

Department of Industrial Relations—Continued

Lack of a complete, experienced staff has so far prevented accumulation of adequate data on which to base consultant workload staffing criteria.

On the basis of the total first-year filings, however, the theoretical work-year caseload was 48.4 cases for each of the nine authorized positions. This number represents as an average approximately one case for one consultant for each working week. We know of no complaints that the division's smaller-than-authorized first-year temporary staff did an inadequate or unsatisfactory job with the current caseload level. With a full complement of trained and experienced personnel next year's production should be higher.

In two other divisions of the department which work in part on the basis of complaints and cases, the minimum annual caseload for each investigating agent is substantially higher than the above noted current rate in the Division of Fair Employment Practices. A deputy labor commissioner, for example, is expected to handle more than 700 cases a year while a welfare agent is currently accounting for 120 cases plus 96 other items per year.

2 Intermediate typist-clerk (budget page 359, line 14)----- \$7,992

2 Intermediate stenographer-clerk (budget page 359, line 15) 8,388

Since these four clerical positions are related to and primarily designed to serve the seven positions we have recommended for deletion, we also recommend their deletion for a reduction in total of \$16,380.

STATE FIRE MARSHAL

ITEMS 134 and 135 of the Budget Bill

Budget page 360

FOR SUPPORT OF STATE FIRE MARSHAL
FROM THE GENERAL AND DRY CLEANERS' FUND

Amount requested	\$584,079
Contribution to State Employees' Retirement System	34,958
Total	\$619,037
Estimated to be expended in 1960-61 fiscal year	612,598
Increase (1.1 percent)	\$6,439
TOTAL RECOMMENDED REDUCTION	None

GENERAL SUMMARY

The State Fire Marshal with the advice of the State Fire Advisory Board promulgates and enforces fire safety regulations in areas that are not formally organized into fire districts. However, when a formally organized fire district requests the assistance of the Fire Marshal, he may at his discretion come to its assistance. The Fire Marshal is also required by law to inspect all state institutions with the exception of certain educational facilities to determine if they comply with minimum fire safety standards. In addition to the above functions, the Fire Marshal also enforces the Inflammable Materials Act, fireworks regulations, regulations for the transportation of explosives and for the transportation of radioactive materials (new 1959), inspecting and

State Fire Marshal—Continued

licensing dry cleaning plants, inspecting construction drawings of all new public schools and hospitals, inspecting and certifying fire alarm systems, and other miscellaneous duties.

The method of calculating workload demands for this agency has evolved over a period of years through a close working relationship with the Fire Marshal's Office, the Department of Finance and our office. A system has been developed whereby each employee reports units of work performed in each category for which the Fire Marshal has responsibility. These forms give an accurate history on which to base future work demand projections so that future manpower needs can be forecast quite accurately. While the workload projection for the 1961-62 fiscal year would indicate one additional man could be used, the Fire Marshal will attempt to increase the overall efficiency of his operation to the extent that the additional workload demand will be absorbed by the existing manpower without reduction in the level of service rendered.

ANALYSIS

The \$619,037 requested by the Fire Marshal for the 1961-62 fiscal year is \$6,439 or 1 percent greater than the \$612,598 estimated for expenditure during the current year. It will be noted that salaries and wages are estimated to be \$13,436 greater, while operating expenses increase \$468, with equipment being reduced by \$3,697 which partially offsets the increases. The increase in salaries and wages is brought about by normal merit salary adjustments and higher operating expenses by greater costs of building rent. We have examined the budget detail and feel that the expenditures proposed are justifiable.

We point out that the expenditures proposed for the Fire Marshal's Office are financed by \$520,751 from the General Fund and \$98,286 from the Dry Cleaners' Fund. These figures include their pro rata share of retirement contributions. The appropriation from the Dry Cleaners' Fund pays the cost of the Fire Marshal's Office in inspecting dry cleaning plants. In addition the General Fund is reimbursed from the Division of Architecture Public Building Fund by \$46,694 for the Fire Marshal's work in inspecting and reviewing public school plans that pass through the division's school plans checking section. Additionally, the General Fund is reimbursed \$25,000 as revenue collected by the Fire Marshal in listing and approving building materials.

We recommend approval of this item as budgeted.

