

State Fire Marshal—Continued

(9) Training

Section 13105 of the Health and Safety Code provides that the State Fire Marshal "shall encourage the adoption of fire prevention measures by means of education, and shall prepare or cause to be prepared for dissemination information relating to the subject of fire prevention and extinguishment." The equivalent of three deputies are involved in this activity. One is responsible for in-service training and conducts classes for fire enforcement officers. A second (added for this purpose by the 1965-66 budget) tours the state to conduct classes for the operators of rest homes and private institutions. The equivalent of the third deputy trains state institution fire departments in fire suppression.

Program Plan and Budget for 1966-67

The budget proposes continuance of the existing staff level for a cost of \$62,395. One clerical position assists the three professionals.

Review of Accomplishment

The staff conducted 25 training sessions for fire enforcement officials, 7 for the operators of private institutions and 72 in public institutions in 1964-65. The staff member added by the 1965-66 budget act will conduct an increased number of sessions for private institution operators in the current and budget years.

We recommend approval of the support of the State Fire Marshal as budgeted.

Department of Justice
PROGRAM AUGMENTATION

ITEM 189 of the Budget Bill

Budget page 713

**FOR SUPPORT OF PROGRAM AUGMENTATIONS—DEPART-
MENT OF JUSTICE FROM THE GENERAL FUND**

Amount requested ----- \$372,359

Increase to improve level of service ----- \$372,359

TOTAL RECOMMENDED REDUCTION ----- **\$304,456**

Summary of Recommended Reductions

	Amount	Budget Page	Line
4 Senior legal stenographer-----	\$28,125	713	63
1 Deputy attorney general II, 3 senior special investigator, 1 typist-clerk-----	50,000	713	80
1 Deputy attorney general III, 1 assistant economic an- alyst, 1 senior legal stenographer, 1 senior typist-clerk	38,301	713	61
1 Administrative assistant I-----	9,670	714	8
1 Special agent I-----	14,640	714	13
2 Senior crime studies analyst, 1 senior clerk-----	34,000	714	19
1 Associate crime studies analyst, 1 assistant crime studies analyst, 1 senior clerk, 3 intermediate clerk-----	43,500	714	12
1 Senior crime studies analyst, 1 assistant crime studies analyst, 1 senior clerk, 3 intermediate clerk, 1 inter- mediate typist-clerk-----	50,600	714	23
1 Assistant crime studies analyst, 1 senior clerk, 4 inter- mediate clerks-----	35,620	714	31

Department of Justice—Continued

ANALYSIS AND RECOMMENDATIONS

Program augmentations relate to various operating divisions of the Department of Justice. These augmentations, consisting of 46 proposed new positions costing \$372,359, are treated separately in the budget from those increases deemed by the administration to be due to workload. The increases are provided according to the Governor's Budget as "... supplemental program ... provides additional staff in selected functions where it is highly desirable to improve the level of service or expand current programs." Therefore by the budget document, such proposed new positions are not necessary to the ongoing operations or due to workload increase. If such were not the case, the positions would be included in the workload budget.

Program augmentation (budget page 714, line 59) ----- \$372,359

The total augmentation consists of 46 proposed new positions for various functions.

We recommend a total reduction of 37 positions and \$304,456 from this amount.

5 Senior legal stenographers ----- \$35,156

The proposed new positions are requested on the basis of a staffing formula of two stenographers for each three attorneys exclusive of supervising stenographer positions.

We recommend deletion of four of the positions reducing program augmentation \$28,125.

The agency maintains that the positions are justified on the basis of the previously existing workload formula and the deficiency caused by failure to include partial positions at the time attorney positions were added and due to including the supervising stenographers in the total stenographer position count for formula purposes.

A review of the salary and wage supplement to the 1966-67 Governor's Budget reflects four supervising stenographer positions, one at Sacramento and three at Los Angeles. This document shows that these positions have been utilized at least since 1964-65. These positions were not shown in the salary supplement for 1965-66. It appears that the three positions in the Los Angeles office are reclassifications. Removing these positions from the existing staffing formula and then filling in behind such positions with stenographic positions is in effect approving the supervising positions as new positions. No justifications were submitted for the supervising positions.

While the agency may be able to justify supervising positions for reclassification purposes, it has not provided information as to why such positions should be considered exempt and outside the presently authorized staffing formula of three attorneys to two stenographers. Without such basic information, we are unable to recommend approval of four of the five positions.

Department of Justice—Continued

The fifth position was requested due to an erroneous computation of the staffing ratio. We are not recommending the deletion of the fifth position because a compensating error of computation is contained in the augmentation request for such positions for the Bureau of Criminal Law.

*1 Deputy attorney general II, 3 senior special investigators,
1 typist-clerk ----- \$50,000*

The proposed new positions are requested for a reported need for increased investigation and prosecution of cases in which consumers have been criminally victimized.

We recommend deletion of the request reducing the program augmentation appropriation \$50,000.

The material submitted with the position request is fairly generalized without sufficient detail of the workload involved which would lend itself to a definitive analysis of need. We recognize that it is extremely difficult to provide clear-cut workload data for the consumer fraud section due to the great variance in the nature and complexity of the cases involved. Previously when this agency sought additional attorney positions in the 1964-65 Governor's Budget, the requests were based on the number of complaints received. The positions were denied by the Legislature. In the present justification, the agency states it had 1,593 complaints in 1964-65 for which 360 files were opened. The agency also indicated it had ten cases in litigation exclusive of 104 cases involving aluminum siding in 1964-65. The agency makes no mention of the amount of attorney and investigative time devoted to these cases or the results thereof.

The agency states it now has 34 cases for litigation and that a two-attorney staff can handle six to nine cases per year. This would appear to be a very small caseload to require the full-time services of two attorneys plus related help. As the agency supplied no details as to the relative complexity of these cases, we are unable to verify the need on a caseload basis.

The material submitted with the request reflects only two attorneys are assigned to this function. The department's office manual lists five attorneys assigned to this function as of April 1964. The latest attorney time reports covering the period January through March 1965 reports the equivalent of 3.5 attorneys were utilized for consumer frauds but that 5 positions were assigned to the function. While we know that the attorneys may work in various sections, this does not explain the apparent conflict in statements.

The agency seeks to distinguish these operations from the functions of local enforcement officials by emphasizing the Attorney General's use of civil injunctive relief on a statewide basis. There is no indication of the projected workload in this area. The agency also seeks to distinguish its operations by emphasizing its correlating and liaison functions to coordinate local enforcement efforts. There is no showing by the agency that such coordination could not be handled by cooperation between local agencies.

Department of Justice—Continued

The request for additional investigators should be denied on the basis requested because it is less efficient to have the investigators working directly for attorneys. All investigative activities should be concentrated into one statewide investigative unit. This would be more efficient from a case assignment standpoint and also on the basis of having investigators supervised by investigators and not by attorneys who are unfamiliar with investigative techniques.

While there may possibly be a sufficient number of consumer fraud cases which could fully engage the staff requested, we still view the enforcement of the state's laws as a responsibility of the local enforcement agencies. Therefore, the extent to which the Attorney General moves into this area without first establishing that there is a breakdown in local law enforcement is a policy question for the Legislature.

The agency also indicates it is the responsibility of this section to recommend law changes to correct such abuses. If the local district attorneys are unable to protect the public because of inadequate laws, then such should be changed if deemed advisable.

*1 Deputy attorney general III, 1 assistant economic analyst,
1 senior legal stenographer, 1 senior typist-clerk ----- \$38,301*

These four proposed new positions are requested for the antitrust operation.

