

DEPARTMENT OF JUSTICE

ITEM 133 of the Budget Bill

Budget page 358

FOR SUPPORT OF THE DEPARTMENT OF JUSTICE
FROM THE GENERAL FUND

Amount requested	\$6,450,798
Estimated to be expended in 1959-60 fiscal year	5,981,367
Increase (7.8 percent)	\$469,431

TOTAL RECOMMENDED REDUCTION	None
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ANALYSIS

Division of General Administration
Proposed New Positions

Position	Number	Salaries and wages
Assistant administrative analyst	1	\$6,360
Accounting officer II	1	6,360
Senior clerk	1	4,296
Personnel officer II	1	9,852
Intermediate typist-clerk	3	10,890
Intermediate stenographer-clerk	1	3,810
Stock clerk	1	3,996
Librarian I	1	4,740
Senior legal stenographer	4	18,048
	14	\$68,352

Assistant Administrative Analyst

There are now 868 variously classified authorized positions in this department distributed in five area offices. As the department has grown in size and in breadth of responsibility imposed upon it the workload responsibility of the Division of General Administration has likewise increased. Personnel of this division has not been expanded concurrently with the growth of the other two divisions. There is a lack of personnel to devote attention to the development of uniform procedures, management research, and studies. A position of assistant administrative analyst was approved in the 1959-60 fiscal year but the funds were budgeted for contractual services in the Division of Criminal Law and Enforcement.

We recommend approval of this position on the basis of desirable improvement of administrative processes.

Accounting Officer II

This position is proposed as a replacement of the position recently reclassified as associate budget analyst. Since the reclassified position will now be concerned with matters of budget planning and preparation, the proposed position is necessary to head the accounting functions of the division.

Approval is recommended on the basis of existing workload.

Senior Clerk

Expansion of personnel in the Bureau of Narcotic Enforcement, the establishment of the Illegal Trade Practices Unit, and the creation of the Commission on Peace Officer Standards and Training under Chap-

Division of General Administration—Continued

ter 1823, Statutes of 1959, have produced additional workload in the auditing and processing of vouchers and invoices and made it difficult for required work to be done in normal time.

One new position of senior clerk is recommended for approval on the basis of workload and on the necessity for clerical supervision.

Personnel Officer II

There are 868 positions currently authorized for this department. The standard recognized by the Department of Finance provides for a personnel officer position at the breakpoint of approximately 700 positions. In accordance with this standard and in view of the need for guidance and direction in the personnel section *we recommend approval of the position.*

Intermediate Typist-clerk

We recommend approval of three positions on the basis of workload as follows:

One intermediate typist-clerk at Sacramento to assist in opening and distribution of mail and generally to assist the supervising stenographer.

One intermediate typist-clerk at Sacramento to meet the standard ratio of one clerk to from 135 to 150 roster cards load in the personnel section. The current ratio in this section is one clerk to 296 cards.

One intermediate typist-clerk in Los Angeles to serve as fifth floor receptionist. This additional floor is about to be occupied by the department and standard practice in the Los Angeles office provides one receptionist for each floor.

Intermediate Stenographer-clerk

One position is proposed to provide secretarial service for the proposed personnel officer. *We recommend approval.*

Stock Clerk

This is a workload request. The increased size of the department has expanded demands on the supply room for supplies, mimeographing, and like services. *We recommend approval.*

Librarian I

A review of the department's law library activity indicates need for professional attention to these libraries from the standpoint of management, maintenance, and co-ordination. Adequate and costly library materials are supplied for the use of the legal sections. Efficient use of these materials depends in great measure on orderly management of such materials and facilities. *We believe that this in reality can be classified as a workload request for a position which is essential but presently unfilled. We recommend approval.*

Division of General Administration—Continued

Senior Legal Stenographer

These four requested positions are to be distributed between Sacramento, San Francisco, and Los Angeles. The accepted workload ratio is two legal stenographers to three attorneys. The positions will serve new legal positions elsewhere recommended for approval. *We recommend approval.*

We call attention to a new plan of operation of the department under which stenographic personnel in the three law offices of the department will hereafter be given direct supervision by the assistant attorneys general in charge of the three area offices with functional supervision only being received from Sacramento headquarters. This, in our opinion, is an improved procedure.

