the related functions of providing technical assistance to grantees and evaluating their efforts.

- **Inconsistent grant process management.** OCJP's application and award procedures are not always consistently administered. The Legislature recently reviewed these procedures when OCJP failed to renew the grants to several community-based organizations serving domestic abuse victims. The providers asserted they were denied funds because of a glitch in the application process and as a result they had to discontinue needed services. While the incident reveals the politics of grant-making, the legislative hearings that followed further documented some age-old problems at OCJP.
- **Inadequate technical assistance to grantees and follow-up.** OCJP has not visited grant recipients in a timely manner. Partly, this problem may be due to OCJP's failure to prioritize its visits to struggling or new grantees. In addition, some grant managers have not followed up when grantees did not submit required reports on time and have not promptly reviewed such reports when received. When grant managers identify problems they do not always ensure resolution.<sup>24</sup>
- **Improperly planned evaluations.** OCJP does not properly plan for evaluations or manage the contracts for independent evaluations. The State Auditor found that there was no process in place to prioritize grants that require evaluations. Nor were there guidelines to establish what an evaluation should include and what it should accomplish. And evaluation contracts did not include measurable deliverables. As a consequence of these problems, OCJP spent \$2.1 million over three years for evaluations of uneven quality, content and usefulness.<sup>25</sup> Appendix C details the persistent critiques of such administrative problems.

**"OCJP appears to be a politically oriented conduit for money, responsive to media and interest group pressures and allocating resources to the 'crime de jour' or the squeakiest wheel."**

Suzie Cohen, community consultant

## **Why Are These Problems So Persistent?**

While some of OCJP's problems are structural, strong leadership and good management practices can compensate for structural weakness. Among OCJP's continuing problems:

**Low expectations.** OCJP is viewed as a conduit for the Governor to publicly distribute grant money to augment criminal justice budgets.<sup>26</sup> While the statute describes more ambitious functions, few policy-makers expect or demand more than the non-controversial distribution of dollars. In turn, those who are funded by OCJP are reluctant to publicly criticize the agency's performance in terms of grant-making or planning.

**Lack of clear and measurable goals.** When creating new programs and or developing annual budgets, policy-makers have not established clear and measurable goals for the programs that OCJP and related agencies administer. Short of an audit, policy-makers and the public cannot determine how efficiently OCJP and the other agencies administer grants, the fairness of the process, and whether grantees are actually providing the services they are paid to provide.

**Difficulty assessing organizational performance.** External pressure to improve performance may be recurring, but it has not been effective. Audits and evaluations cost money that could otherwise be used to enhance programs or be distributed as grants. And since the main concern is to qualify for federal funds, dramatic changes to the State's administration could jeopardize those funds.

**Key personnel turbulence.** As described previously, long-time staffers report that turnover among the senior staff – and the overall lack of experience among the political appointees – have prevented any sustained or systematic effort to improve the administration of programs.

### **Ongoing Efforts**

OCJP's current interim director has pledged to reform the office. He is preparing a strategic plan that he said would be completed within six months. At the same time, the office is part of an ongoing reorganization involving homeland security that may change what is expected of OCJP.

The director acknowledged that the office has neglected its planning responsibilities, and he vowed to provide the necessary leadership. As noted previously, the California Council on Criminal Justice is meeting more regularly, although attendance is poor. And the State Auditor reported that OCJP is resolving issues raised in a recent audit of domestic violence grant programs.

In recent weeks, OCJP has published two documents: An annual report summarizing its grant activities and a report summarizing its involvement in numerous multi-agency efforts to respond to specific public safety concerns. While both documents describe OCJP's activities, neither one analyzes OCJP's activities or performance or identifies steps for improving its performance.

# ***Problems Beyond OCJP***

**E**ven if OCJP credibly administered the grants in its portfolio, the State would not be making the most of available resources to protect Californians from crime, violence and the abuse of drugs and alcohol. The State's more fundamental shortcomings are in how resources are allocated and which programs are funded. OCJP and CCCJ were intended to help policy-makers develop that more systematic approach. But 30 years later, the State still faces three fundamental problems:

## ***1. Resources are not effectively allocated***

OCJP alone administers some 100 programs intended to protect Californians and help struggling individuals, families and neighborhoods. The Departments of Education, Health Services and Social Services and the Board of Corrections administer grants programs targeting many of the same problems and the same Californians.

In some cases, the funds are allocated by formula, such as population, with general guidance on how the money can be spent. In other cases, the Legislature decided which communities would receive the money, and which would not. In still other cases, local agencies or organizations compete for dollars, with state agencies determining the winners.

Taken together these allocation decisions do not ensure that all communities have minimal capacity to meet public safety and related human and social service needs. Nor does this process ensure that communities with the greatest public safety threats receive the additional resources needed to respond to problems before they become statewide concerns.

To the contrary, this process often results in communities with the most political influence receiving an inordinate share of resources. In the case of competitive grants, the resources flow to communities with the best grant writers, not necessarily the greatest needs.

The charts on the following pages begin to reveal the misallocation. The graphics display the total grants awarded by OCJP to the 35 largest counties in 2001-02 and crime rates, based on the 2001 California Crime Index. The California Crime Index is the rate of selected crimes (homicide, rape, robbery, assault, burglary and motor vehicle theft) per 100,000 people reported to the California Department of Justice by local law enforcement.

## ***Toward a Better Understanding***

The table and the maps depict crime rates and OCJP grant awards for one year. A more detailed analysis should include criminal justice spending by all state agencies, multiple years of data and outcome evaluations. Also, risk indicators, such as juvenile drug arrests, could be used to pinpoint emerging trends and more effectively allocate funding to prevent crime.