We recommend deletion of the positions reducing program augmentation \$38,301.

The justification material sets forth specific material relative to the prior performance of this section. It is recognized that this subprogram has resulted in some substantial awards on treble damage claims to the benefit of the state. Also savings have resulted for both the state and local jurisdictions.

While the agency can and should take pride in such accomplishments, they do not necessarily justify additional positions. The agency indicates it is instituting two major cases. Such cases, according to the experience of the agency, require the services of three attorneys and one investigator each. There is no other information presented as to additional workload. The agency is currently staffed at a level sufficient to handle the new cases and without supplying information as to additional workload, we are unable to recommend approval of the positions requested.

As to the economic analyst, the agency mentioned that such services are currently provided by contract. The agency failed to show either by the prior contracting experience or the projected workload for 1966-67 how much of this type service was required.

The clerical positions are requested primarily on the basis of prior workload experience with previous cases which may or may not apply to future cases. No data were furnished as to future workload in this category requiring additional positions. The clerical positions are also directly related to the above two nonclerical positions which are also recommended for deletion.

Department of Justice—Continued

1 *Administrative assistant I* ----- \$9,670

The proposed new position is requested to relieve the chief and assistant chief of the Bureau of Criminal Identification and Investigation from certain administrative details.

We recommend deletion of the positions reducing program augmentation \$9,670.

The agency lists a number of tasks to be performed by the requested position. All of these functions to the extent necessary have been handled by the agency. There is no claim made by the agency that the functions have not been performed. The agency merely states "There is no staff position available to relieve the line supervisors of the routine administrative detail which seriously detracts from their primary function." This statement does not indicate what deficiency currently exists which requires more attention to primary functions by the chief and assistant chief. Without specific information as to needs, we are unable to recommend approval of the request.

1 *Special agent I* ----- \$14,640

The proposed new position plus related expenses is requested to permit increased coordination of matters related to statewide investigations.

We recommend deletion of the position reducing program augmentation \$14,640.

The justification material submitted is deficient in that it does not explain either why additional coordination is needed or why additional special agents are required. The material furnished with the request claims a need for six additional positions. It indicates that it is difficult to establish meaningful workload statistics and to estimate the length of time necessary to make an investigation. This is true, but the agency can certainly point out the currently existing deficiencies which could be overcome by the requested position; for instance, what services or functions are not being performed? Then a determination can be made as to whether the services not being performed are worth the expenditure of the additional funds requested.

2 *Senior crime studies analyst, 1 senior clerk* ----- \$34,000

The two senior crime studies analysts are requested to provide an intermediate level of supervision based on a reorganization of the Bureau of Criminal Statistics. The senior clerk position is requested on the basis of staff expansion requiring additional supervision.

We recommend deletion of the positions reducing program augmentation \$34,000.

The agency requests the two senior crime studies analysts so that the bureau can be reorganized in two sections. The agency claims this will provide for a logical refinement of statistics which has previously been limited by organization and staff. The agency claims a higher

Department of Justice—Continued

level of responsibility and research development is now necessary. The agency claims the bureau chief cannot carry out his many other duties and give the needed technical leadership to all the existing duties.

The above generalized statements constitute the total request for these two positions. The agency now consists of five units, each headed by an associate analyst. The units each have an assistant analyst and necessary clerical personnel. The agency's only justification for the proposed reorganization is the generalized statements mentioned above. The agency furnishes no information as to why the higher level of responsibility and research development is necessary.

The agency also does not give specific detail as to what is the deficiency in the current operation and why it cannot be corrected by existing staff. There is no indication of what are the "many other duties" and their relative value which prohibits the bureau chief from giving needed technical leadership to the bureau. There was no explanation of what is not being accomplished because of this lack of leadership. The bureau chief is employed to direct the bureau. If his "many other duties" are limiting the effect of his leadership, then such duties should be reexamined as to which is more essential. If these other duties are necessary, then help should be provided for such purposes.

It is also noted that this bureau will soon be examined by the management analyst section of the Department of Justice preliminary to conversion to electronic data processing. Increases in staff and organizational changes not absolutely essential should be postponed until more is known as to the effects of computerizing this operation.

The senior clerk position is requested for the law enforcement section because according to the agency the growth in the section requires it. This is a generalized conclusion of the bureau which is not supported by adequate workload data. Because some other sections may have been authorized a similar position is not in itself a reason to provide an additional position. The agency should outline the specific deficiency in this particular function which will be overcome by the position requested.

1 Associate crime studies analyst, 1 assistant crime studies analyst, 1 senior clerk, 3 intermediate clerks ----- \$43,500

The proposed new positions plus operating expense and equipment are requested to begin a new continuous accounting record of persons arrested for all felonies and the more serious misdemeanor cases.

We recommend deletion of the request reducing program augmentation \$43,500.

This is a pilot program to gather statistics from five selected counties. After the initial development period, the procedures developed would be used to gather this same information from all counties. The proposal is to follow each case individually through the various processes and procedures from arrest to final disposition of the case. At the current time, information is gathered on felony crimes in gross form. That is, the total number of crimes, arrests, complaints filed, convictions and court dispositions for each year is gathered and analyzed. The various

Department of Justice—Continued

reports and tables break down this information as to type of offense, age, sex, race, area, etc., for each year. This study is proposed to find out what happens in each type of case as it moves through the various criminal procedures and agencies handling such cases. The agency feels that this information is essential but does not indicate the uses that can be made of this information which would aid in the combatting of crime. It could possibly aid in indicating where additional effort should be placed in order to fight crime. This knowledge is probably already known to the agencies directly concerned with fighting crime. We question whether the detailed information sought is needed and why the gross statistics now gathered would not suffice to point up what is happening in each step in the handling of criminal offenders. We believe that an adequate sample, but much less than complete statistical reporting, would be sufficient.

The agency states that there is a need for a more detailed arrest classification than now available and also the prior criminal history, age, sex, race and residence of the persons arrested. Information as to prior criminal record, sex, race and offense is now contained in the records of the Bureau of Criminal Identification and Investigation. If such information is not being gathered satisfactorily, then corrections should be made without adding more staff. There is also no explanation of the need for a more detailed classification of offense or the residence address. Residence information could be added to arrest reports easily if not now included. Disposition information is also available in the CI&I records to the extent such is now reported. Admittedly, there is a weakness in this area as reports of dispositions are not received uniformly. Perhaps a law change requiring local jurisdictions to follow and report dispositions would be sufficient.

We would point out that the basic question left unanswered in this request is why we need to gather the information in the minute detail proposed and what uses would be made of such information. We are not unalterably opposed to this particular request as the information might be useful but we feel the above questions should be answered prior to legislative approval.

Also there is the question of the effect of future electronic data processing on this request. The information sought to be established here will be included as part of the total automated record operation.

It is also noted that while other established programs are headed by associate crime studies analysts, this and the following new programs are to be supervised by senior level positions. These two positions would be on the same grade level as the two senior positions discussed above who would have supervision over the various sections. This is an improper organization and management practice.

1 Senior crime studies analyst, 1 assistant crime studies analyst, 1 senior clerk, 3 intermediate clerks, 1 intermediate typist-clerk ----- \$50,600

These proposed new positions are requested to provide a new statistical research program relating to following the results of the various

Department of Justice—Continued

correctional processes such as probation, jail, state correctional institutions and parole.

We recommend deletion of the positions reducing program augmentation \$50,600.