Division of Civil Law		
Proposed New Positions		
Position	Number	Salaries and wages
Deputy attorney general II-----	2	\$14,712
Administrative assistant II-----	3	23,184
Temporary help (student legal assistant)-----	1.5	6,000
	6.5	\$43,896

Deputy Attorney General II

While no one has as yet devised a wholly adequate workload formula for legal positions, our office for several years has recognized a formula based on the percentage increase of new cases filed as applied against the current number of authorized legal positions. An examination of the total number of new cases filed last year by the Attorney General discloses a percentage increase which justifies these new positions. *We therefore recommend approval.*

Administrative Assistant II

A review of the operations of the legal sections in this division reveals a continuously expanding group of attorneys who are professionally occupied with the processing of cases. Top supervisors of necessity are required to devote much time to important cases and have but limited time left to apply to the problems of daily administration.

These new positions, one to be located in each of the three law offices, will relieve supervisors of much routine matter and enable them to devote more time to the guidance, direction, planning, supervision, and review of legal work in process.

We recommend approval.

Temporary Help (Student Legal Assistant)

This proposal follows a recruitment procedure under which second year law students are employed temporarily during the three-months' summer vacation period. Limited experience is reported to have produced favorable results. It is expected that such students will become permanent employees upon graduation from law school and admission to the State Bar. *While this is not a workload request, approval is recommended on the basis that this is a not uncommon method to secure legal talent for employment.*

Item 133

Justice

Division of Criminal Law and Enforcement

Bureau of Criminal Law

Proposed New Positions

Position	Number	Salaries and Wages
Deputy Attorney General III -----	3	\$29,556
Deputy Attorney General II -----	2	14,712
	5	\$44,268

The above proposed positions are distributed between Sacramento, San Francisco and Los Angeles. Three of the positions are to provide proper staffing to meet increased workload. Two positions are included in lieu of a contractual agreement for the illegal trade practices unit established under Chapter 2083, Statutes of 1959. This unit was provided with four attorneys, two investigators, and secretarial services during the current year and these positions are continued in the budget year. *Approval of the additional positions is recommended.*

Bureau of Criminal Statistics

Proposed New Positions

Position	Number	Salaries and Wages
Intermediate clerk -----	2	\$7,260
Tabulating machine operator -----	1	4,092
	3	\$11,352

Intermediate Clerk

These proposed positions are based on the workload projection used by the bureau under which formula a clerk is expected to process 46,000 units of work annually. *We have examined the formula and recommend approval of the positions.*

Tabulating Machine Operator

This position is requested to provide machine service workload required by the Departments of Corrections and Youth Authority. *We recommend approval.*

Bureau of Criminal Identification and Investigation

Proposed New Positions

Position	Number	Salaries and wages
Fingerprint Section		
Fingerprint examiner II -----	1	\$4,232
Fingerprint examiner I -----	4	17,184
Intermediate clerk -----	3	10,890
Special Services Section		
Intermediate typist-clerk -----	2	7,260
Intermediate clerk -----	1	3,630
Keypunch operator -----	1	3,810
Temporary help -----	2	8,000
Record Section		
Junior-intermediate typist-clerk -----	6	21,780
Junior-intermediate clerk -----	10	31,380
Junior typist-clerk -----	1	3,294
Junior clerk -----	2	3,138
	33	\$115,598

Division of Criminal Law and Enforcement—Continued

The above proposed new positions are based on the bureau's workload projections which are in turn based on the number of items processed by individuals or units of work accomplished. Five of these positions are reimbursable under the provisions of Chapter 1894, Statutes of 1959 which makes mandatory the submission of classified school employee fingerprints to the bureau. *We recommend approval.*

Narcotic Statistical Program

At its 1959 Session the Legislature augmented the budget of the Department of Justice in the amount of \$30,734 to enable the department to obtain and process more complete reports of violations of the narcotic laws and the Dangerous Drug Act. It is anticipated that this enlarged statistical program will result in a more accurate record of the total number of narcotic addicts within the State, disclose the impact of narcotic addictions on the overall crime situation, and result in the suggestion of possible solutions of the problem.