DEPARTMENT OF JUSTICE

ITEM 136 of the Budget Bill

Budget page 362

FOR SUPPORT OF DEPARTMENT OF JUSTICE
FROM THE GENERAL FUND

Amount requested-----	\$7,403,314
Contribution to State Employees' Retirement System-----	413,080
Total -----	\$7,816,394
Estimated to be expended in 1960-61 fiscal year-----	\$7,323,552
 Increase (6.7 percent)-----	 \$492,842
TOTAL RECOMMENDED REDUCTION -----	\$86,932

Department of Justice—Continued

Summary of Recommended Reductions

	Amount	Budget	
		Page	Line
Division of Civil Law, and.....	—	364	23
Division of Criminal Law and Enforcement.....	—	365	50
6 Deputy attorney general.....	\$46,968		
Division of General Administration			
4 Senior legal stenographer.....	18,960	363	33, 36, 39
Division of Civil Law			
Consulting services.....	10,000	364	44
Division of Criminal Law and Enforcement			
1 Agent, trust and trade practices investigator.....	7,008	365	57
Bureau of Criminal Statistics			
1 Intermediate clerk.....	3,996	366	—

GENERAL SUMMARY

The Attorney General is the chief law officer of the State and director of the Department of Justice. It is his responsibility to see that state laws are adequately and uniformly enforced in every county. The department provides legal advice and assistance to the various elements of state government, represents the State's interests in litigation, provides leadership and supervision to local law enforcement agencies, and supplies various types of information for their use.

To the extent that the services of this department are required by other units of government or directed by the Legislature, department workload is difficult to control. To the extent, however, that the department initiates new programs or undertakes increased activity in matters within its general assignment of responsibility, workload is controllable.

Because of the diversity of function in this department we have devoted attention in previous analyses to several problems of administration. One of these is that of what criteria should be used for establishing new attorney positions. This point is discussed later in our analysis. Another problem is that of organization structure.

The department itself, since its initial organization, has spent considerable time in organization and administrative procedure studies. From our review of these studies and as a result of our own investigation we have concluded that the present organization structure is adequate with one exception. There is an apparent need for an executive officer or administrative deputy without other assigned duties, to which the three divisions would report and who would be responsible to the Attorney General for efficient administrative control of the entire department. One of the presently existing exempt positions in this department could be used for such function. In our view such an arrangement would cure existing administrative uncertainties in large degree and provide positive internal controls.

ANALYSIS

Expenditures proposed by the department for fiscal year 1961-1962 total \$7,816,394, an increase of \$492,842 or 6.7 percent over estimated expenditures for the current year.

Department of Justice—Continued

Salaries and Wages

The department is requesting 34 new positions in addition to the currently authorized 964.9 positions in the department and proposes to spend \$6,376,303 for salaries and wages in fiscal year 1961-1962, an increase of \$388,583 or 6.1 percent over estimated expenditures for the current year.

We call attention to the department's estimate of \$253,996 in salary savings for the budget year with an estimate of 18.7 positions which may remain unfilled. This number reduces the request for 34 new positions to an estimated effective gain of only 15.3 positions.

Salary savings normally reflect turnover, difficulties in recruiting, and similar problems and should in amount be related to on-going experience in the department. If it is anticipated that some positions will not be filled they should be abolished and related costs eliminated. It is regular budget procedure to gear costs of operating expense and equipment in large part to the authorized number of positions. Any reduction in such number should result in savings of the related costs.

Operating Expenses

The department proposes operating expenses for the budget year of \$1,716,914, an increase of \$154,135 or 9.8 percent over estimated expenditures for the current year.

Equipment

Proposed equipment expenditures are requested in the sum of \$213,106, a decrease of \$73,279 or 25.6 percent of estimated expenditures for the current year.

Proposed New Attorney Positions

The staff of attorneys within the Department of Justice is divided between law offices maintained in Sacramento, San Francisco, and Los Angeles. These assistant and deputy attorneys general are also distributed between the two legal divisions of the department. For the 1961-1962 fiscal year the department is requesting authorization of 14 new deputy attorney general positions to be assigned and located as noted below. Two of the legal positions are proposed as additions to the department's anti-trust unit.