The agency did not present sufficient workload information to justify the number and classification of positions sought. The position request is based on the agency's judgment of need. The program proposed is to gather information on what happens to persons who are handled by local and state correctional facilities and programs. While there is currently no statewide program of evaluating how many repeaters or recidivists there are in the local jail and probation programs, this information might be of value to local agencies, but this agency has not presented information to show an actual need for this information.

The agency also plans to evaluate the results of the state's youth and adult corrections programs on a cohort basis. The Departments of the Youth Authority and Corrections are each provided with research and statistical units. These agencies are gathering statistical data on recidivism on a cohort basis. No information was presented by the agency as to why it should duplicate the efforts of the correctional agencies. Differing forms of correctional treatment have been and are currently under review by the state correctional agencies contrary to the statements of the Bureau of Criminal Statistics.

1 Assistant crime studies analyst, 1 senior clerk, 4 intermediate clerks \$35,620

The proposed new positions are requested to provide for a complete jail population reporting program.

We recommend deletion of the request reducing program augmentation \$35,620.

The agency is currently collecting the requested data from eight or nine counties. There was no information submitted to indicate why the size of the present sample is inadequate as related to the state as a whole. There was also no information as to the planned use of the information.

The agency states it is "highly desirable" to obtain complete information on offenders in county jails as soon as possible. No explanation of the claimed need for speed in obtaining this information was given. If there is a valid need for such information and if that need cannot be filled on the current sample basis, then the sampling process should be enlarged. Without specific information as to need, we are unable to recommend approval of this program expansion. A valid sample is often as good for administrative purposes as a complete gathering of statistical data. The additional cost of collecting such data may well be not justified by the results obtained. This request and the two prior requests should be analyzed on the basis of need and not desirability.

The above three requests represent an effort on the part of the Bureau of Criminal Statistics to gather more complete information on the overall crime picture. While more information might be helpful, the degree of need for the specific statistics should be established. Further information should be submitted as to the reasonably expected uses

Department of Justice—Continued

that will be made of the information gathered. It should be pointed out why the currently supplied information is not adequate to meet the needs. Vast amounts of research as to the causes, cures and correction of criminal activity and activists is being conducted in this country and around the world. Conversion of this function to electronic data processing should relieve the existing positions for more detailed analysis work.

We would also point out that the currently collected information reflects some interesting data. For instance, in 1964 the felony crime rate was approximately 2,000 crimes per 100,000 population. Other data on the same basis reveal there were approximately 550 arrests and fewer than 200 filings in superior courts. Of the number of complaints filed, 85 percent were convicted, totaling approximately 170 per 100,000. Of those convicted, 26.1 percent go to state prison, 50.9 percent to probation, 15.8 percent to jail, 5.5 percent to the Youth Authority and 1.7 percent to other jurisdictions. Therefore it is apparent that, relating the number of crimes committed to the number of persons committed to prison in a given year, the probability of eluding this sort of punishment appears great. This is information that has been available for some years. We are not aware of any concerted action which has been taken on the basis of such information. Undoubtedly such information is used on a local level to justify budgetary increases.

DEPARTMENT OF JUSTICE

ITEM 190 of the Budget Bill

Budget page 713

FOR SUPPORT OF THE DEPARTMENT OF JUSTICE
FROM THE GENERAL FUND

Amount requested	\$14,751,222
Estimated to be expended in 1965-66 fiscal year	13,649,639
Increase (8.1 percent)	\$1,101,583
TOTAL RECOMMENDED REDUCTION	\$277,753

Summary of Recommended Reductions

	Amount	Budget	
		Page	Line
2 Deputy attorney general III	\$25,139	717	35
2 Senior legal stenographer	11,376	717	38
2 Junior counsel	16,392	717	29-37
2 Senior legal stenographer	11,376	717	32-38
1 Deputy attorney general II	9,480	717	36
3 Senior typist-clerk	15,084	717	25, 33 & 39
Operating expense—Division of Civil Law	35,000	718	12
1 Intermediate typist-clerk	4,674	719	8
2 Deputy attorney general II	18,960	720	63-68
1 Senior legal stenographer	5,976	720	69
1 Deputy attorney general II	9,480	720	74
1 Teletype operator	4,788	723	73
1 Senior clerk	5,028	724	68
Operating expense—vehicle forfeitures	105,000	725	9

Department of Justice—Continued
GENERAL PROGRAM STATEMENT

The Department of Justice, headed by the Attorney General, consists of several divisions encompassing functions providing legal services, narcotic law enforcement, criminal record and fingerprint services, statistical analysis and investigative operations.

The analysis of this department's 1966-67 budget requests is divided into specific program areas including Administration, Division of Civil Law and the Division of Criminal Law and Enforcement. In addition to legal work involving criminal matters, the Division of Criminal Law and Enforcement includes the Bureau of Criminal Statistics, Bureau of Criminal Identification and Investigation, Bureau of Narcotic Enforcement and an executive operation supervising the various bureaus. The total cost and positions required for these divisions and subfunctions will be analyzed separately herein. In addition to the functional breakdowns in the continuing operations and workload budget, there is a separate appropriation for program augmentations to certain of these functions. We will discuss the program augmentations in Item 189, presented in a following section of this analysis.

The total amount requested for 1966-67 is \$14,751,222. This is an increase of \$1,101,583 or 8.1 percent over the \$13,649,639 estimated for expenditure in 1965-66. The total request represents \$15,062,017 for continuing operations and purported workload increases and \$372,359 for items designated as program augmentations. Included in the total request is \$14,751,222 from the General Fund and \$310,795 from the Tort Liability Fund. A proposed total expenditure of \$1,073,000 for a program for Administration of Criminal Justice is in a separate budget item. This new budget item is directly connected with the operations of this department but will be analyzed separately. There are also additional positions for data processing operations in this department which are included in another budget item in this analysis.

The following table presents the growth of this department in total expenditures and personnel for five years prior to the budget year.

Expenditure and Personnel Increase
1961-62 to 1965-66

<i>Fiscal year</i>	<i>Total expenditures</i>	<i>Increase over prior year</i>		<i>Total personnel</i>	<i>Increase over prior year</i>	
		<i>Amount</i>	<i>Percent</i>		<i>Positions</i>	<i>Percent</i>
1961-62-----	\$8,233,538	\$727,810	9.7	982.1	51.5	5.5
1962-63-----	9,104,598	871,060	10.6	1,069.0	86.9	8.9
1963-64-----	9,500,018	395,420	4.3	1,102.9	33.9	3.2
1964-65-----	10,736,525	1,236,507	13.0	1,198.7	95.8	8.7
1965-66-----	13,649,639	2,913,114	27.1	1,338.5	139.8	11.7

The above table shows the continuing and substantial growth in this department since 1961-62. The substantial increase in 1965-66 is primarily due to workload increases and new program expansion. The increases will be more clearly identified when explained in the analysis of the individual programs.

Department of Justice—Continued

This agency is requesting a 13.1 percent increase in its appropriation for 1966-67. If the agency continues to grow at the rate of 13 percent per annum, the total projected costs will be as follows:

Projected Total Expenditures	
<i>Fiscal year</i>	<i>Total expenditures</i>
1966-67	\$15,434,376
1967-68	17,440,845
1968-69	19,708,155
1969-70	22,270,215

ANALYSIS AND RECOMMENDATIONS

Division of General Administration

This division consists of the office of the Attorney General and the fiscal and personnel office functions. This division is responsible for the overall administration and specific support functions for the department as the names of the subfunctions imply.