### **OCJP Grants Awarded by County by Crime Rate Ranking (2001-02)**

<b>County</b>	<b>California Crime Index</b>	<b>Crime Index Rank</b>	<b>Per Capita Grant Award</b>	<b>Per Capita Rank</b>
Fresno	2924.7	1	\$14.46	4
San Joaquin	2638.3	2	\$5.84	28
Imperial	2427.0	3	\$9.81	11
Sacramento	2369.4	4	\$20.07	1
Tulare	2280.2	5	\$13.79	6
Los Angeles	2249.0	6	\$3.85	33
Stanislaus	2247.2	7	\$12.35	8
Alameda	2231.9	8	\$6.97	25
Riverside	2179.5	9	\$4.91	31
San Bernadino	2055.9	10	\$3.35	35
Merced	2025.0	11	\$7.54	22
Madera	1996.9	12	\$7.55	21
Contra Costa	1802.9	13	\$7.77	17
Kern	1756.0	14	\$12.21	9
San Diego	1755.2	15	\$8.08	16
Solano	1710.2	16	\$5.68	30
San Francisco	1680.2	17	\$8.19	15
Butte	1627.7	18	\$10.91	10
Humboldt	1582.9	19	\$17.56	2
Yolo	1572.5	20	\$9.64	12
Shasta	1486.4	21	\$14.11	5
Monterey	1400.2	22	\$6.14	27
Santa Cruz	1273.9	23	\$8.99	14
El Dorado	1155.0	24	\$12.40	7
Marin	1127.0	25	\$7.39	24
Sonoma	1117.0	26	\$7.70	18
Orange	1114.7	27	\$3.77	34
Kings	1112.3	28	\$7.59	19
Santa Clara	1088.4	29	\$4.48	32
Placer	1044.0	30	\$7.44	23
San Mateo	1027.4	31	\$7.58	20
San Luis Obispo	1008.7	32	\$6.49	26
Santa Barbara	897.0	33	\$5.77	29
Ventura	853.7	34	\$9.52	13
Napa	785.3	35	\$16.97	3

Source: OCJP Grants Management System Report, "Competitive and Non-Competitive Grants for 2001/02, Sorted by County," June 13, 2003. Personal communication, Shirley Wang, Acting Chief Deputy, OCJP, June 2003. Department of Finance. "City/County Population Estimates with Annual Percentage Change Jan. 1, 2002 and 2003." Department of Justice, California Crime Index, 2001.



**Which Counties Had the Highest Crime Rate?**

1. Fresno
2. San Joaquin
3. Imperial
4. Sacramento
5. Tulare
6. Los Angeles
7. Stanislaus
8. Alameda
9. Riverside
10. San Bernadino

Rank by Crime Index rate in counties with a population over 100,000



**Which Counties Received the Most OCJP Funding?**

1. Sacramento
2. Humboldt
3. Napa
4. Fresno
5. Shasta
6. Tulare
7. El Dorado
8. Stanislaus
9. Kern
10. Butte

Highest per capita OCJP grant awards in counties with a population over 100,000

## 2. Resources Are Not Targeted at Proven Programs

Although every community experiences social and public safety issues, not all of them have the same priorities. And while for decades, public dollars have flowed to public safety and related efforts, not all of those programs work. Still, no mechanism in the policy-making process or within the executive branch is used to systematically assess what

problems should be addressed first and which programs are most effective at responding to those problems. Among the consequences:

### **Juvenile Justice and Crime Prevention Act Funds**

The Schiff-Cardenas Crime Prevention Act of 2000 allocated \$121 million to counties on a per capita basis for programs to address juvenile crime and delinquency. Currently, \$116 million is allocated to the program annually.

It is one of the largest ever public investments in youth violence prevention. More than \$100 million flows to the 15 largest counties in California, representing 80 percent of California youth. The law requires that counties implement “programs and approaches that have been demonstrated to be effective in reducing delinquency and addressing juvenile crime...”

In 2002, a Youth Violence Prevention Scorecard developed by “Choices for Youth: A Public Education Campaign to Prevent Violence Against Youth,” reported that on average, 80 percent of the first year funds were spent on programs defined by a panel of experts as “prevention” programs, with the balance spent on enforcement. In the 15 largest counties expenditures on prevention ranged from a low of 34 percent in San Bernardino County to highs of 100 percent in Fresno, San Francisco and Alameda counties.

Few of the prevention programs implemented by the counties have been adequately evaluated, despite the existence of a growing portfolio of proven programs, including the “Blueprints for Violence Prevention.” The scorecard is at [www.preventviolence.org](http://www.preventviolence.org).

#### ✓ **Communities underinvest in prevention.**

There is substantial evidence that the most effective response to public safety problems is a strong continuum of prevention, intervention and enforcement efforts. Over the last 20 years, prevention efforts have been treated as a luxury, funded in good times and cut in bad times. As a result, enforcement and incarceration programs, despite their limitations, have secured a large and stable share of resources.

#### ✓ **Funding is not linked to community priorities.**

Most of the state and federal money available to communities is for specific solutions to specific problems. These priorities are generally not predicated on a community-based, or even evidence-based process to determine which problems are of greatest concern or pose the greatest consequences.

#### ✓ **Dollars are not directed to proven programs.**

Researchers have difficulty isolating the effects of single programs on human behaviors, particularly if they are trying to measure outcomes that did not happen, such as averted crime. Still, there is a growing inventory of strategies proven to improve outcomes for individuals, families and communities, and evidence showing that some programs do not work or are even harmful. That information is not used in California to create programs or allocate resources.