Division of Civil Law

Sacramento

2 Deputy Attorney General II (budget page 364, line 25)— \$15,456

San Francisco

2 Deputy Attorney General II (budget page 364, line 27)— 15,456

Los Angeles

5 Deputy Attorney General II (budget page 364, line 29)— 38,640

Department of Justice—Continued

Division of Criminal Law and Enforcement

San Francisco	
1 Deputy Attorney General II (budget page 365, line 52)---	7,728
1 Junior counsel (budget page 365, line 53)-----	6,516
Los Angeles	
1 Deputy Attorney General III (budget page 365, line 55)	10,344
2 Deputy Attorney General II (budget page 365, line 56)---	15,456
14 Totals-----	\$109,596

For the sake of clarity in our analysis we have separated the proposed attorney positions from the divisional structure wherein they are set forth and will consider them as one group. For all practical purposes and particularly at the hiring level the deputy attorneys general have been and are still interchangeable between the two legal divisions. It is our view that we must consider the needs of the department for new lawyers in total rather than as particular needs for one division or the other. We believe additionally that the assignment of positions to one or the other of the three cities in which law offices are maintained is a matter of administrative decision made in response to shifting workload.

In prior analyses we have devoted considerable attention to the subject of criteria for the addition of attorney positions. The legal staff currently represents approximately 14 percent of the department's authorized personnel. For a period of several years the department has relied on the percentage increase in number of cases filed by the Attorney General each year as a requested percentage addition to legal staff. This formula is incomplete and subject to distortion because of abrupt swings in the number of cases filed each particular year. The formula is incomplete since in addition to casework, a deputy attorney general's time includes agency consultation, opinion writing, attendance at board and commission meetings, and special assignments from time to time. Cases themselves differ markedly. Some are almost wholly clerical in nature, others may continue in process a number of years.

The following table indicates the percentage peaks and lows when the filings of cases for a period of years are compared.

<i>Fiscal year</i>	<i>Total cases filed</i>	<i>Percentage change</i>
1954-1955-----	3,764 (actual)	---
1955-1956-----	3,824 (actual)	+2
1956-1957-----	4,288 (actual)	+12
1957-1958-----	4,422 (actual)	+3.1
1958-1959-----	4,602 (actual)	+4
1959-1960-----	5,271 (actual)	+14.5

The department was granted an increment of legal staff for the current fiscal year based on the 1958-1959 4 percent figure. For the 1961-1962 budget year however, the department seeks 14 new positions rather than the 18, our calculations would indicate might have been requested on the basis of the 1959-1960, 14.5 percent increase. We are

Department of Justice—Continued

of the opinion however, that an increase of 14 new positions is out of proportion.

Using the above table as a base it appears that for the five-year period the average annual increment of cases is 6 percent of 5,271.

Using the 137 currently authorized legal positions as a base, our 6 percent average increase would entitle the department to eight new legal positions for the budget year. Our suggested formula reflects trend rather than a year-to-year change and more nearly matches growth of the State and its law-case-producing agencies.

We therefore recommend the deletion of six attorney positions for an estimated saving of \$46,968.

It is our view, however, that any attorney staffing formula which depends on an increase in case filings does not accurately reflect a lawyer's workload. We have suggested to the department that time and other studies be undertaken to determine workload more specifically. Additionally, the department should implement any formula devised with better administrative procedures, better major case staffing, and improved case and opinion assignment patterns.

Division of General Administration**GENERAL SUMMARY**

This division includes the executive office of the Attorney General and the Office of General Administration. The Office of General Administration provides budget, fiscal, accounting, personnel and supply services for the department and supervises the State Teletype System.

ANALYSIS

Expenditures proposed for this division for fiscal year 1961-1962 amount to \$1,570,049, an increase of \$61,479 or 4.1 percent over estimated expenditures for the current year.

Salaries and Wages

Secretarial positions in the department, related to the legal staff, are included within personnel count of this division. In determining the number of senior legal stenographers required, the department for a number of years has utilized a ratio of two senior legal stenographers to three attorneys.

9 Senior legal stenographer (budget page 363, lines 33, 36, 39) \$42,660

The department requests one legal stenographer position for Sacramento, three such positions for San Francisco, and five for Los Angeles, relating these to the nine requested attorney positions in the Division of Civil Law and the five requested attorney positions in the Division of Criminal Law and Enforcement.