	<i>Positions</i>	<i>Expenditure</i>
Actual 1964-65	43.7	\$656,008
Authorized 1965-66	49.5	885,101
Proposed 1966-67	57.4	1,046,510

The total amount requested for this division in 1966-67 is \$1,046,510. This is an increase of \$161,409 or 18.2 percent over 1965-66 and \$390,502 or 59.5 percent over the actual 1964-65 expenditures. These increases are due partly to increased salary and staff benefit costs as well as increased operating expenses related to workload increase. The increases are due also to the eight proposed new positions requested for 1966-67 at a salary cost of \$41,508. Among the notable operating expense items causing this category of expenditure in 1966-67 to be almost double such expenditures in 1964-65 is rental costs and proposed office alterations. Building space rental has increased from \$90,967 in 1964-65 to \$267,335 in 1966-67. This substantial increase is largely due to the moving of the Sacramento attorneys' offices from the Library and Courts building, where rent was not charged or budgeted, to other office space for which rent is charged. It is now the practice to charge rent for state office building space. The increased rent in this particular case is paid for privately owned leased premises. This move was previously approved by the Legislature for fiscal year 1964-65 but the space was not available during that fiscal year, which explains why the actual rental expenditure in 1964-65 was substantially lower than originally budgeted.

Another cause of this substantial increase is the request for \$58,000 for alterations to the San Francisco offices. This request is based on an estimate made by the Department of General Services. The request is to provide for remodeling at the San Francisco state building to make office space available for new attorney positions.

Included in the request for eight proposed new positions for 1966-67 are one accounting technician III and three intermediate typist-clerks. These positions are requested on the basis of workload increase. Sup-

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porting these requests are substantial workload data based on time studies made by the agency. Unfortunately we were not informed of the results of these time studies soon enough to permit detailed analysis and verification. Due to this fact and also due to other information available relative to overtime worked and work backlog, *we recommend tentative approval of the positions requested.* Further discussion and verification of the proposed workload formula is needed prior to recommending acceptance of such a formula.

The other four requested positions are based on standard workload formulas or on an adequate showing of need. *The assistant budget analyst position and supporting clerical position is being recommended for approval on the basis of the insufficiency of current budget justifications and the added duties imposed by program budgeting and the need to develop meaningful workload formulas.* By recommending approval, we are anticipating a significant improvement in budgetary justifications.

The operating expense and equipment requests appear to be in line with the needs of this division of the agency.

Division of Civil Law

The division of civil law is responsible for legal and administrative problems involving civil law. This division provides such legal services to the various state agencies, boards and commissions. Other major legal activities involve tidelands and Colorado River litigation, condemnation proceedings involving state park and California Water Plan needs, and tort claims.

The total amount requested for this division for ongoing operations in fiscal year 1966-67 is \$3,370,132. This represents an increase of \$328,145 or 10.8 percent over the reestimated 1965-66 expenditure total as contained in the 1966-67 Governor's Budget.

The substantial increase in expenditures for this division in 1966-67 over 1965-66 is due to the 31 proposed new positions and additional equipment related thereto. While operating expenses are scheduled to decline in 1966-67 under the projected 1965-66 level of expenditure, both years estimated operating expenses are substantially above the actual expenditures in this category in 1964-65. These expenditures will be discussed in more detail following the discussion of proposed new positions.

The total 31 proposed new positions include 13 attorneys, 9 senior legal stenographers, one general auditor, one investigator and seven clerical positions. The positions are requested for various subprograms at the three offices located at Los Angeles, San Francisco and Sacramento.

Included in the total proposed new positions are two attorneys and one clerical position which represent an assumption by the Attorney General of certain workload of the Department of Alcoholic Beverage Control. A like number of positions are being deleted in the client agency in order to reimburse this department for the proposed new positions.

Department of Justice—Continued

3 Deputy attorney general III (budget page 717, line 35) \$37,758
 2.5 Senior legal stenographer (budget page 717, line 38) ----- 14,220

These 5.5 proposed new positions are requested for tidelands and Colorado River litigation.

We recommend approval of the positions for one year. We further recommend that the agency be directed to submit to the Legislature a detailed evaluation of the need to continue such positions along with a detailed report of the activities of these positions during the ensuing period.

We are recommending approval of the positions on the basis of the importance of the work to be done and because the request is for continuation of existing positions. In fact, the tidelands litigation reflects a reduction from three attorneys to the one attorney requested. The positions are requested as new positions as they were limited to June 30, 1966 at the last legislative session. The material submitted with the request details the importance of the case, which is fairly well known, and gives some indication of need for these positions. The statements of need are very generalized, which is the reason for our second recommendation relating to a detailed report of activities. We believe the Legislature is entitled to a more definitive explanation of why separate positions are needed for these two fields of endeavor which should be approaching a conclusion. Litigation may arise for a number of years over these areas of legal activity. At some point the need for full time attorney coverage should end and the functions assumed by the established land law section.

The department should also include in this proposed report a justification for the need to continue the additional clerical positions previously approved for the Colorado River litigation because of the unusual amount of paperwork involved.

2 Deputy attorney general III (budget page 717, line 35) \$25,139
 2 Senior legal stenographer (budget page 717, line 38) ----- 11,376

The above four positions are requested on the basis of workload increase for the land law section.

We recommend deletion of the positions reducing personal services \$36,515.

We are making this recommendation not on the basis of lack of importance of the work to be done but due to a failure of the agency to justify the need for additional positions. These position requests point up two difficulties in reviewing the agency's requests. First, the Governor's Budget and the material submitted in support thereof does not clearly identify the grade of position to be hired for a particular function. The material contained under the program and performance section of the budget speaks of the number of attorney and clerical positions requested but does not identify the grade of position sought or relate the cost increase to the particular program increase.

The second and much more important deficiency is the justification material submitted. For instance, in relation to the requests directly

Department of Justice—Continued

involved here, the agency goes into great detail as to the importance of the work to be performed in connection with Alamitos Bay boundaries and other work in connection with oil development and similar problems. These are significantly important areas of activity because of the monetary implications. There is no doubt as to the importance of the work and the material submitted by the agency is interesting and informative. Yet the material is insufficient to justify additional positions because there is currently a land law section. The land law section has two principal clients, one of which, the State Lands Commission, is directly involved in the above-cited transactions. The land law section is currently furnishing legal counsel to the commission on these problems. These are not new legal areas which will arise in 1966-67 to require additional positions. The agency has failed to indicate why the current staffing is not sufficient to handle the expected workload increase. The unsupported, generalized conclusion that additional positions are needed is not a sufficient justification for an annual expenditure in excess of \$36,000.

2 Junior counsel (budget page 717, lines 29 and 37) ----- \$16,392

2 Senior legal stenographer (budget page 717, lines 32 and 38) ----- 11,376

The above four proposed new positions are requested for the business law section.

We recommend deletion of the positions reducing personal services \$27,768.

The positions are requested for two distinct functions of the business law section. One junior counsel and related clerical position is requested on the basis of workload increase at the San Francisco office in the area of investment frauds.

The agency furnished information to the effect that it has nine major investigations backlogged which would require at least the full time of this one additional position. The cases cited generally are listed for investigation. One case listed required 18 months of attorney time. There were not sufficient details in the justification to indicate whether 18 months of attorney time is required. This information should be furnished in order to determine the need for attorney time as opposed to investigator time.