### 3. State efforts are fragmented and disparate

By creating scores of specific programs in dozens of different state agencies, California has frustrated the ability of communities to efficiently use resources to respond to the problems that concern them most with programs proven to be effective.

- ✓ **Programs are scattered and duplicated.** Although the state generally requires community agencies to forge partnerships, state funding streams are fragmented. For example, the State has more than 50 youth violence and crime prevention efforts administered by 12 state departments led by three constitutional officers.<sup>27</sup> A partial inventory of major criminal justice programs is in Appendix D.
- ✓ **Procedures are inconsistent.** Application forms, definitions, reporting requirements, evaluation rules, appeal procedures change from program to program. In many cases, the variations are not essential to proper administration of the grant. In most cases, the variations make it more difficult for local governments and community organizations to apply for funds or comply with requirements.
- ✓ **Newcomers find it difficult to secure grant funding.** There is no effective pressure on state agencies to work together. Grants tend to be renewed for the same grantees over many years.<sup>28</sup> Grant recipients endure poor administration because they do not want to interrupt the flow of funds. And newcomers often find it difficult to get a place at the table.<sup>29</sup>

#### OCJP Program Overlap

**Domestic Violence.** OCJP distributes some \$15 million to domestic violence victim shelters. The Department of Health Services oversees a \$23 million program that funds many of these same shelters.

**Juvenile Justice and Crime Prevention.** OCJP administers about \$30 million targeting juvenile justice and delinquency prevention. These are but a few of the juvenile crime prevention programs. The Board of Corrections administers the State's Youth Challenge Grants (approximately \$110 million since 1996) and the Schiff-Cardenas Crime Prevention Act of 2000 (about \$116 million annually).

**Gang Violence.** OCJP administers \$6 million annually in grants for gang violence suppression. The Department of Education administers the \$3-million Gang Risk Intervention Program and the Department of Justice oversees the \$3-million Gang, Crime and Violence Prevention Partnership.

**Public Safety.** OCJP provides funds and technical assistance to law enforcement agencies for crime prevention and other activities. DOJ and BOC administer programs with similar objectives. Both OCJP and DOJ have programs targeting methamphetamine-related crime. Both have a database to track lab locations and seizures.

Sources: LAO, Analysis of the 2003-04 Budget Bill, February 2003. LHC, Never Too Early, Never Too Late to Prevent Youth Crime and Violence, June 2001. BSA, "Office of Criminal Justice Planning", October 2002. DOJ, DOE and BOC Web sites.

## **Potential Program Administration Consolidation**

Within OCJP's two divisions and eight branches that administer grants many programs could be consolidated. The programs listed here are drawn from OCJP's 2002 annual report. The legend below identifies similar programs throughout OCJP that are candidates for consolidation.

**Legend: Similar Programs Within OCJP**

- ◆ Seven vertical prosecution grants directed at district attorneys and one related program for public defenders are administered in five branches within two divisions.
- \* Ten grants distributed to counties to create a team approach to assist crime victims are spread across five branches in both divisions.
- In the victim services division, 13 different programs in all four branches provide grants, in most cases to a single organization, to provide technical assistance and training.

### **Public Safety Division**

#### **Crime Suppression Branch**

High Technology Theft  
Apprehension/Prosecution  
Bulletproof Vest Partnership Program  
Career Criminal Apprehension Program  
California Counter-Drug Procurement Program  
California Innocence Protection Program  
California Cold Hit Program  
Local Forensic Laboratory Improvement Program  
Local Law Enforcement Block Grant Program  
Regional Law Enforcement Training Center Program  
Residential Substance Abuse Treatment Program

#### **Juvenile Justice Delinquency Branch**

Title II Delinquency Prevention and Intervention  
Title II Challenge Activities Program  
Title V Local Incentive Grants Program  
Juvenile Accountability Incentive Block Grant

#### **Gang Violence Suppression Branch**

Community Crime Resistance Program  
◆ Vertical Defense of Indigents Program  
\* Serious Habitual Offender Program  
Drug Suppression in Schools Program  
CALGANG® Database Project  
\* Gang Violence Suppression - Multi-Component  
Gang Violence Suppression - Single Component

#### **Drug Enforcement Branch**

\* Multijurisdictional Drug Task Force Program  
\* California Multijurisdictional Methamphetamine Enforcement Team (CAL-NMET)  
◆ Major Narcotic Vendors Prosecution Program  
Marijuana Suppression Program  
Drug Court Program  
Intensive Probation Supervision Program  
Legal Training Program

**Victim Services Division**

**Domestic Violence Branch**

- Domestic Violence Assistance Program
- Tribal Law Enforcement Training Program
- American Indian Women Domestic Violence Assistance Program
- Grants to Encourage Arrest Policies Program
- \* Domestic Violence Response Team
- Family Violence Prevention Program
- Domestic Violence Coalition Program
- ◆ Violence Against Woman Vertical Prosecution Program
- System Tracking and Reporting (STAR) Software Program

**Sexual Assault Branch**

- Sexual Assault Training & Technical Assistance Program
- Campus Sexual Assault Research Program
- Farmworker Women's Sexual Assault & Domestic Violence Program
- Court Personnel Training Program
- Medical Evidentiary Training Center Program
- Native American Sexual Assault & Domestic Violence Program
- Law Enforcement Training Program
- Prosecutor Education, Training & Research Program
- Rape Crisis Program
- \* Sexual Assault Response Team (SART) Program
- Rape Prevention Resource Center

