

DEPARTMENT OF JUSTICE

ITEM 146 of the Budget Bill

Budget page 740

FOR SUPPORT OF THE DEPARTMENT OF JUSTICE
FROM THE GENERAL FUND

Amount requested	\$17,380,024
Estimated to be expended in 1967-68 fiscal year.....	16,510,447
Increase (5.3 percent)	\$869,577
Increase to improve level of service.....	\$171,332
TOTAL RECOMMENDED REDUCTION.....	\$196,531

Summary of Recommended Reductions

	<i>Amount</i>	<i>Budget Page Line</i>	
Division of General Administration			
2 Intermediate typist-clerks	\$9,720	740	69
Division of Civil Law			
3 Deputy Attorneys General II.....	32,187	741	69
Division of Criminal Law			
7 Deputy Attorneys General II.....	77,532	743	12
Reduce in-state travel.....	8,800	743	35
Office Management and Services			
6 Senior legal stenographers.....	37,224	744	25
Bureau of Narcotic Enforcement			
3 Narcotic chemist agents.....	31,068	747	73

Summary of Other Recommendations

Due to excessive estimated salary savings, it is recommended that the Department of Justice reduce the number of positions equivalent to \$600,000

It is recommended that the administrative costs for the tort liability program be separately identified as has been the case in previous years

GENERAL PROGRAM STATEMENT

The Department of Justice, under the direction of the Attorney General, provides legal and law enforcement services. This department is the principal law office in the state in rendering opinions and interpretations and it represents the state in both criminal and civil proceedings. To assist in law enforcement, the department maintains fingerprint and criminal record files for identification purposes, compiles criminal statistics, and assists peace officers in criminal and civil investigations. In addition to these services the department enforces narcotic control laws, and provides modus operandi information and laboratory and photographic services. The department has certain regulatory and enforcement functions relating to consumer fraud, charitable trusts, constitutional rights enforcement, antitrust activities and the state tort liability program.

ANALYSIS AND RECOMMENDATIONS

The budget proposes an appropriation of \$17,380,024 from the General Fund which is \$869,577 or 5.3 percent more than is estimated to be expended during the current fiscal year. In addition to the proposed appropriation from the General Fund, the Department of Justice will provide services to other state and public agencies for which \$2,048,943 in reimbursements is shown. Thus, including \$170,000 from the federal

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government, the total level of proposed expenditures of the Department of Justice for the 1968-69 fiscal year is \$19,598,967.

Salary Savings

When an agency has been authorized a given number of positions, management knows that during the fiscal year a certain percentage of the positions will be vacant for varying periods depending of how difficult it may be to recruit personnel for new or vacated positions. This is budgeted as dollars of salary savings. In the preparation of California's budget, the Department of Finance does not use a specific percentage amount which is uniformly applied to the personal services category of all agencies. As an example, no salary savings are deducted at all in the Governor's office where 91.3 positions are authorized. In the Service Center Program where 749.6 positions are proposed or authorized, the salary savings is estimated at the equivalent of 18.4 man-years which represents 2.5 percent of the personal services budget.

On budget page 748, line 35, the 1968-69 fiscal year budget of the Department of Justice shows salary savings estimated at \$1,034,945, the equivalent of 129.8 positions. This is 8.2 percent of the total personal services category, including 91 proposed new positions.

Proposing salary savings of the magnitude shown in the budget makes the attempt to measure the need for 91 proposed positions difficult. Workload measures are meaningless if the individual bureau ends up with funds for fewer positions than it now has when it is requesting additional positions to meet an anticipated workload. For example, the Bureau of Narcotic Enforcement proposes the addition of 15 new positions because of the increased activities in the narcotic and dangerous drug problems which, according to the department, have become acute, yet the budget states that the bureau must realize the equivalent of 23.6 positions in salary savings. The total in salary savings proposed for this one bureau is \$182,283 and the total amount proposed for the 15 new positions is \$120,468.

We recommend that the Department of Justice reduce the actual number of positions the equivalent of \$600,000 leaving the amount of salary savings at \$434,000 for 1968-69 which corresponds to that which is estimated for the current fiscal year.

Division of General Administration

The executive and managerial functions as well as the fiscal and personnel functions of the department are carried out by this division. The Attorney General and his immediate staff are budgeted within this division.