Since we have recommended the deletion of six of the proposed 14 new attorney positions we recommend deletion of four of the legal stenographer positions on the basis of the above described ratio for a saving of \$18,960.

Department of Justice—Continued

Division of Civil Law

GENERAL SUMMARY

This division is responsible for the handling of civil and administrative legal problems of state departments, boards and commissions, with some specific exceptions. The services rendered include consultation, preparation of formal and informal opinions as requested, and the processing of civil litigation. Offices are maintained in Sacramento, San Francisco and Los Angeles.

ANALYSIS

Expenditures proposed for the Division of Civil Law for fiscal year 1961-1962 total \$1,033,092, an increase of \$188,078 or 22.3 percent over estimated expenditures for the current year.

Salaries and Wages

We have already discussed the nine new attorney positions requested for this division and have recommended deletion of a number of them. In addition, the department requests a new position of law indexer.

1 Law indexer (budget page 364, line 30)----- \$4,980

The department justifies this proposed position on the basis that the Attorney General receives numerous requests from larger county and city officials for the establishment of a central agency to compile, co-ordinate and index legal opinions issued at the state and local level.

We recommend approval as budgeted.

While the addition of this position will provide an increased level of service by the State to local agencies we recognize the importance of the proposed service and usefulness of having such information readily available for the use of all agencies of state and local government.

Operating Expenses

Consulting services (budget page 364, line 44)----- \$52,000

We recommend that this item be reduced by \$10,000.

Actual expenditures for the services of special consultants on some of the major civil litigation in which the State has an interest have been declining since fiscal year 1957-1958 in which the expenditure reached \$51,729. For fiscal year 1959-1960 actual expenditures were \$31,191. An expenditure level of \$42,000 is roughly an average for the last three complete fiscal years.

Division of Criminal Law and Enforcement

GENERAL SUMMARY

This division includes the executive office of the division chief and the Bureaus of Criminal Law, Criminal Statistics, Criminal Identification and Investigation, and Narcotic Enforcement, each of which is separately treated in the following analyses.

ANALYSIS

Total expenditures proposed for this division for fiscal year 1961-1962 amount to \$4,800,173, an increase of \$228,703 or 5 percent of estimated expenditures for the current year.

Department of Justice—Continued

Executive Office

GENERAL SUMMARY

This portion of the division includes the office of the division chief, that of the deputy director who supervises the three enforcement bureaus, and the registrar of charitable trusts and his staff.

ANALYSIS

Expenditures proposed for this office for fiscal year 1961-1962 amount to \$106,102, a decrease of \$2,184 or 2 percent of estimated expenditures for the current year.

We recommend approval as budgeted.

Bureau of Criminal Law

GENERAL SUMMARY

This bureau includes the criminal law section of the department. Attorneys in the bureau are distributed between the department's law offices in Sacramento, San Francisco, and Los Angeles. Responsibilities of the Bureau of Criminal Law include consultation with law enforcement officers, preparation of opinions when requested, processing in behalf of the State all appeals from criminal judgments, representation of the State in general criminal matters, and assumption of the prosecutor's duties where local enforcement is inadequate. The illegal trade practices and antitrust unit of the department is a part of this bureau.

ANALYSIS

Expenditures proposed for the Bureau of Criminal Law for fiscal year 1961-1962 total \$504,559, an increase of \$67,118 or 15.3 percent over estimated expenditures for the current year.

Salaries and Wages

We have noted above in this analysis the department's request for five new attorney positions for this bureau, three to be assigned to criminal matters specifically and two to be added to the antitrust unit. We have discussed these positions and recommended reductions previously.

1 *Agent, trust and trade practices investigation (budget page 365, line 57)*----- \$7,008

According to information supplied by the department the illegal trade practices-antitrust unit of this bureau now consists of six lawyers and two investigators divided evenly between San Francisco and Los Angeles. As of mid-October 1960, five cases had been filed and of these two had gone to final judgment by consent. The department's statement further shows that as of October 1960, approximately 50 complaints had been received alleging violation of one of the principal state acts covering trade practices.