The agency also advised that one deputy attorney general will be fully occupied by the statewide investigation of county assessors' offices. As this matter is primarily handled by local district attorneys, the agency should provide further information as to the need to devote one man-year of attorney time to the case. Without more definitive information as to needs for attorney time, we are not able to recommend approval of the requested attorney and related clerical positions.

We are recommending the approval of one auditor and one senior special investigator on a workload basis for this unit.

The other junior counsel and stenographic positions were requested to meet the increased workload in the Los Angeles office relating to

Department of Justice—Continued

conservatorships and liquidation proceedings and for proceedings in trial and appellate courts. To justify additional positions on a workload basis, the agency must show an increase in workload which will require the positions requested. Also the agency must show that existing positions cannot absorb the workload increase. The agency has not done this. The agency merely states there are 31 mandamus and injunction proceedings and 12 conservatorships. The agency also indicates one deputy spent 80 percent of his time for an undisclosed number of months on two liquidation proceedings. There are a number of positions presently assigned to this function. There is not sufficient indication that existing positions cannot handle the workload. There is no showing of projected workload increase in 1966-67 over 1965-66 or the deficiency in the current operation which would justify the requested positions.

1 Deputy attorney general II (budget page 717, line 36) --- \$9,480

The position is requested for the Los Angeles office on the basis of purported workload increase in public welfare law.

We recommend deletion of the position reducing personal services \$9,480.

In order to justify a position on a workload basis, the agency should furnish information that reflects the amount of workload increase. Further, the agency should indicate why existing positions cannot absorb the increase.

Only after such information has been presented can a reasonable analysis of workload needs be made.

3 Senior typist-clerk (budget page 717, lines 25, 33, and 39) \$15,084

The positions are requested on the basis of purported workload increase.

We recommend deletion of the three positions reducing personal services \$15,084.

The positions are requested for maintenance of the docket of cases filed in which the Attorney General is required to appear. The function is required under Government Code Section 12514. The material submitted contains more workload material than is usually the case, but it is also a good example of the agency's failure to provide basic workload information for analysis purposes. The agency sets forth that the number of causes increased from 5,140 in 1960-61 to 10,405 in 1964-65. This represents an increase of 5,265 causes or 102.4 percent. In order to utilize this information, we need to know how many positions were utilized for this function. Since the workload presumably has been accomplished and no mention is made of a backlog or other deficiency attributable to this workload, then the agency must have been adequately staffed.

The agency should be able to use this past information to project the 1966-67 workload taking into consideration any unusual circumstances which might have caused a temporary rise in filings if such was the case. Then after analyzing how much personnel time was

Department of Justice—Continued

utilized for this function in 1964-65, the agency should be able to adequately project its personnel needs. Without such basic information being furnished, we are unable to recommend approval of the request.

The remaining three clerical positions are recommended for approval due to workload increases.

Operating expenses in 1966-67 are projected at \$761,778 which is a substantial increase over the actual 1964-65 expenditure of \$485,806. This substantial increase is due to workload increases in all categories of operating expenses plus the new items relating to the flood damage claims. No detail of such expense items was presented by the agency. The agency advised that such request constitutes an estimate of the expenses that will be required relating to the flood claims and that no additional legal services are included therein.

We note in the Governor's Budget that operating expenses for Colorado River litigation and tidelands litigation reflect substantial increases in the current and budget years over the actual expenditures in 1964-65. An analysis of these two functions operating expense request resulted in the following table and comments.

**Operating Expenses
Colorado River Litigation**

<i>Fiscal year</i>	<i>Original budget request</i>	<i>Revised estimate</i>	<i>Actual expenditure</i>
1962-63 -----	---	\$79,000	\$61,368
1963-64 -----	\$79,000	43,700	45,963
1964-65 -----	23,600	23,600	9,224
1965-66 -----	34,300	34,500	--
1966-67 -----	45,500	--	--

Tidelands Litigation

<i>Fiscal year</i>	<i>Original budget request</i>	<i>Revised estimate</i>	<i>Actual expenditure</i>
1963-64 -----	---	\$209,000	\$55,291
1964-65 -----	\$209,000	209,000	42,952
1965-66 -----	129,000	101,150	--
1966-67 -----	54,000	--	--

The above table reflects a consistent disparity between the original budget request and the actual expenditure. This disparity represents an overbudgeting of funds and does not represent the true needs of the agency. *Based on the data in the above table, we recommend a reduction in total operating expenses to be taken from these two functions totaling \$35,000 (budget page 718, line 12).* This would leave the agency with \$64,500 for these two functions which is more in line with the actual experience of the agency. Any required upward adjustment could be made in the 1967-68 Governor's Budget if adequately justified.

Division of Criminal Law and Enforcement

This division is made up of a number of functions related to law enforcement and also legal services related to criminal law and enforcement.

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The total amount requested for this division in 1966-67 is \$10,645,375. This is an increase of \$922,824 or 9.5 percent over the estimated 1965-66 total expenditures of \$9,722,551. This total budget request will be discussed more fully in relation to each of the subfunctions. The subfunctions will be separately analyzed because of the differences in these functions and programs.

Executive

The executive function is administratively under the Chief Assistant Attorney General who supervises the entire Division of Criminal Law and Enforcement. This position is located in San Francisco and gives primary supervision to the legal staff in the three law offices that are assigned to criminal law. The executive function consists primarily of the Deputy Director's office and the management analysis, electronic data processing and teletype sections. The Deputy Director has management responsibilities over the Bureaus of Criminal Statistics, Criminal Identification and Investigation and Narcotic Enforcement.

The following material presents the total employees and expenditures for the fiscal years indicated.

	Positions	Expenditure
Actual 1964-65 -----	86.8	\$934,940
Authorized 1965-66 -----	88.0	1,254,346
Proposed 1966-67 -----	98.0	1,527,261

For 1966-67 the agency is abolishing four tabulating machine operator positions due to conversion of certain functions to computer operations. The agency is requesting a total of 14 proposed new positions which results in the net increase of 10 authorized positions in 1966-67 over 1965-66. The total amount requested for this subfunction for 1966-67 is \$1,527,261. This represents an increase of \$272,915 or 21.8 percent over the reestimated expenditures of \$1,254,346 for 1965-66. This increase is primarily caused by two factors, the 14 proposed new positions and increased operating expenses. These increases will be discussed separately.

The agency's request for 14 proposed new positions includes one typist-clerk position for the Deputy Director's office and 13 positions for expanded electronic data processing operations.

1 Intermediate typist-clerk (budget page 719, line 8) ----- \$4,674

The proposed new position is requested for the Deputy Director's office.

We recommend deletion of the position reducing personal services \$4,674.

The request is based on generalized statements of claimed need. No deficiency in current operations or specifics as to workload increase was submitted to justify the request.

The agency mentioned that there were added duties caused the Deputy Director by assuming functions of building management and creation of an intelligence unit. The material states such has added to the workload and is part of the reason for this request.

Department of Justice—Continued

The agency stated it recently created an intelligence unit. It does not cite the authority for creating such a unit or how it is financed. If the unit was created from existing positions, then the question arises as to the effect on the functions for which these positions were originally budgeted resulting from adding this new operation. These questions should be answered by the agency.

The 1964 Legislature authorized positions to provide the initial staff for the electronic data processing and management analysis units in this agency.

In September 1965 a survey report was submitted to the Attorney General setting forth the progress to date and some of the problems confronting the staff in planning and initiating the conversion of certain record files to automatic data processing. The report also provided information on the proposed updating of the statewide telecommunication system and the related activities of local law enforcement in the aforementioned operations.