The fiscal office provides for the accounting, budgeting, auditing, billing and purchasing functions of the department and the personnel office provides for all the services in connection with personnel management.

The amount requested for this function for fiscal year 1968-69 is \$1,255,697 which is an increase of \$56,832 or 4.7 percent over the current fiscal year. The major part of this proposed increase results from three proposed positions and an increase in operating expenses

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caused by an enlargement of library services for proposed new attorney positions.

3 Intermediate typist-clerks (budget page 740, line 69) ----- \$14,580

Three proposed new clerical positions are included for 1968-69 based on a proposed staffing formula which utilizes weighted workload factors for the several classifications of positions proposed in the budget.

We recommend approval of one intermediate typist-clerk and the deletion of two intermediate typist-clerks for a savings of \$9,720 plus related staff benefits.

In the following sections of this analysis we have recommended the deletion of several attorney positions. Should our recommendations be adopted, there will be no need for two of the three clerical positions proposed for this unit.

Legal Services

Legal services are composed of the Division of Civil Law, the Division of Criminal Law and Office Management and Services. The total funds proposed for this function for 1968-69 are \$6,706,952 which is an increase of \$422,992 or 6.7 percent over estimated expenditures for the current fiscal year.

Division of Civil Law

The Division of Civil Law has the responsibility of representing state officers, boards and commissions as counsel in the civil law field. The legal services furnished include the handling of litigation in all courts of the United States, both state and federal, including the United States Supreme Court. Additional services include drafting of contracts, leases and legal documents of all types, consultation relative to legal duties and responsibilities, drafting of proposed legislation and critical analyses of the legal implications of documents, factual situations, legislation and court decisions.

The total expenditures of this division for fiscal year 1968-69 are proposed at \$3,957,795 which includes \$2,275,350 from the General Fund and \$1,682,443 reimbursed for services rendered to special fund agencies. The total expenditure program is \$122,407 or 3.2 percent above the amount estimated to be expended during the current fiscal year.

The increase in expenditures for this division for fiscal year 1968-69 is due mainly to a proposed increase of 10 attorney positions, including one position established administratively during the current year. Two attorney positions were administratively abolished during the current year to reflect their return to the Department of Alcoholic Beverage Control.

1 Deputy Attorney General III (budget page 741, line 56) - \$14,556

This position was added administratively during 1967-68 for work in connection with the Long Beach tidelands and subsistence operations under Chapter 138, Statutes of 1964, 1st Extraordinary Session. The Department of Justice is reimbursed for this expenditure through contract with the State Lands Division of the Department of Finance.

Department of Justice—Continued

The position is proposed for continuance on the same basis for 1968-69.

We recommend approval as budgeted.

1 Deputy Attorney General II (budget page 741, line 67) -- \$10,731

This position is requested for the Public Welfare Section to help handle the caseload of the Subsequent Injury Fund. This "fund" is the title of certain General Fund appropriations which are enacted each session to pay the final awards by the Industrial Accident Commission under the provisions of Sections 4750-4755 of the Labor Code. Since fiscal year 1961-62 there has been a steady increase in the number of hearings held by the deputies at the Los Angeles office.

The number of hearings has been increasing at an average rate of 12 percent per year since fiscal year 1961-62. Fiscal year 1966-67 shows a 91 percent increase over 1961-62. There are currently two positions in the Los Angeles office assigned to this responsibility with no positions added to handle the increased workload since the 1961-62 fiscal year. The actuarial liability of the Subsequent Injury Fund as of December 31, 1966 was \$15,500,529.49.

We recommend approval as budgeted.

8 Deputy Attorneys General II (budget page 741, lines 67 and 69) ----- \$85,833

These positions are being requested for use in the Administrative Law Section. The agency states that the number of cases handled by this unit is increasing at the rate of 13.9 percent per year and will thus show an increase of 29.7 percent for the budget year over the 1966-67 fiscal year workload, when 2,626 cases were filed. It is therefore estimated that 3,407 cases will be filed for 1968-69.

We recommend the deletion of three Deputy Attorneys General II for a savings of \$32,187 plus related staff benefits.

We have analyzed the justification material given to us by the agency and have found the following:

1. The number of cases increased at an average rate of only 6.9 percent per year rather than 13.9 percent as stated by the agency.
2. Using the 6.9-percent figure, the number of cases projected for the budget year is 3,001 instead of 3,407.
3. The projected increase in workload over the 1966-67 level would be 14.3 percent instead of 29.7 percent.