Program objectives are to process all misdemeanors and felony narcotic arrest reports and to maintain in the Bureau of Criminal Statistics individual cards for persons arrested on narcotic charges and to enter on each card considerable data related to subsequent arrests. Procedures have been established to insure recognition of narcotic cases in the Bureau of Criminal Identification and Investigation and transmittal of information to the Bureau of Criminal Statistics. Information provided will be punched on cards for compilation of statistical data.

While the card phase of the program should result in a more accurate count of the actual number of addicts it is stated that some time may elapse before the procedures will present truly significant results.

The Bureau of Criminal Statistics anticipates that by March 1, 1969, it will have processed all narcotic arrests reports for the period from July 1 to December 31, 1959, and will have transferred all data to the individual punch cards. The bureau feels that its tabulations will indicate what is happening in comparison with prior periods. It also feels that the total report for 1960 when completed will indicate effectiveness of programs initiated in an effort to control the narcotic addiction problem including the Nalline test program and that of close parole supervision.

Further Reorganization of the Department of Justice Proposed

Ever since its creation in 1944 by the consolidation of the constitutional office of Attorney General with a number of law enforcement and police service bureaus the Department of Justice has been experimenting with various forms of internal organization through which greater policy direction and administrative efficiency might be secured. In our analysis of the 1957-58 departmental budget we recommended approval of a scheme of organization proposed by the department to accomplish in part these purposes.

Recently, Arthur H. Sherry, Professor of Law at the University of California and a former chief assistant attorney general, conducted a

Division of Criminal Law and Enforcement—Continued

study of the department at the request of the Attorney General. On October 21, 1959, the Attorney General announced his acceptance "in essence" of the findings of the Sherry report.

We believe that the partial reorganization plan based on the Sherry report and approved "in essence" by the Attorney General is a first step in the proper direction. We do, however, at this time recommend additional steps which we believe will rectify still existing organizational deficiencies and improve articulation within the department of activities which are not well related to each other under the present pattern of organization.

As we see it, there are three fundamental groups of activities which are currently assigned to or exist within the department. First is the legal function, that of the State's law office or house counsel; second are the actual enforcement or enforcement service functions the operation of which are not directly related, for the most part, to lawyers' daily activities. In the third place are the housekeeping or administrative functions which supply the basic needs of departmental operation such as personnel, accounting, records, supplies and like services.

We, therefore, visualize the department as organized into three divisions—a legal division, bringing all of the attorneys attached to the department together, under the direction of the Chief Deputy Attorney General; an enforcement and police services division, under the supervision of the Deputy Director and an administrative division, under the direction of the Chief Administrative Officer.

Reporting to the Chief Deputy Attorney General would be a chief assistant attorney general—civil and chief assistant attorney general—criminal, and these would provide guidance and policy control for the legal activities of the department and its three area law offices and the law sections operating in these offices. We believe further that these law sections should be released from the rigid pattern under which they now function with more responsibility being lodged in the three assistant attorneys general in charge of these offices.

The three existing bureaus—Criminal Statistics, Criminal Identification and Investigation, and Narcotic Enforcement would report to the Deputy Director. These bureaus, in activity, are more closely related to each other in purpose and function than they are to the law sections.

We believe further that consideration should be given in this division to the ultimate creation of an investigation section in which all field investigation activity of the department would be brought together under one supervisor for control, co-ordination and proper performance.

The administrative division would provide headquarters services in Sacramento and functional supervision over administrative activity in the area offices. Formalization of procedures and practices would be effected and uniform adherence to these routines in the field would be substantially increased.

It is our view that such reorganization can be effected administratively. It would serve to establish clear lines of responsibility and

Division of Criminal Law and Enforcement—Continued

authority and at the same time would not result in any interference with the lawful activities of various units and programs which have been assigned to this department by legislative action.