The agency has submitted an automation schedule from 1964-65 through 1971-72 setting forth the estimated time of conversion of specific file data to electronic data processing. In the current year staff has completed the following assignments:

1. Firearms file to punch cards—system design and programing completed.
2. Miscellaneous property file—system design completed.
3. Law enforcement statistical reports—system design completed.
4. Narcotic prescription reports—system design, programing and conversion to EDP completed.
5. Charitable Trusts—base file established on EDP.

In the budget year, in addition to converting eight statistical record files and employee work counts to EDP, the major job will be system development, programing and conversion of the name index or "Soundex" file to EDP and the system development and programing for the violent offender pilot project of the criminal history file.

In this regard the additional positions requested by the agency to phase in this portion of the EDP conversion are not contained in this department's budget request but we were informed will be submitted in a consolidation of data processing position requests by state agencies in one packaged program identified as "Ad Pac" to be submitted in the 1966-67 budget request of the Department of General Services.

This budget item contains 13 proposed new positions relative to the programs already commenced in this agency. We recommend approval of these positions based on the programs contemplated for 1966-67.

The material submitted was adequate and informative but not in the complete detail that could be developed. Without more detailed analysis, the agency's plans for completing conversion appear to be further in the future than desirable. In the 1963-64 analysis, we pointed out that cost of the Bureau of Criminal Identification and Investigation could be \$4.5 million by 1965-66 unless immediate steps were taken to auto-

Department of Justice—Continued

mate the operation of the bureau. The 1966-67 Governor's Budget reflects a total expenditure for C.I. & I. of \$4,293,539 in 1965-66. The agency has been devoting a substantial portion of its management analysis section to functions other than the purposes for which the positions were authorized albeit the functions may be desirable. The electronic data processing staff has been used and is being planned for use in areas outside C.I. & I. While it is also desirable to accomplish these other programs, the major concern is and should be the C.I. & I. operations.

We recommend that the legislative committees hearing this agency's budget direct the agency to submit a definitive report on its EDP operations and planning to the next session of the Legislature.

The report should include a detailed outline of planned conversion to EDP from the present to complete conversion as far as feasible. The report should also contain personnel and cost estimates for the various bureaus and functions to be automated comparing total projected cost of operations with and without conversion to electronic data processing and the cost of such conversion. A chart should be included showing these various cost factors and also indicating at what point costs will be reduced by conversion to electronic data processing.

Operating expenses are scheduled to increase significantly primarily due to EDP and teletype operations. We are recommending tentative approval of such expenses. Operating expense increases were not adequately explained and we intend to obtain a clarification from the agency before committee hearings on this budget request.

Bureau of Criminal Law

This bureau consists of the attorney positions and supporting staff in three offices who are engaged in legal work relating to criminal law, criminal writs and appeals, consumer frauds, antitrust, charitable trust and other related fields.

For 1966-67, this bureau is requesting 33 proposed new positions plus continuation of 6 positions administratively authorized because of anticipated workload relating to health care plan registrations. The total positions and expenditures for 1964-65 through 1966-67 are as follows.

	Positions	Expenditure
Actual 1964-65	87.2	\$920,930
Authorized 1965-66	158.0	1,754,629
Proposed 1966-67	181.0	2,198,497

The substantial increases in 1965-66 and 1966-67 indicated in the foregoing table in both positions and expenditures are primarily due to increased workload in writs and appeals and new duties imposed under the Knox-Mills Act passed at the 1965 session relating to health care plan registrations.

Two attorneys, one auditor and three clerical positions at a salary cost of \$29,141 were administratively authorized commencing January 1, 1966 to handle the anticipated workload resulting from this new

Department of Justice—Continued

legislation. The positions are being continued on a permanent basis in 1966-67 at a total salary cost of \$52,452 exclusive of staff benefits. The agency estimates revenue receipts of \$70,000. This is a new function and adequate workload information has not yet been developed. *We are recommending the positions as budgeted. We further recommend that the agency submit detailed workload data on these positions at the next legislative session.*

The agency is also requesting 29 proposed new positions for writs and appeals workload. The total request consists of 17 attorneys and 12 senior legal stenographers. The attorneys are being approved on the basis of one attorney for each 54 cases. The stenographers are provided on the basis of 2 stenographers for three attorneys. These ratios have been previously approved by the Legislature. The 54 to 1 ratio is based on an average number of cases closed per attorney over a five-year period. There continues to be a substantial number of cases filed in this area primarily due to new decisions relating to extension of constitutional rights to state felons.

2 Deputy attorney general II (budget page 720, lines 63-68) \$18,960

1 Senior legal stenographer (budget page 720, line 69) ----- 5,976

These positions are requested for the criminal law section due to an increase in writs and appeals.

We recommend deletion of the positions reducing personal services \$24,936.

The positions are a part of the total 29 positions requested for the writs and appeals section. This workload is handled by the same section which handles vehicle forfeitures. The agency has been utilizing the equivalent of two attorney positions for this function. In line with our recommended elimination of the auto forfeiture procedure discussed in the analysis of the Bureau of Narcotic Enforcement budget, we are recommending deletion of two attorneys and a related stenographic position. The workload for these three positions in the writs and appeals function can be absorbed by the three positions now devoted to vehicle forfeiture.

1 Deputy attorney general II (budget page 720, line 74) --- \$9,480

The position is requested for extradition matters in the Sacramento office.

We recommend deletion of the position reducing personal services \$9,480.

The agency bases this request on two factors. Workload increase from 813 cases in 1960 to 1,091 in 1964 will continue into 1966-67. Secondly, the equivalent of one position was utilized for this function in 1964. The workload increase from 1960 to 1964 was 278 cases or 34.2 percent. The average yearly increase was 69.5 cases. Therefore, based on past experience, the 1966-67 workload would be approximately 1,230, an increase of 139 cases or 12.7 percent over 1964. This would not justify a 100 percent increase over the staff devoted to this function in 1964

Department of Justice—Continued

according to the material submitted by the agency. We note that the attorney time reports for the period July through December 1965 also indicate only 0.4 attorney time devoted to this function. The one position reportedly assigned to this function should therefore be sufficient.

Operating expense and equipment requests appear to be in line with the needs of the agency.

Bureau of Criminal Statistics

This bureau is currently divided into five sections based on the type of statistics gathered. The statistical information gathered is reported in two major publications, "Crime in California" and "Delinquency and Probation in California". The total costs and positions for this bureau are as follows.

	<i>Positions</i>	<i>Expenditure</i>
Actual 1964-65 -----	37.9	\$333,640
Authorized 1965-66 -----	43.5	377,575
Proposed 1966-67 -----	45.5	370,416

The total amount requested for this bureau in 1966-67 is \$370,416. This represents a decrease of \$7,159 or 1.9 percent under the 1965-66 level of expenditures. The reduction is brought about primarily by a reduction of five positions temporarily authorized administratively in 1965-66. These positions are limited to June 30, 1966 and were authorized on an emergency basis to gather criminal history and arrest information on those persons arrested in the Los Angeles riots. There was no explanation submitted relative to these positions which would permit detailed analysis of need.

The agency is requesting two additional clerical positions for 1966-67 due to workload increase. The positions are requested on the basis of previously approved workload formulas.

The operating expense and equipment requests appear to be in line with the needs of the agency.

We recommend approval of this portion of the budget item as submitted.

Bureau of Criminal Identification and Investigation

This bureau includes criminal records and fingerprints, special service files, investigations and laboratory.