**Children's Branch**

- Child Abduction Task Force
- Child Abuse & Neglect Disability Outreach Program
- Multidisciplinary Team Development Project
- American Indian Children's Tribal Court
- Child Abuse Training and Technical Assistance Program
- Child Abuse Treatment Program
- ◆ Child Abuser Vertical Prosecution Program
- \* Child Death Review Training
- Child Sexual Exploitation Intervention Program
- \* Drug Endangered Children's Program
- Homeless Youth Emergency Services Program
- \* The Child Abuse & Neglect Law Enforcement Specialized Unit (LESU) Program
- ◆ Statutory Rape Vertical Prosecution Program
- Yolo County Teaching Tolerance Program
- Child Sexual Abuse Treatment Program
- Youth Emergency Telephone Referral Network Program

**Victim Witness Branch**

- \* Victim/Witness Assistance Program
- Law Enforcement Specialized Units Program
- ◆ California Career Criminal Prosecution Program
- \* Special Emphasis/Special Victim Assistance Program
- \* Elder Abuse Advocacy and Outreach Program
- Probation Specialized Units Program
- ◆ Threat Management and Stalking Vertical Prosecution Program
- Victims Legal Resource Center
- ◆ Elder Abuse Vertical Prosecution Program
- Seniors Against Investment Fraud (SAIF) Program
- Victim Notification Program
- Crisis Response Training Program
- Victim/Witness Crisis Response Incident Support Equipment & Supplies (CRISES)



# The State's Role in Reducing Crime

All communities need to be able to prevent or respond to crime and its effects. Communities also need to develop a continuum of responses that enable them to adapt strategies to changing threats and opportunities.

As explained in the box, Arizona instigated system-wide changes by focusing resources on programs that work in communities that most need help. To navigate the politics inherent in the distribution of resources, the state has placed the analytical function at Arizona State University and given it technology to develop data. Changes are initiated under the rubric of accountability.

To facilitate local success, California needs to strategically coordinate support, foster local leadership, target resources and provide technical assistance. Each of these four elements have been successfully employed by other states to improve the effectiveness and accountability of public safety programs.

## Arizona's Accountability System

Arizona has built its crime-reduction accountability effort on three principles:

- Investment in prevention and intervention produces social and financial benefits that alternatives like incarceration do not.
- All levels of government need to commit to collaboration in planning and funding.
- Data-based decision-making results in more effective policy and programs.

Arizona began with an inventory of programs to determine where and how resources were being spent, followed by an appraisal of community needs. They developed statewide and community scorecards based on evaluations and desired outcomes to determine which programs were effective. Arizona's list of risk indicators is in Appendix E. Funding strategies encourage communities to replicate proven programs. A Geographic Information System was employed to target additional resources. The goal is to redirect resources toward effective programs in communities with the greatest needs.

Source: Alan R. Brown, Ph. D., Founder of the Arizona Prevention Resource Center at Arizona State University. Testimony to the Commission. May 22, 2003.

## 1. Strategically coordinate state-level support

Unifying the cacophony of voices from the State would improve community efforts to reduce crime. Over the last decade, many communities have recognized the need for a multidisciplinary response - true partnerships between law enforcement, education, social service and health agencies.<sup>30</sup> But with few exceptions, state programs operate in isolation, frustrating local efforts to work together.

## How Minnesota Improved Coordination and Performance

Minnesota has aligned all prevention, intervention and law enforcement programs designed to reduce crime under one department. In March 2003, the governor took a "first step" to focus on performance and results by combining departments with similar functions, consolidating grant functions and establishing an Office of Strategic Planning and Performance Management. The governor considers this office to be an important tool in charting the future and measuring success.

Source: Web site accessed 5/20/03.  
[http://www.governor.state.mn.us/TPaw\\_View\\_Article.asp?artid=196](http://www.governor.state.mn.us/TPaw_View_Article.asp?artid=196).

## **2. Foster local leadership**

In various studies, the Commission has found that consistent, determined leadership is a key factor in the success of any public program. Strong local leaders build partnerships, muster resources, win community support and evolve programs from ineffective strategies to effective ones.<sup>31</sup>

### **How Maryland's HotSpots Program Fosters Local Leadership**

"HotSpot" communities rely on locally elected or appointed officials for leadership of crime reduction efforts. Local leaders set priorities, provide continuity and get community members involved. The State provides resources to local leaders through a strategic process that identifies communities with the greatest public safety needs.

Source: [www.dpscs.state.md.us/dpp/hotspot.shtml](http://www.dpscs.state.md.us/dpp/hotspot.shtml). Accessed 5/28/03.

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## **3. Target resources**

State and federal funding should provide a base level of assistance to all communities and target additional resources at communities with elevated levels of criminal activity. Geographic information system and other available and affordable technologies make it easier to use information to assess where the resources should be allocated to achieve these goals.

### **How Oregon Targeted Resources**

A governor's task force analyzed crime patterns and how communities were dealing with crime as part of the "Oregon Shines" initiative. After a comprehensive review of community problems and solutions, Oregon committed to attack the underlying causes of crime. It identified the primary risk factors and redirected some state spending to reduce or eliminate them. Risk factors include school failure, substance abuse, negative peer association, anti-social behavior and poor family functioning.

Source: Oregon Governor John A. Kitzhaber, M.D. Governor's Juvenile Crime Prevention Strategy Design Team Agreements and Recommendations, updated, [www.oregon.state.or.us/obj/orsh2.htm](http://www.oregon.state.or.us/obj/orsh2.htm)

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## **4. Provide assistance**

Communities need to know which programs work and how to replicate them faithfully. An on-line inventory of grant opportunities and proven programs would be a good start. The State also could coordinate and consolidate advisors and consultants to make the most of limited resources.