The agency had based its original proposal on this 29.7 percent increase over 1966-67, which was the last year that new positions had been added to this section. The 29.7 percent increase in cases filed since 1966-67 was used as justification for a 29.7 percent increase in the number of attorney positions. Using the 14.3 percent increase figure, a 14.3 percent increase in the number of attorney positions assigned to the Administrative Law Section can be justified. With the existing 32 positions, we recommend an increase of five of the eight proposed attorney positions.

Department of Justice—Continued

Tort Liability

The administrative charges applicable to the Department of Justice were previously budgeted in the Administration and Payment of Tort Liability Claims item. However, for the 1968-69 fiscal year these costs are integrated into the department's overall budget without being specifically identified. We do not recommend that this approach be followed since there will be no identification of the major share of this program's administrative costs which are proposed as \$299,292 for 1968-69. The full program cost is less apparent and more difficult to identify as proposed in the budget.

We recommend that this amount of \$299,292 be transferred back to the tort liability item from this department.

Division of Criminal Law

The Division of Criminal Law consists of the attorney positions in San Francisco, Sacramento and Los Angeles who are engaged in the state's legal work relating to criminal law, criminal writs and appeals, consumer frauds, antitrust, charitable trusts, and other related fields.

For 1968-69, this bureau is requesting 14 new positions plus the continuation of five positions established administratively in the current year to handle the auditing function for the charitable trusts division. The request for 14 positions is composed of nine attorneys for the Writs and Appeals Section, three attorneys for a proposed Organized Crime Unit, and two agents for the Antitrust Section.

1 General auditor III (budget page 742, line 73) ----- \$13,200
4 General auditors II (budget page 742, line 74) ----- \$37,584

These five positions were added administratively during the current fiscal year and are proposed for continuance during 1968-69. The auditing function was previously performed by the Audits Division of the Department of Finance. The Audits Division has stated that it will not be able to provide the necessary manpower for this function. The number of reports filed has increased at the average rate of approximately 30 percent per year.

We recommend approval as budgeted.

9 Deputy Attorneys General II (budget page 743, lines 10 and 12) ----- \$99,704

The agency requests nine attorney positions for the Writs and Appeals Section and three attorney positions for the Organized Crime Unit. The three attorney positions proposed for an Organized Crime Unit will be discussed separately under the Special Services Section of the Bureau of Criminal Identification and Investigation. The request for the nine attorneys for writs and appeals is based on the standard that one attorney is able to process 60 cases per year. Using this standard and the estimated number of filings for 1968-69, the agency estimates that it will need 99 attorneys to process the anticipated writs and appeals workload of 6,204 cases.

We recommend the deletion of seven of the nine proposed positions for a savings of \$77,532 plus related benefits.

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The following table shows the relationship between the number of positions authorized and the number of positions filled for the total number of legal positions in the Criminal Law Section.

Table 1

	1963-64	1964-65	1965-66	1966-67	Average
Number of positions authorized-----	43	51	88	108	
Number of positions filled-----	41.7	48.2	82.3	99.7	
Percent of positions vacant-----	3.0	5.5	6.5	7.7 ¹	5.67

Table 2

**Workload and Man-years Devoted to Writs and Appeals
Activity of Criminal Law Section**

	1963-64	1964-65	1965-66	1966-67	Average
1. Cases filed -----	2,868	4,269	5,183	5,414	
2. Cases closed -----	1,900	3,967	5,125	4,855	
3. Cases pending -----	1,106	2,074	3,226	3,284	
4. Positions authorized ----	36	42	73	90	
5. Positions filled -----	34.9	39.7	68.5	83.1	
6. Average number of positions vacant -----	1.1	2.3	4.5	6.9	
7. Average cases closed per attorney position filled--	54.4	99.9	74.8	58.4	71.9
8. Percent of positions vacant (from Table 1)-----	3.0	5.5	6.5	7.7 ¹	5.67

¹ Higher vacancy factor results from position freeze imposed in January 1967.

We have attempted to determine how many cases an attorney can process in one year in order to develop a meaningful workload standard. We have taken into consideration a position vacancy factor that will show the amount of work that can be accomplished by one filled attorney position.