The total positions and expenditures for this bureau for the three fiscal years in the Governor's Budget are as follows:

	<i>Positions</i>	<i>Expenditure</i>
Actual 1964-65 -----	533.1	\$3,740,292
Authorized 1965-66 -----	569.5	4,293,539
Proposed 1966-67 -----	578.3	4,447,090

The total amount requested for this bureau in 1966-67 is \$4,447,090. This represents an increase of \$153,551 or 3.6 percent over the estimated expenditure of \$4,293,539 for 1965-66. The total increase is primarily caused by the 23 proposed new positions at a salary cost of \$107,892, merit salary increases on existing positions and increased equipment

Department of Justice—Continued

requests and rental costs. The agency is also proposing the continuation of two positions temporarily authorized administratively in 1965-66 for the special services section. The bureau is also reducing staff by 11 positions due to automation of portions of the special services section in 1966-67. This amounts to a savings in personnel costs of \$37,898 in the budget year. The positions will be eliminated at various times during the fiscal year and full-year salaries of those positions at the top of current salary scales would be \$61,008.

1 Teletype operator (budget page 723, line 73) ----- \$4,788

The position is requested for teletype operation at this bureau.

We recommend deletion of the position reducing personal services \$4,788.

The bureau is currently authorized six teletype operator positions. These six positions have been able to perform the workload involved with the assistance of available clerical personnel during peak periods. The request is to provide the additional position to eliminate the use of clerks and also because of workload increase when an updated system is provided in 1966-67. The agency does not set forth what deficiency occurs because of utilizing clerical personnel during peak periods. It is not economical to provide staff on a peak workload basis when there are employees available who can assist during these emergency periods.

The agency should review its teletype operator needs on the basis of the improved system to be installed after a decision has been made as to such equipment. An improved and more efficient system may not require additional positions.

The remaining 22 proposed new positions are based on approved workload standards and workload increases.

The operating expense and equipment items appear to be in line with the needs of the agency. There are two significant increases in operating expenses. One item is rental which is increasing due to the need for additional space for ongoing operations and to provide for computer operations. The other item is \$50,000 for special investigations—interim study. This continues the amount approved in the last legislative session. This amount is included in the budget at the request of a legislative committee for both the current year and the budget year. We have not been furnished any detail of this item and its inclusion in the budget is a policy matter for the Legislature to determine.

Bureau of Narcotic Enforcement

The function of this bureau is to enforce the state's narcotic laws. The total expenditures and positions for this operation for the current, past and budget years are as follows:

	Positions	Expenditure
Actual 1964-65 -----	113.9	\$1,650,002
Authorized 1965-66 -----	117.2	1,760,531
Proposed 1966-67 -----	118.2	1,771,228

Department of Justice—Continued

The total amount requested for 1966-67 is \$1,771,228. This represents an increase of \$10,697 or 0.6 percent. The agency is requesting one new position for workload increase related to vehicle forfeitures.

1 Senior clerk (budget page 724, line 68) -----	\$5,028
Operating expense—vehicle forfeitures (budget page 725, line 9) -----	105,000

The proposed new position is requested for workload increase which, along with the operating expense item, is directly related to forfeiture of vehicles used in narcotic offenses.

We recommend deletion of both items for a total saving in this portion of the budget of \$110,028.

We have also recommended the deletion of two deputy attorney general II and one senior legal stenographer position that are also directly related to this function. The total savings in these recommendations is \$134,964.

The agency has indicated that a certain portion of the narcotic agents' time has been diverted to perform the administrative tasks related to this operation.

We have been advised that the current operation has little deterrent effect because the automobiles generally involved are either of little value, or as these cars are generally financed, confiscation is no particular hardship on the narcotic violator. We have been advised that this reflects the view of the Attorney General and that this problem is under study and will prospectively be reported on by the Commission on California State Government Organization and Economy. We also understand that this question may be presented to the contemplated special session.

We therefore recommend that the Legislature give consideration to the abolition of this procedure and effect the budgetary savings referred to above.

The remainder of this bureau's budget appears to be in line with its needs and we recommend approval.

Department of Justice

COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

ITEM 191 of the Budget Bill

Budget page 726

**FOR SUPPORT OF THE COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING FROM THE PEACE
OFFICERS' TRAINING FUND**

Amount requested -----	\$105,344
Estimated to be expended in 1965-66 fiscal year -----	87,474
Increase (20.4 percent) -----	\$17,870

TOTAL RECOMMENDED REDUCTION ----- None

GENERAL PROGRAM STATEMENT

The Commission on Peace Officers' Standards and Training was established by Chapter 1823, Statutes of 1959. The commission, composed

Department of Justice—Continued

of nine members, is responsible for establishing minimum standards for recruitment and training of law enforcement officers. After establishment of such minimum standards and assuring itself of compliance therewith, the commission authorizes reimbursement of the local jurisdictions up to 50 percent of the officers' salaries and expenses during training. The reimbursement is from the Peace Officers' Training Fund which is a separate subvention item.

ANALYSIS AND RECOMMENDATIONS

The total amount requested for this agency for 1966-67 is \$105,344. This represents an increase of \$17,870 or 20.4 percent over the estimated 1965-66 expenditures of \$87,474. The increase is primarily due to the two proposed new positions and increased operating expenses. The increased expenses and proposed new positions are directly related to the increased applications and increased compliance inspections required.

These increases reflect the growth in the number of jurisdictions covered by the program since the last positions were added in 1963-64. At that time there were 281 local agencies participating in the program. At the end of the 1964-65 fiscal year, there were 364 agencies eligible and participating. There remain some 85 jurisdictions which the agency seeks to enlist into the program in 1966-67. If this goal is reached, then there will be 100 percent participation in the program.

We recommend approval of the item as budgeted.

PROGRAM FOR ADMINISTRATION OF CRIMINAL JUSTICE

ITEMS 192, 193, and 194 of the Budget Bill

Budget page 727

FOR SUPPORT OF THE PROGRAM FOR ADMINISTRATION OF CRIMINAL JUSTICE FROM THE GENERAL FUND

Amount requested	\$1,073,000
Increase to improve level of service	\$1,073,000
TOTAL RECOMMENDED REDUCTION	\$1,073,000

Summary of Recommended Reductions

	<i>Amount</i>	<i>Budget</i>	<i>Page</i>	<i>Line</i>
Criminal justice information system	\$510,000	727	77	
Criminal justice demonstration projects	250,000	727	78	
Research and development	85,000	727	79	
Restoration of public respect and support for law and law enforcement	56,000	727	80	
Law enforcement liaison unit	172,000	727	81	

ANALYSIS AND RECOMMENDATIONS

This item contains a package of five programs offered as an increased effort in the fight against crime. The total amount requested of \$1,073,000 is insignificant when compared to the total now being expended in the apprehension, prosecution and attempted rehabilitation of criminals at the local, state and national levels. The state is presently spending substantially in this field through the Departments of Corrections, the Youth Authority, Justice, Alcoholic Beverage Control and many other state agencies.

Department of Justice—Continued

While the proposals contained in this item are all directed toward the general area of law enforcement, they do not purport to seek out and pinpoint the deficiencies of current criminal justice operations which may need correction. The item consists of five projects, some new and some old, that may be of aid in the overall fight against crime.

*Criminal Justice Information System (budget page 727,
line 77)* ----- \$510,000

The amount of \$510,000 is requested to provide for the first year of a two-year development program for a statewide criminal justice information system.

We recommend deletion of the request reducing this item by \$510,000.