### **How Colorado Shares Knowledge**

Colorado's Blueprints Program uses robust research designs to identify effective violence prevention programs. It has identified 11 prevention and intervention programs that meet a strict scientific standard for effectiveness. Another 21 programs have been identified as promising. Blueprints has evolved since 1996 into a large-scale prevention initiative that identifies successful models and provides training and technical assistance to help communities select and replicate a set of demonstrated effective programs.

Source: [www.colorado.edu/cspv/blueprints/index.html](http://www.colorado.edu/cspv/blueprints/index.html) Accessed 5/28/03.

# Findings and Recommendations

**Finding 1: The Office of Criminal Justice Planning has persistently failed to champion public safety, efficiently administer grant programs, or guide policy-makers and community leaders toward effectively reducing crime, violence and drug and alcohol abuse.**

The well-documented problems with OCJP are thwarting efforts of California's communities to develop evidence-based and effective partnerships that respond to the evolving threats to public safety.

Conceptually, the Commission supports organizational structures that concentrate resources and responsibility for related programs and provide a direct line of authority to the Governor. On paper, OCJP has those characteristics. But because the senior management of OCJP is not routinely held accountable for the performance of the office, these important structural characteristics have been undermined by an excessively political culture.

It is possible to rebuild the organization – provided that policy-makers agree explicitly upon the functions and outcomes expected of the office, and a vibrant external mechanism is in place to ensure that the agency progresses toward those goals. Absent that discipline, internal efforts by interim directors are unlikely to change the culture, operations and performance of the office. Without substantial improvement, there is simply no benefit to having an office dedicated only on paper to providing resources and leadership to California's public safety efforts.

**Recommendation 1: Eliminate the Office of Criminal Justice Planning and distribute its grant-making programs to other state departments already administering similar programs. To implement this recommendation, the Legislature should:**

- **Consolidate similar programs.** Rather than simply moving programs to other departments, the State should take the opportunity to consolidate nearly identical programs – either within OCJP or in OCJP and other departments – such as the domestic violence programs operated by OCJP and the Department of Health Services.
- **Distribute programs based on the commitment of agencies to improve performance.** In considering where to place OCJP's remaining programs, policy-makers should consider which agencies have a combination of subject matter and administrative expertise. As part of the transition, agencies should agree to review the programs they inherit and make recommendations for consolidating and streamlining operations and improving performance and accountability.

**Finding 2: California is not efficiently or effectively using available resources to help communities reduce crime and violence and the abuse of drugs and alcohol.**

Any consideration of OCJP's future must be in the context of the State's needs for a strategic effort to protect Californians. Many state and community leaders understand and even advocate for a more thoughtful approach to how state agencies provide financial, technical and other assistance to local governments and community-based organizations.

Efforts have been made administratively to improve coordination. But those efforts, which lacked adequate support from senior leadership in the executive or legislative branches, failed to bring improvement.

Legislative efforts to consolidate the management of similar programs also have failed. And legislative efforts to respond to specific concerns from individual communities have often resulted in the creation of new programs (often short-lived pilot programs) that ultimately complicate and frustrate efforts to develop a strategic approach.

Oversight of individual programs is sporadic and ineffective. It often requires expensive and detailed audits to understand the workings of just one of the scores and scores of related programs that often are serving the same families and neighborhoods. Broader oversight of how effectively the programs are working together to reduce crime and violence also is fleeting – with recommendations for structural reforms strongly resisted by the individual programs and their customers who are threatened by even a hint of change to the current allocation of dollars.

Whether or not policy-makers eliminate OCJP, the State needs a mechanism for improving the performance and accountability of grant and other local assistance programs. The mechanism needs to provide a process and a venue for assessing how well programs are working, how well resources are being allocated, and how available resources could be better spent.

***Recommendation 2: Reconstitute the California Council on Criminal Justice into a new California Public Safety Council explicitly charged with aggressively aligning state efforts to help communities reduce crime and violence and the abuse of alcohol and drugs. The Council should:***

- ***Involve state and local leadership.*** The council of multidisciplinary volunteers should have no more than 13 members – senior and proven leaders in the fields of criminal justice, public health, prevention, and alcohol and drug abuse treatment. Members should be appointed by the Governor and the Legislature to fixed terms and the council should elect its own chairperson. The council should

report to the Governor and fall under the jurisdiction of a joint select committee in the Legislature comprised of chairs and vice chairs of the public safety, health and human services and budget committees.

- **Have a small staff reporting to the council.** The council should be funded by the savings derived by eliminating OCJP, or alternatively the excess administrative positions within that office. The council should select a director with subject matter and administrative expertise, who reports to the council and manages a small staff of professionals.

**California Public Safety Council Composition**

**Ex Officio Members**

1. Attorney General.
2. Chief Justice of the California Supreme Court or appointee.
3. Superintendent of Public Education.
4. Secretary of Health & Human Services.
5. Secretary of Youth and Adult Corrections.

**Members Appointed by the Governor**

6. One police chief or county sheriff.
7. One university president.
8. One private sector substance abuse provider.
9. One local public health doctor.

**Members Appointed by the Speaker of the Assembly**

10. One K-12 teacher or principal.
11. One city council member from a large city (population>700,000).

**Members Appointed by the Senate Rules Committee**

12. One county chief probation officer.
13. One county supervisor from a small county (population<400,000).

- **Be a catalyst for improvement.** The council should be charged with developing an effective partnership among state and local public agencies, and ensuring that policies, programs and agencies are responsive to community needs. The council should:
  - ✓ Create and publish an on-line inventory of all grant programs, technical assistance and other resources.
  - ✓ Map the allocation of resources to communities and determine a minimum level of support for all communities. Systematically review all grant programs and make recommendations as to which programs should be eliminated, continued or consolidated into block grants.