We recommend deletion of the position for a saving of \$7,008.

Department of Justice—Continued

The illegal trade practices and antitrust activity of the department is not yet extensive, the unit having been established by the Attorney General in mid-1959 following a special support appropriation by the Legislature. Sufficient experience has not yet been accumulated to serve as a sound guide for establishing additional investigative positions. In our view the existing two investigation agent positions, one working in the San Francisco area and one in the Los Angeles area, are adequate for the budget year.

Bureau of Criminal Statistics

GENERAL SUMMARY

The Bureau of Criminal Statistics is the statistical arm of the department. Criminal statistics are compiled and published in the fields of law enforcement, narcotics and local detention, juvenile probation and prosecution and adult probation.

ANALYSIS

Expenditures proposed for this bureau for fiscal year 1961-62 total \$282,846, an increase of \$7,254 or 2.6 over estimated expenditures for the current year.

Salaries and Wages

Three new intermediate clerk positions are requested, two positions to terminate on June 30, 1962, the end of the budget year.

2 Intermediate clerk (budget page 366, line 14) ----- \$7,992

These two clerical positions are proposed for the purpose of continuing work on narcotic study data. The two positions are currently financed from the appropriation made by Chapter 2129, Statutes of 1959. The positions are to terminate on June 30, 1962.

The purpose of this statistical program is to tabulate all narcotic arrests and to secure from the analysis of the data developed a more accurate picture of narcotic addiction, its relation to the general criminal activity pattern and to throw more light on possible solutions of the narcotic problem.

We recommend approval as budgeted.

1 Intermediate clerk (budget page 366, line 16) ----- \$3,996

The Bureau requests this new position for the purpose of beginning the accumulation of criminal career data, a new statistical series to be derived mainly from material in the files of the Bureau of Criminal Identification and Investigation.

We recommend deletion of the proposed position for a saving of \$3,996.

Similar requests have been made in previous years by the bureau in so-called "B" Budget proposals. The effect of the data acquired would be to describe and analyze kinds of persons at point of arrest, prosecution, probation or parole in terms of criminal background, as the basis for judging the effectiveness of various procedures and correctional treatments. The granting of the position would begin this new series which in our view would produce little new information and would result in an increased level of service the value of which is not, in our view, sufficiently justified.

Department of Justice—Continued

Bureau of Criminal Identification and Investigation

GENERAL SUMMARY

This bureau has two functions. It is the State's criminal record center furnishing identification information to law enforcement officers. It also provides technical laboratory and investigative services to local law enforcement agencies to assist in the solution of crimes and in the prosecution of criminals. The bureau contains a board of three Governor appointed law enforcement officials which is advisory to the Attorney General. The main office is located in Sacramento with limited investigative staff assigned to San Francisco, Fresno, Los Angeles, and San Diego.

Expiration of the State's lease on the bureau's present Sacramento quarters, the current expense of moving the bureau's extensive record operation and the substantially increased rent estimated for the budget year raises the question of desirable space reduction for these operations in future years. Since the volume of records required to be maintained and the necessary clerical help to process them are growing in direct relation to the growth of the State, constantly increasing space requirements can soon result in inefficient operation because of sheer size.

The space reduction problem can be attacked in several ways:

1. By a reduction in the types and numbers of records which the bureau must keep. Such a step would require legislative action in a number of instances.
2. By mechanization of several types of records which lend themselves to such treatment. The bureau has engaged in studies of this alternative from time to time.
3. By resort to such techniques as microfilming or scheduled purging which would reduce the growing bulk of records.
4. By acquiring a permanent location for the bureau, susceptible of future expansion and which would eliminate future moving expenses.

We strongly suggest that the bureau accelerate its study of space requirements and devise a program of space control at an early date. In our view this is one of the major problems which faces the department.

ANALYSIS

Expenditures proposed for the bureau for fiscal year 1961-62 total \$2,719,117, an increase of \$168,154 or 6.6 percent over estimated expenditures for the current year.

Salaries and Wages

Six new positions are requested by the bureau consisting of three special agents for the investigation section, two criminologists and one intermediate typist for the laboratory section.