In Table 1 we have computed the percent of legal positions vacant in the Criminal Law Section for each year based on the figures given to us by the agency. Since writs and appeals comprise approximately 85 percent of all work done in the Criminal Law Section, these percentage figures were applied to the writs and appeals workload activity. By applying the vacancy factor, we determined the average number of attorney positions filled for each year. We then determined the average number of cases closed per filled attorney position per year by dividing the number of filled positions into the actual number of cases closed per year. Averaging this figure for each year, we have determined the workload standard of 71.9 or 72 cases per year per filled attorney position.

By dividing the workload standard of 72 cases per filled attorney position into the agency's projection of 6,204 cases filed for 1968-69, we can justify 86.3 filled attorney positions to complete the case filings for this year. This assumes, however, that for this division to complete its caseload, the number of positions must all be filled. An assumption that all positions can be kept filled cannot be made in light of the vacancy history of this section. Therefore, we have estimated that 92 authorized positions are justified. Applying a vacancy factor of 5.7 percent to 92 positions, there would be 86.8 man-years of attorney time available for the writs and appeals workload. We have recommended the addition of two positions to the existing 90 rather than nine as proposed by the budget.

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2 Agents, trust and trade practices (budget page 743, lines 15 and 17) ----- \$20,702

To date there has been only one investigator available at San Francisco and one at Los Angeles for antitrust activity. The budget proposes the addition of an investigator in San Francisco and one in Los Angeles. The level of antitrust enforcement is a direct function of the staff available. Thus, the rate with which violations of the law can be dealt is a question of policy for legislative decision. Recent successful legislation has returned \$22.5 million to California as a result of price rigging by various firms. The department has stated that the proposed positions are necessary in order to successfully complete several other pending investigations.

We recommend approval as budgeted.

Traveling—in-state (budget page 743, line 35) ----- \$70,480

The department's proposed in-state travel expense is computed by taking a fixed amount of funds for each proposed new position and adding this amount to the estimated expenditures of the current year. These amounts are:

Attorney, Organized Crime Unit -----	\$1,500
Attorney, Writs and Appeals Section -----	500
Agent, trust and trade practices -----	1,000

We recommend that this in-state travel amount be reduced to \$61,680 for a reduction of \$8,800.

An apparent error has been made in the budgeting of \$70,480 for in-state travel for the Criminal Law Section. On the basis of the total number of positions proposed, the amount should be \$61,680 as we have recommended.

Office Management and Services

The Office Management and Services staff provides the necessary supervision, stenographic, clerical and library support for the legal staff of the department. These support functions are under the overall supervision and direction of the assistant Attorneys General II in charge of each legal office.

The amount of funds proposed for this division for 1968-69 is \$1,846,196 which is an increase of \$121,458 or 7 percent over estimated expenditures for the current fiscal year.

0.5 Senior legal stenographer (budget page 744, line 12) ---- \$3,258

This one-half position was added administratively during the current year in support of an attorney position in the Division of Criminal Law in connection with the Long Beach tidelands operation. It is proposed for continuance for 1968-69.

We recommend approval as budgeted.

12 Senior legal stenographers (budget page 744, line 25) -- \$74,448

These positions are proposed by the agency to handle the clerical work for 18 proposed new attorneys. In addition, two stenographers for the three attorneys proposed for the Organized Crime Unit will be dis-

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cussed separately under the Special Services Section of the Bureau of Criminal Identification and Investigation.

We recommend the deletion of six of these positions for a reduction of \$37,224 plus related staff benefits.

This recommendation results from our previous recommendation for a reduction in proposed attorney positions. Applying the departmental staffing formula of two senior legal stenographers for each three attorneys, we find justification for six stenographers.

0.5 Intermediate clerk (budget page 744, line 28) ----- \$2,430

This one-half position is proposed to handle increased workload on a part-time basis. The position is to staff a recently added branch law library in the Los Angeles office.

We recommend approval as budgeted.

Division of Law Enforcement

The Division of Law Enforcement consists of the various law enforcement services, namely the Bureaus of Criminal Identification and Investigation, Criminal Statistics and Narcotic Enforcement, and the law enforcement executive function.