- ✓ Map the incidence of crime and violence and determine which grant programs could be consolidated into hot-spot grants targeting struggling communities.
- ✓ Determine outcomes to be achieved from all grants and identify a way of measuring success. Periodically review all grant programs to determine which ones should be eliminated or expanded.
- ✓ Standardize grant definitions, forms and procedures to the extent possible and link grant applications through a single Web site to make it easy for communities to find resources.
- ✓ Identify proven and promising evidence-based crime reduction strategies and structure grant awards to encourage their use.
- ✓ Coordinate technical assistance, monitoring, evaluation and training for all grant programs to ensure that proven and promising evidence-based programs are faithfully replicated.
- ✓ Work with private and public partners in crime reduction efforts to create a leadership academy to develop strong, creative and adaptable community leaders.
- ✓ Report annually to the Governor and the Joint Committee about the effectiveness of community-based crime reduction efforts and the support provided by state agencies. The annual report should specify the level of cooperation among granting agencies and support and identify actions that other state agencies could take to support community-based prevention and intervention efforts.

## **Conclusion**

The problems at OCJP are symptomatic of the State's overall approach to helping communities fight drugs, crime and violence. Taken together, the programs are largely an inefficient and ineffective allocation of resources. The problems result from sporadic legislation, inconsistent administration and little discipline. Legislative efforts to consolidate or reform programs have been unsuccessful. The Commission's recommendations, if adroitly implemented, would systematically and thoughtfully align the programs to the public's interest as defined by the communities that are being served. As in other states, the benefits of these efforts would be a better use of existing resources and stronger community-based responses to crime and violence.

# Appendices & Notes

- ✓ *Public Hearing Witnesses*
- ✓ *California Council on Criminal Justice*
  - ✓ *History of Problems*
- ✓ *Partial Inventory of Criminal Justice Grants*
  - ✓ *Arizona's Risk Indicators*
    - ✓ *Notes*



# Appendix A

## Little Hoover Commission Public Hearing Witnesses

### *Witnesses Appearing at Little Hoover Commission Office of Criminal Justice Planning Hearing on May 22, 2003*

Alan R. Brown, Ph. D.  
Arizona Prevention Resource Center

Suzie Cohen, Consultant  
Suzie Cohen & Associates

Cabell C. Cropper, Executive Director  
National Criminal Justice Association

Patti Giggans, Executive Director  
Los Angeles Commission on Assaults  
Against Women

Denise C. Herz, Ph.D., Associate Professor  
Department of Criminal Justice and  
Criminalistics  
California State University, Los Angeles

Elaine M. Howle  
California State Auditor

The Honorable Bill Lockyer  
California Attorney General

Wayne K. Strumpfer  
Interim Executive Director  
Office of Criminal Justice Planning

Arturo Venegas, Jr., Chief of Police,  
(Retired), Sacramento Police Department  
and Council Member, California Council on  
Criminal Justice



# Appendix B

## California Council on Criminal Justice (Penal Code Section 13810)

### ***Ex Officio Members***

Attorney General  
Administrative Director of the Courts

### ***19 Members appointed by the Governor, including:***

Commissioner of the Department of the Highway Patrol  
Director of the Department of Corrections  
Director of the Department of the Youth Authority  
State Public Defender  
One district attorney  
One sheriff  
One county public defender  
One county probation officer  
One member of a city council  
One member of a county board of supervisors  
One faculty member of a college or university qualified in the field of criminology, police science or law  
One qualified criminal justice researcher  
Six private citizens, including a representative of a citizens, professional, or community organization

### ***8 Members appointed by the Senate Rules Committee***

One member of the Senate Committee on Criminal Procedure  
One representative of the counties  
One representative of the cities  
One judge designated by the Judicial Council  
Four private citizens, including a representative of a citizens, professional or community organization

### ***8 Members appointed by the Speaker of the Assembly***

One member of the Assembly Committee on Public Safety  
One representative of the counties  
One representative of the cities  
One chief of police  
One peace officer  
Three private citizens, including a representative of a citizens, professional or community organization directly related to delinquency prevention

The Governor will select a chairman from among the council members.



# Appendix C

## History of Problems

### ***Program Administration***

OCJP has a "...history of poor performance in the administration of its programs."<sup>32</sup> This problem began in 1969 with OCJP's predecessor, the California Council on Criminal Justice (CCCJ), originally created to be the state administering agency for the Law Enforcement Assistance Administration's grant programs. CCCJ and its staff were criticized for:

- ✓ There were unreasonable delays in processing grant applications and the council lost contracts and paperwork.
- ✓ The council failed to define the responsibilities of regional planning agencies, and to communicate with those entities.
- ✓ The council failed to adequately evaluate programs and to develop a meaningful comprehensive state plan.
- ✓ And millions of dollars in grants reverted to the federal government because of inept management.