DEPARTMENT OF JUSTICE

ITEM 134 of the Budget Bill

Budget page 365

FOR LEGAL SERVICES RENDERED COLORADO RIVER BOARD
FROM THE GENERAL FUND

Amount requested	\$400,116
Estimated to be expended in 1959-60 fiscal year	500,116

Decrease (19.9 percent)	\$100,000
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TOTAL RECOMMENDED REDUCTION	\$100,000
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ANALYSIS

We recommend that the item be reduced by an additional amount of approximately 25 percent or \$100,000 for it appears that the request is still unnecessarily large under the current circumstances. This reduction would still leave the agency with a budget in excess of one-half of its peak requirement which was in 1958-59 while its workload will have fallen substantially below one-half of that.

The amount of \$400,116 is being requested for the continuation of the Department of Justice's functions in relation to the *Arizona v. California* suit in the United States Supreme Court concerning California's rights to water from the Colorado River. This request represents a decrease of \$100,000 or approximately 20 percent from the amount budgeted for the current year. However, it still amounts to 71 percent of the total spent in 1958-59, the year when the trial was in progress and the maximum effort in preparation and presentation of evidence was required.

The actual workload contemplated for the budget year includes only a review of the special master's proposed report to the Supreme Court with a view to taking appropriate exceptions thereto and the possibility that the special master may ask for some additional presentations by the parties on the more controversial or obscure points at issue. The latter possibility would appear to be remote in view of the comprehensive nature of the evidence presented at the trial.

The proposed budget provides for six attorneys, together with clerical and technical assistance, from the Attorney General's office, to be employed on a full-time basis during the budget year on suit-related activities. The terminal and temporary nature of the remaining procedures in the action do not appear to warrant this level of staffing. The budget also proposes the expenditure of \$150,000 for contractual consulting services. A total of \$196,223 was spent in 1958-59 for this kind of service at a time when detailed studies of water and land use were being presented as evidence to the special master in the trial of the action.

It should also be noted that suit-related activities of the Colorado River Board are projected at only approximately 25 percent of the level in 1957-58, the peak year of activity for that agency.

**Department of Justice
FEES TO SPECIAL COUNSEL**

ITEM 135 of the Budget Bill

Budget page 365

**FOR FEES TO SPECIAL COUNSEL EMPLOYED PURSUANT TO SECTION
12520 OF THE GOVERNMENT CODE FROM THE GENERAL FUND**

Amount requested	\$8,500
Estimated to be expended in 1959-60 fiscal year	8,500
 Increase	 None
TOTAL RECOMMENDED REDUCTION	None

ANALYSIS

Under the provisions of Section 12520 of the Government Code the Attorney General may employ special counsel in the event that any district attorney is disqualified from conducting a criminal prosecution or when the Attorney General is making an investigation for the discovery and recovery of property to which the State may be entitled by escheat.

This item is budgeted at the same level as last year. While expenditures have not reached budgeted levels from year to year, there must be a margin provided for unanticipated proceedings. This is not a department support item and any savings revert to the General Fund.

We recommend approval.

DEPARTMENT OF MENTAL HYGIENE

Budget page 368

**FOR SUPPORT OF THE DEPARTMENT OF MENTAL HYGIENE
FROM THE GENERAL FUND**

Amount requested	\$123,750,551
Estimated to be expended in 1959-60 fiscal year	114,347,777
 Increase (8.2 percent)	 \$9,402,774
TOTAL RECOMMENDED REDUCTION	\$2,437,455

Summary of Recommended Reductions

Salaries and wages:

State hospitals	
194 positions	\$1,116,036
Departmental administration	
51.5 positions	286,863
Langley Porter Neuropsychiatric Institute	
9 positions	56,312
Neuropsychiatric Institute, UCLA	
8 positions	24,208
262.5 positions	\$1,483,419

Operating expenses, equipment:

State hospitals	
Regular drugs and supplies	\$201,492
Special (tranquilizing) drugs	38,056
Training program, convalescent leave, and after-care clinics	69,893
Day care treatment centers	
Delete two centers	300,000
Outpatient mental hygiene clinics	
Reduce support budget by one-half	344,595

Grand total	\$2,437,455
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