The total amount requested for this division from the General Fund in 1968-69 is \$9,417,375 which is an increase of \$389,753, or 4.3 percent, over the estimated expenditures for the current year and is distributed by function as follows:

	<i>Estimated 1967-68</i>	<i>Proposed 1968-69</i>	<i>Increase over prior year amount</i>	<i>Percent increase</i>
Executive -----	\$1,863,002	\$1,875,311	\$12,309	0.7%
Bureau of Criminal Statistics -----	583,123	598,825	15,702	2.7
Bureau of Criminal Identification and Investi- gation -----	4,351,576	4,661,697	310,121	7.1
Bureau of Nar- cotic Enforce- ment -----	2,229,921	2,281,542	51,621	2.3
Totals -----	\$9,027,622	\$9,417,375	\$389,753	4.3

Each of these units will be discussed in order.

Executive

The executive function consists largely of the deputy director's office, the data processing and teletype sections and the management analysis group.

For fiscal year 1968-69 this unit is requesting a General Fund appropriation of \$1,875,311 which is an increase of \$12,309 or 0.7 percent over estimated current year expenditures. This increase is mainly reflected by the request of 7.5 new positions for the Data Processing Section. Seven of the positions have been established administratively during the current year and are proposed as new positions for the budget year.

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1 Key punch supervisor I (budget page 745, line 28) -----	\$5,628
5 Key punch operator (budget page 745, line 29) -----	24,900

An increase in cards to be processed during 1968-69 is estimated at 918,000. With the average rate of cards punched and verified per year per operator being 133,500, the figure for additional operators needed would be in line with the projected workload. These positions will be assigned to the night shift. One supervisor is proposed for the five operators.

We recommend approval of the 5 key punch operators and one key punch supervisor as budgeted.

1 Computer operator (budget page 745, line 27) -----	\$6,360
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One computer operator is proposed to serve as a data processing tape librarian and for security reasons would be the only person permitted to handle tapes and magazines. Tape and magazine files must be carefully controlled to guard against inadvertent destruction of the data contained in them. In the event of such data destruction, thousands of dollars worth of personnel and computer time would be required to reconstruct the lost data. An even more serious problem would be that this information would be unavailable to police agencies during this period.

We recommend approval as budgeted.

0.5 Teletypewriter operator (budget page 745, line 31) -----	\$2,676
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The number of messages carried over the telecommunications network has increased at the average rate of 9 percent per year. Because of this trend, 1,396 hours of overtime were worked in 1966-67. In the past, peak workload periods were the root of overtime work and therefore compensating time off during relatively slack periods solved the overtime problem. However, the general increase in workload has prohibited the use of CTO as a method of financing peak workload overtime hours. One-half a position is requested to make up the deficiency in the teletype staff.

We recommend approval as budgeted.

Bureau of Criminal Statistics

It is the responsibility of this bureau to gather and report statistical information on crime, its incidence, arrests, and dispositions. Statutes require this unit to report annually to the Governor, the Legislature and others on the extent and nature of crime and delinquency and the effectiveness of agencies that administer criminal justice in California.

Total proposed expenditures amount to \$598,825 which is an increase of \$15,702 or 2.7 percent over estimated expenditures for the current year. The increase in expenditures is due to merit salary increases and staff benefits. No new positions are requested for fiscal year 1968-69.

Bureau of Criminal Identification and Investigation

Penal Code, Sections 11000 to 13000, provides the general foundation upon which the functions of the Bureau of Criminal Identification and

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Investigation are based. The bureau is also assigned certain specific functions in addition to the generalized authority as set forth in the Penal Code.

The bureau conducts two major programs to which all units of the bureau contribute. Essentially, every bureau function is aimed at either the identification of persons or property, or the conducting of investigations. The bureau serves as a central records depository for law enforcement agencies throughout the state. These records are processed and the accumulated information is made available to law enforcement agencies as prescribed by law.

For fiscal year 1968-69 the bureau is proposing a General Fund appropriation of \$4,661,697 which is \$310,121 or 7.1 percent above the estimated expenditures for the current year. Not included in this amount is \$345,300 of reimbursements from other state and public agencies for services rendered.

The increase for fiscal year 1968-69 results from the proposal to add 28 new positions. Of these 28 positions, 13 are for a proposed Organized Crime Unit and will be discussed separately.