The Legislative Analyst's Office (LAO) recently noted that the department is severely lacking in its primary functions.<sup>33</sup> An October 2002 Bureau of State Audits (BSA) report found that OCJP failed to:<sup>34</sup>

- Establish guidelines and a structured review process for denying funding to applicants based on past performance.
  - ✓ OCJP decided to change for the 2001-2004 domestic violence program funding cycle from continuous funding to competitive grant funding procedures, resulting in 10 previously funded shelters not receiving funding. Public criticism resulted in additional funding for these shelters. Legislative hearings led to a BSA audit.<sup>35</sup>
- Provide prompt and consistent oversight of grant recipients.
  - ✓ Without Legislative approval, OCJP changed the method of awarding grants from competitive to a single non-competitive grant to DARE America, Inc. without any information on how DARE would use grant monies.<sup>36</sup>
  - ✓ LAO noted that funding for various local assistance programs in OCJP's 1999-2000 authorization had not been spent due to problems in defining the program, developing grant applications and approving grantees.<sup>37</sup>
  - ✓ A 1988 State Auditor General report found that OCJP did not properly evaluate and direct grantee performance.<sup>38</sup>
- Plan grant evaluations and manage evaluation contracts.
  - ✓ Gang Violence Suppression Program – LAO noted in its 2002-03 Budget Analysis that OCJP had administered this program since 1984 but could not provide information on its effectiveness. LAO estimated that 67 percent of grant recipients were reporting inaccurate information.<sup>39</sup>
  - ✓ LAO in its 1998-1999 Budget Analysis noted that OCJP's Monitoring and Program Evaluation Branch was not evaluating the effectiveness of OCJP programs and had no plans to do so. Since its inception in 1996, the branch had expended \$2 million in contracts to study the feasibility of developing process measures for several federal grants.<sup>40</sup>
  - ✓ LAO noted in its 1997-98 Budget Analysis that OCJP had not attempted to determine whether the \$8.4 million annual expenditure since 1995 on the Statutory Rape Prosecution Program was accomplishing its goal of reducing teenage pregnancies.<sup>41</sup>

- ✓ The State Auditor General noted similar grant administration and oversight problems in three OCJP programs in a 1988 report.<sup>42</sup>
- ✓ A 1975 report by the Legislative Analyst indicated that OCJP had not developed meaningful criteria to measure grant performance in the six years of its existence, making it impossible to assess the results of over \$200 million spent for projects.<sup>43</sup>
- Comply with federal grant administration and reporting requirements.
  - ✓ An October 2000 program site visit by the federal Office of Juvenile Justice and Delinquency Prevention resulted in restricted access to JJDP funds because OCJP did not have a properly constituted and functioning State Advisory Group.
  - ✓ The same JJDP program site visit also cited the lack of a statewide comprehensive plan for reducing juvenile crime.<sup>44</sup>

## **Budgeting**

OCJP budget submissions lack sufficient information to assess the proposals, including a clear basis for distributing funds.

- (2001-02) Request to establish War on Methamphetamine program -- \$40 million: OCJP was unable to provide any justification of \$25 million for training, equipment and office space leasing or how these funds would be allocated. The proposal for the remaining \$15 million to establish and expand multi-jurisdictional task forces lacked detail on categories of expenditures, funding priorities and allocation criteria. The proposal also suggested that a non-competitive allocation would emphasize need but there was no indication how need would be determined or how each agency's allocation might vary each year.<sup>45</sup>
- (2001-02) Proposal to improve local forensic laboratory program did not include a distribution scheme for the grants. OCJP was unable to provide sufficient information to enable LAO to evaluate the proposal.<sup>46</sup>
- (2000-01) Proposal to establish the California Law Enforcement Equipment Program, \$100.2 million: OCJP did not provide adequate justification for the proposal. Among missing information:
  - ✓ Criteria for selecting grant recipients.
  - ✓ Types of purchases that would qualify as equipment, technology or school safety expenditures.
  - ✓ Oversight measures to ensure grant recipient accountability.
  - ✓ Evaluation provisions.
- Also, funds appropriated in the 1999-2000 Budget Act had not been expended at the time of the request because OCJP had not issued grant applications to law enforcement agencies. As a result, there were no demand data to establish the level of need for such funding.<sup>47</sup>
- (2000-01) Proposal to continue funding for the Drug Abuse Resistance Education (DARE) Program, \$1 million. This proposal was made despite a 1998 U.S. Department of Education report concluding that there is no scientific evidence that the DARE core curriculum will reduce substance abuse.<sup>48</sup>
- An OCJP task force developed a spending plan for 1997 expenditures in the Violence Against Women Act Program, but failed to develop one for the 1997-98 budget year. Because this is a federal program, funding extending beyond the State fiscal year had to be expended by September 30, 1997.<sup>49</sup>
- Without establishing that OCJP had authority to act on behalf of the Legislature, OCJP approved on behalf of the Legislature a state spending plan for federal anti-drug funds.<sup>50</sup>

## Appendix D

### Partial Inventory of Criminal Justice Grants

Numerous criminal justice grants are spread throughout the State's labyrinth of criminal justice programs. No central agency traces the types of services and funding available for crime prevention programs. Roughly \$2 billion is spent on youth crime and violence prevention alone. The chart below reflects many of the larger criminal justice grants administered by various state departments outside of OCJP. This list represents grant opportunities for local governments and service providers only, and does not reflect the complete spectrum of state programs and technical services that are available. The chart lists the grant by administering agency, the year established, the amount of annual funds, where applicable, the number of grant recipients, the funding source and whether or not the grant is awarded through a competitive or non-competitive process.