No information has been supplied as to the full potential cost of the proposed study. The agency has not furnished any specific detail of the positions to be employed or other items which make up the \$510,000 total cost of the first year of the proposed two-year study. We have requested such detail as recently as January 28, 1966.

The study would involve the collection and transmission of law enforcement data and other poorly defined areas relating to criminal justice information. The description of the program as contained in the Governor's Budget is too generalized to permit an objective analysis of the contents of the proposal.

The Legislature has previously approved programs for the automation of the law enforcement information and statistics maintained by the Department of Justice. The Departments of Corrections and the Youth Authority are presently engaged in a study directed toward computerizing various phases of their operations. There are a number of local law enforcement agencies moving into computerized systems or which have already established computerized systems at least for limited purposes. The Legislature has previously approved funds for the upgrading of the state telecommunications system so that more data can be handled. We see no reason why these operations cannot be tied together as they develop and as it becomes feasible to do so.

To attempt to study the total information needs or possible future needs is a vast undertaking which we doubt would be feasible. We would point out that while this agency has been studying the feasibility of automating and thinking about the total system, other agencies have been moving forward and providing data on a computerized basis. Local police agencies are also forming regional groups which could be tied together to the exclusion of the state bureaus except where the local authorities deem such consolidation is necessary.

*Criminal Justice Demonstration Projects (budget page 727,
line 78)* ----- \$250,000

The request is to provide a fund from which allocations could be made to finance new ideas and innovations for combatting or prevent-

Department of Justice—Continued

ing crime which may be developed by judicial, correctional or local law enforcement agencies.

We recommend deletion of the request reducing this item by \$250,000.

We make the above recommendation for the following reasons:

1. The project proposals should be developed and presented to the Legislature for financing.
2. Vast sums are already being expended by various levels of government and nongovernmental sources in these areas. Perhaps more effort is needed in evaluating and correlating the voluminous information currently developed.
3. The request is based on generalized statements without specific detail for evaluation.
4. The Legislature has already provided for the establishment of delinquency prevention commissions in each county of the state. The Legislature has authorized state participation in the cost of delinquency prevention programs which may be developed.
5. The Departments of Corrections and the Youth Authority are currently engaged in research projects directed toward rehabilitation and control of criminal offenders. These research efforts were authorized by the Legislature in 1957.
6. There is also available substantial research resources at state-supported academic institutions.
7. The need is not necessarily for more research but for practical application of current research findings and conclusions to meet current problems.

Research and Development (budget page 727, line 79) ----- \$85,000

The funds are requested to obtain the advice of consultants and experts from various technological fields as to the application of new techniques and equipment to combat crime.

We recommend deletion of the request for a total savings of \$85,000.

The combating of crime is and has been primarily a local problem. In the final analysis it will be the local authorities who will decide what methods are used to accomplish this purpose at least within the framework set forth in state laws and court decisions. While it may be to the advantage of the state in general to aid the local jurisdictions in testing, developing and using new technological advances, it is still the responsibility of the local jurisdictions to obtain and utilize such equipment. We are confident that local jurisdictions are aware of this. For instance, several local jurisdictions are well in advance of the Department of Justice in electronic data processing of information and in the use of communications devices.

The two projects specifically mentioned for review are directly related to the work of the Bureau of Criminal Identification and Investigation. No explanation is made of why this was not included in that budget item.

The projects are related to the examination of optical scanning devices for electronic transmission and coding of fingerprints and an im-

Department of Justice—Continued

proved method of obtaining fingerprint impressions. The first of these two projects is under active study and development by computer concerns. There is no explanation of what the \$85,000 consists in specific terms or why it is needed. Testing of such devices will be provided by the potential vendor. Persons already employed by the state and local agencies should be sufficiently expert to determine the worth of such proposed new devices. What more expertise in fingerprint coding is needed than can be provided by state and local employees already engaged in this endeavor? Whether or not a particular item of equipment can be used in the operations of law enforcement can best be determined by controlled demonstrations.

State and local fingerprint personnel qualify as fingerprint experts before state and federal courts. Who, then, would be more expert in evaluating coding devices and new techniques in taking fingerprint impressions?

As to the use of scanning devices for coding fingerprints, there is a more basic question than whether such can be accomplished technically. There is little room for doubt that electronic coding of fingerprints can eventually be accomplished. The more important question is whether the courts would accept the results of such electronic coding for evidential purposes.

Restoration of Public Respect and Support for Law and Law

Enforcement (budget page 727, line 80) ----- \$56,000

The department is requesting 5 positions presumably operating on a statewide basis for the stated purpose of overcoming public apathy toward law enforcement and its disrespect for the law.

We recommend disapproval of this request reducing the appropriation in the amount of \$56,000.

No specific information has been submitted as to the function of the positions requested or to justify the program that will be initiated to achieve the stated objectives.

For some years local law enforcement in many areas of the state has been carrying on an educational campaign in conjunction with the schools and the various news media in an effort to improve the public image of the police officer. Expert consultants from various state agencies for some years have been working full time with communities and local law enforcement throughout the state conducting seminars and community conferences in the field of crime prevention, juvenile delinquency and related subjects that emphasize the need of citizens' cooperation with law enforcement. *We can find no specific basis on which to recommend approval of this financial proposal.*

Law Enforcement Liaison Unit (budget page 727, line 81) ---\$172,000

The department is requesting an appropriation of \$172,000 to provide an additional complement of nine special agents and 2 clerical positions to the Special Service Unit that was established in the Department of Corrections in 1964.

Department of Justice—Continued

We recommend disapproval of this request reducing the appropriation \$172,000.

This request represents an increase of 150 percent in special agent positions requested for this function in the first two years of operation.

The agency states this is to insure maximum protection in supervising the parolees under the jurisdiction of the Department of Corrections. In that department's budget request for 1966-67 we recommended approval of 91 additional parole agent positions for the experimental work unit caseload for the purpose of providing increased supervision for the 5,825 parolees assigned to this reduced caseload program.

The special agents' activities, according to the preliminary information submitted by the department, are as follows:

	<i>Percent of work week</i>
Intelligence and criminal investigations.....	24.2
Fugitive investigations	12.4
Surveillance (organized and violent crime control).....	19.9
Miscellaneous investigations—special assignments	39.3
Liaison and training	4.2
	<hr/> 100.0

No information has been submitted to indicate any deficiencies in the operations of the presently authorized special service unit. Furthermore, if local law enforcement does not provide sufficient staff to maintain surveillance and control of organized and violent crime in the areas for which it is responsible, then it would appear this deficiency will have to be corrected in each local jurisdiction that is deficient.

MILITARY DEPARTMENT

ITEM 195 of the Budget Bill

Budget page 729

**FOR SUPPORT OF MILITARY DEPARTMENT
FROM THE GENERAL FUND**

Amount requested	\$3,336,915
Estimated to be expended in 1965-66 fiscal year	3,973,946
Decrease (16 percent)	<hr/> \$637,031
Increase to improve level of service	\$44,247

TOTAL RECOMMENDED REDUCTION **\$40,935**

Summary of Recommended Reductions

	<i>Amount</i>	<i>Budget Page</i>	<i>Line</i>
Major; operations and training staff officer.....	\$11,964	730	61
Major; operations and military support.....	11,964	730	69
Weekend training phase.....	14,461	732	36
Members of National Guard on active duty.....	2,546	732	38

GENERAL PROGRAM STATEMENT

This department is basically the militia of the State of California and as such it has two major missions. The first is to make available to the Governor a body of trained and armed men to be used at his discretion for the general good and welfare of the state during civil dis-