3 *Special agent (budget page 367, line 8)*----- \$21,024

Justification for these proposed new positions notes that the number of special agents was originally set by statute in the 1930's. The

Department of Justice—Continued

limitation on the number of special agents was removed by the Legislature in 1957. The Bureau states that in 1959 the 14 present special agents worked approximately two and one-half man years over the required forty-hour week, two-thirds of which overtime was non-compensable; that the existing number of special agents is not adequate to discharge the bureau's assigned responsibilities.

We recommend approval of the positions as budgeted.

The State has increased substantially in size with a proportionate increase in criminal activity since the first special agents were authorized. The number of new agents requested for the budget year will permit a decrease in the large amounts of overtime currently being worked without increasing the level of service.

2 Criminologist (budget page 367, line 10)----- \$16,224

1 Intermediate typist-clerk (budget page 367, line 11)----- 3,996

The bureau bases its request on increase in workload which is not being met and which results in conflicts in court appearance dates and inability to respond to requests for on-the-scene evidence examinations. The bureau states that its laboratory is the only law enforcement laboratory available to many police agencies in the State. Statistics submitted by the bureau show that in fiscal year 1954-55 when the bureau had three criminologist positions filled, 2,609 evidence examinations were conducted and 1,374 laboratory cases received. In fiscal year 1959-60 with four criminologist and one clerical position filled, 5,830 examinations were conducted and 3,401 cases received. Examination workload has increased 123 percent and case workload 147 percent during the years noted. Such a workload increase would appear to justify the granting of the proposed two technical and related clerical positions. However, we call attention to page 364 of the budget at line 75 where the statement appears "to meet increased workload in the area of specialized crime detection with the cost of the criminologists being fully reimbursable from state and local jurisdictions."

No reimbursement procedure for this type of service now exists, no schedule of fees to be charged has been established and to our knowledge no fees have been collected for such services in the past. It further appears to us that legislation will be necessary to provide the bureau with authority to charge and collect fees for the type of services now rendered.

On the basis of workload figures supplied we are prepared to recommend authorization of the proposed positions. However, since the policy question of reimbursement has been raised it is our recommendation that should the Legislature decide to place the services of the criminologists on a reimbursable basis the authorization of the proposed positions should be made contingent upon the establishment of a proper legal basis and procedure for this purpose.

Department of Justice—Continued

Bureau of Narcotic Enforcement

GENERAL SUMMARY

It is the primary function of this bureau to enforce State narcotic laws and to serve as a training agency for local narcotic enforcement officers. Area offices are maintained in Sacramento, San Francisco, Fresno, Los Angeles and San Diego.

Enforcement of narcotic laws proceeds on three levels. Federal agencies are primarily concerned with the flow of narcotics across the international border and across State borders. Under State law the bureau of narcotic enforcement concerns itself with enforcement of the laws regulating the prescription and sale of legal narcotics and with the apprehension of major violators and suppression of illicit narcotic traffic. Local agencies, restricted by jurisdiction and budgets, concern themselves with the so-called police type of violation. There appears currently to be substantial cooperation between the enforcement levels.

The narcotic problem is complex and not well measured. Professional violations are frequent. The number of addicts is not precisely known and the causes of addiction are not completely identified. It appears that most addicts have been delinquents prior to acquisition of the drug habit. There is evidence that this habit reflects personality and social adjustment problems. The market for illegal narcotics is large and actively seeks its supply of drugs to such an extent that peddlers find ready sales. An apprehended peddler is immediately succeeded by another.

Assaultive crimes by addicts appear to be rare but crimes of theft to secure drug purchase money appear to be frequent and are not generally identified as part of the narcotic problem.

Legalization of narcotics and ambulatory treatment of addicts have been tried at various times and places in an effort to reduce the problem but without any recorded success.

Narcotic officers suggest four approaches to the problem:

1. Education to prevent addiction
2. Cure of addiction
3. Elimination of supply at the source
4. Law enforcement

Assuming that personality problems lead to addiction much more study must be given to the education approach before a problem reducing format can be established. At present there is no permanent cure for narcotic addiction.

The elimination of illicit drug supplies is an international problem since the basic products come from abroad and often from friendly nations. It is quite generally stated that much of the illicit supply in California comes across the border from Mexico and into the Los Angeles area.