Agency	Grant	Goal	Year Est.	Amount	Grantees	Source	Competitive
Department of Justice	California Gang Crime and Violence Prevention Partnership	To improve the capacity of communities to provide a broad range of gang and violence prevention services to at-risk youth.	1997	\$3 million per year	15	State	Yes
Department of Justice and Department of Education	School Community Policing Partnership	To implement or expand a school community policing approach to school crime and safety issues.	1998	\$9.5 million (2002-03)	64	State	Yes
Victim Compensation and Government Claims Board	Victim of Crime Act Compensation	To provide timely compensation and compassionate services to crime victims.	1968	\$126 million (2001-02)	59,273	Federal & State	No
Board of Corrections	Juvenile Crime Enforcement & Accountability Challenge Grant Program	To reduce juvenile crime by helping counties develop multiple intervention programs targeting at-risk youth and young offenders.	1996 1998	\$50 million (Challenge I) \$60 million (Challenge II)	16 17	State	Yes
	Schiff-Cardenas Crime Prevention Act of 2000	To help counties to develop and implement plans for preventing and addressing juvenile crime.	2000	\$116.3 million (2002-03)	56	State	No
Department of Health Services	Battered Women Shelter Program	To expand shelter-based domestic violence services to battered women and their children and to prevent domestic violence.	1994	\$21 million (2002-03)	153	State	Yes
Department of Alcohol & Drug Programs	Safe and Drug Free Schools	To reduce drug, alcohol and tobacco use and violence through education and prevention programs -- particularly targeting youth not normally served by educational agencies.	1994	\$12.3 million (2002-03)	33	Federal	Yes

**LITTLE HOOVER COMMISSION**

<b>Agency</b>	<b>Grant</b>	<b>Goal</b>	<b>Year Est.</b>	<b>Amount</b>	<b>Grantees</b>	<b>Source</b>	<b>Competitive</b>
<b>Department of Education</b>	After School Learning and Safe Neighborhoods	Funds local after school enrichment programs to provide academic and literacy support and safe, constructive alternatives for students in K-9 <sup>th</sup> grades.	1998	\$117.5 million (2001-02)	160 (approx.)	State	Yes
	Conflict Resolution and Youth Mediation Grant Program	To establish school-based, comprehensive conflict resolution/youth mediation programs in public schools.	1995	\$280,000 (2001-02)	28	State	Yes
	Gang Risk Intervention Program	To establish community-based programs to reduce involvement in gang activities and establish ties between youth and the community.	1995	\$3 million (2001-02)	15	State	No
	Healthy Start	To ensure each child receives support to learn well; to build the capacity of students and parents to be leaders in their communities; to help schools and other agencies provide more effective support.	1991	\$39 million (2001-02)	1,500	State	No
	High-Risk Youth Education and Public Safety Program	To reduce juvenile delinquency and provide early intervention programs and strategies.	1997	\$18 million (2002-03)	9	State	Yes
	Safe and Drug Free Schools	To educate and enable youth to reject illegal drugs, alcohol and tobacco and ensure that every school will be free of drugs, violence and the unauthorized presence of alcohol and firearms.	1994	\$49.2 million (2002-03)	1000	Federal	No
	Safe School Plan for New Schools	To help new schools develop required comprehensive safe school plans.	2001	\$3 million (2001-02)	N/A	State	No
	Safe School Plan Implementation Grant Program	To assist schools in implementing a portion of an existing comprehensive safe school plan.	1997	\$500,000 (2001-02)	100 per year	State	Yes
	School Safety and Violence Prevention Grants	To promote school safety and reduce school site violence in grades 8-12.	1999	\$81 million (2001-02)	940	State	No
	Tobacco Use Prevention Education	To provide accurate information and social skills development to help students make healthy tobacco-related decisions.	1988	\$27 million (2001-02)	79	State	No

Sources: Little Hoover Commission. June 2001. "Never Too Early, Never Too Late to Prevent Youth Crime and Violence." Legislative Analyst's Office. August 24, 2000. "Crime Prevention in California: Building Successful Programs." Victim Compensation & Government Claims Board. 2003. Annual Report. Delaine Eastin, State Superintendent of Public Instruction (former). August 24, 2000. Written testimony to the Commission. Patrick Lunney, Director, Division of Law Enforcement, Department of Justice. September 26, 2002. Written testimony to the Commission. Web sites: [www.cde.ca.gov/funding](http://www.cde.ca.gov/funding). [www.safestate.org/index](http://www.safestate.org/index). [www.bdcorr.ca.gov/cppd](http://www.bdcorr.ca.gov/cppd). [www.mch.dhs.ca.gov/programs/bwsp](http://www.mch.dhs.ca.gov/programs/bwsp). [www.adp.cahwnet.gov/Prevention/sdfsc](http://www.adp.cahwnet.gov/Prevention/sdfsc). Sites accessed May 2003.

# Appendix E

## Arizona's Risk Indicators

The Arizona Drug and Gang Policy Council has established a list of 36 risk indicators to track trends and resource deployment in Arizona communities. These risk factors, listed below, can be accessed through a geographical information system on the Arizona Prevention Resource Center Web site, [www.azprevention.org](http://www.azprevention.org).

- Alcohol sales outlets
- Tobacco sales outlets
- New home construction
- Households in rental properties
- Net migration
- Population voting in elections
- Prisoners in state and local correctional systems
- Unemployment
- Free and reduced lunch program participation
- Adults without high school diplomas
- Single parent family households
- Adults in alcohol or other drug treatment programs
- Juvenile alcohol-related arrests
- Juvenile drug-related arrests
- Adult alcohol-related arrests
- Adult drug-related arrests
- Adult drunken driving arrests
- Alcohol-related traffic fatalities
- Juvenile arrests for violent crimes
- Adult arrests for violent crimes
- Homicides
- Juvenile arrests for curfew, vandalism and disorderly conduct
- Juvenile arrests for property crimes
- Adult arrests for property crimes
- Adolescent suicides
- Adolescent pregnancies
- Birthrate among juveniles
- Children living away from parents
- Children living in foster care
- Divorce
- Status dropouts
- Event dropouts
- Dropouts prior to ninth grade
- Vandalism arrests, ages 10-14
- Alcohol-related arrests, ages 10-14
- Personal and property crime arrests, ages 10-14



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