Law enforcement seems to us to offer the only presently effective technique to contain and reduce the State's narcotic problem. The problem appears greatest in urban areas where depressed population

Department of Justice—Continued

groups are found. The narcotic offense is often a moving one, unlike a robbery which is committed at a precise location. The offense in part may begin in Mexico and terminate in a remote portion of the State.

It takes considerable time to train a narcotic law enforcement agent, as much as two years in the case of pharmacist agents. Enforcement agents normally work in teams and new agents must demonstrate that they can be trusted implicitly. We understand that assimilation of new agents by the State bureau is a slow process and the granting of too many positions at one time might tend to decrease the bureau's efficiency.

In a 1960-1961 budget augmentation, 10 new agents were authorized for the bureau. Nine additional positions were financed out of a special \$120,000 appropriation. Since these nine positions have been continued into the proposed department budget for 1961-1962 we assume that the intent is to continue these as permanent additions to staff.

We do not question the need for trained, competent and trustworthy State narcotic enforcement officers. It is our view, however, that the Legislature should direct attention to all facets of the narcotic problem with the hope that a total approach may be found. We are led to the conclusion that high saturation of the field with narcotic agents making large numbers of arrests will not in itself result in eliminating the problem.

In view of the increment of 19 agent positions added to the bureau staff in the current year and the training problems inherent with this large group we believe the bureau has all of the new agents it can properly assimilate through the budget year.

ANALYSIS

Expenditures proposed for the Bureau of Narcotic Enforcement for fiscal year 1961-1962 amount to \$1,187,549, a decrease of \$11,639 or 0.9 percent of estimated expenditures for the current year.

We recommend approval as budgeted.

Added positions are not requested in this budget proposal. Operating expenses show a 7 percent increase for the budget year as compared to a 16.4 increase in the 1960-1961 fiscal year over 1959-1960. The proposed equipment expenditure for fiscal year 1961-1962 is \$63,145 less than estimated expenditures of \$120,725 for the current year.

DEPARTMENT OF JUSTICE

ITEM 137 of the Budget Bill

Budget page 368

**FOR LEGAL SERVICES RENDERED COLORADO RIVER BOARD
FROM THE GENERAL FUND**

Amount requested	\$316,376
Contribution to State Employees' Retirement System	8,500
Total	\$324,876
Estimated to be expended in 1960-61 fiscal year	415,484
Decrease (21.8 percent)	\$90,608
TOTAL RECOMMENDED REDUCTION	\$316,376

Department of Justice—Continued

Summary of Recommended Reductions

	Amount	Budget	
		Page	Line
Services rendered Colorado River Board-----	\$316,376	368	72

GENERAL SUMMARY

The Colorado River Board was established in 1937 to make studies and recommendations relative to safeguarding the right of the people of California to use the water of the Colorado River system. Since the establishment of the board the Attorney General has provided it with legal services. Positions for this purpose have been separately authorized and funds appropriated under a separate budget item.

ANALYSIS

Expenditures proposed for services to the board in fiscal year 1961-1962 amount to \$324,876, a decrease of \$90,608 or 21.8 percent of estimated expenditures for the current year.

Reflecting activity in the case of Arizona vs. California, expenditures for services to the board climbed from \$70,726 in 1952 to \$558,205 in the trial year of 1958-1959. Positions separately authorized for this item increased from one in 1952 to 29 during the trial year. However, only 15 of the authorized 29 positions were filled in the trial year. The current number of authorized positions is 16 but we are informed that not all are filled.

The trial of Arizona vs. California is concluded. The special master who heard the testimony has filed his report and recommendations with the Supreme Court of the United States. Little remains to be done now except to argue the case to the court since there is no further existing appellate procedure. That which remains to be done in this case can be handled by a sharply limited staff from the Attorney General's office and nominal expense as compared to expenses incurred during active years of the case.

We recommend deletion of the sum of \$316,376 from the budget request and further that there be added to the proposed budget of the Division of Civil Law of the Department of Justice an amount to be determined by the Department of Finance sufficient to permit the transfer to the Division of Civil Law of two attorney and one clerical positions together with related operating expenses.

We recommended further that in the future, legal services requested by the Colorado River Board be rendered to that agency by the Attorney General under the same procedures followed in providing services for other agencies of state government.