1 *Senior typist-clerk (budget page 746, line 76)* ----- \$5,484

This position is requested to process petitions for record sealings. The record sealing process was initiated by legislation passed during the 1961 session and has been expanded and enlarged during succeeding sessions. The responsibility for handling this program has been delegated to the night supervisor. However, the current volume is such that he is unable to continue personally handling this activity without neglecting his supervisory responsibilities.

We recommend approval as budgeted.

1 *Fingerprint examiner II (budget page 746, line 78)* ----- \$7,368

3 *Fingerprint examiners I (budget page 746, line 79)* ----- 18,630

The number of fingerprints received by the bureau for processing is increasing at the rate of approximately 34,000 prints per year. For fiscal year 1968-69 it is estimated that a total of 1,271,230 prints will be received by the department. Incorporating the current staffing standard, these proposed positions will maintain the fingerprint section at the current level of service.

We recommend approval as budgeted.

1 *Junior intermediate typist-clerk (budget page 747, line 10)* ----- \$4,860

2 *Junior intermediate clerks (budget page 747, line 11)* ----- 9,720

These positions are proposed for use in the Records Section. The Records Section's functions are: to search, by name, material received from other sections of CI&I and from other state and local law enforcement agencies in an attempt to identify it with a previous record on file; to establish and maintain records from fingerprint cards, FBI sheets, and additional arrest and disposition sheets; to advise agencies of the record, if any, on applicants or arrestees, of individuals wanted

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by other agencies, of subject violating parole or probation, of sex registration violators, of subjects with narcotic arrests, etc.

The agency bases its request for two clerical positions on a projected workload figure. The workload consists of name searching in the soundex unit, folder updating, making of transcripts and typing of records. The units of workload are anticipated to increase by 2.6 per cent in the budget year. It is anticipated that the increase can be handled by the two proposed positions.

We recommend approval as budgeted.

1 Senior modus operandi analyst (budget page 747, line 13) -	\$9,852
2 Intermediate modus operandi analysts (budget page 747, line 14) -----	14,736
1 Teletypewriter operator (budget page 747, line 16) -----	5,352
1 Intermediate typist-clerk (budget page 747, line 17) -----	4,860
2 Intermediate clerks (budget page 747, line 18) -----	9,720

These positions are proposed for use in the Special Services Section on the basis of increased workload. The two intermediate modus operandi analysts and the four clerical positions are requested on the basis of the accepted staffing standards to process the increase in workload. We have reviewed the projected workload and the staffing standard and recommend that the positions be approved in order to maintain the current level of service.

The senior modus operandi analyst is proposed to supervise the night shift three nights a week and the morning shift two nights a week resulting in adequate supervision on all shifts.

We recommend approval as budgeted.

Organized Crime Unit

The President's Crime Commission has recommended that every state establish a unit to combat organized crime. The Attorney General has determined that a total of 22 positions is the minimum number required to accomplish this program. The total unit will be composed of 15 investigators, 3 attorneys, and 4 clerical positions. Their function will be to assist local agencies in the investigation of known criminals, criminal cartel money invested in legitimate business, loan sharking, organized gambling, and any other activities that may be uncovered in the investigative process.

3 Deputy Attorneys General II (budget page 743, lines 10 and 12) -----	\$31,168
2 Senior legal stenographers (budget page 744, lines 21 and 23) -----	12,408
11 Special agents I (budget page 747, line 20) -----	114,420
2 Senior stenographers (budget page 747, line 21) -----	11,256

Four new positions were authorized to investigate organized crime in the 1967-68 fiscal year. Thus, the budget proposes the addition of 18 positions consisting of the 3 attorneys, 11 agents and 4 clerical positions. The attorneys will provide legal advice to the unit and to local agencies. They will also be used to advise as to legislation that will

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assist efforts to combat organized crime. The supporting clerical positions are also included.

The department states that two-thirds of the active organized criminals operate in the Los Angeles-San Diego area with the balance centered in the San Francisco-San Jose area, and a small number working in the central valley. The proposed unit would be staffed accordingly, with most of the agents located in the Los Angeles area.

We recommend approval as budgeted. We further recommend that the 22 positions be treated as a separate unit and that a report be submitted annually to the Legislature which will show the activities of the unit including an indication as to the magnitude of the organized crime problem in California.

Bureau of Narcotic Enforcement

The Bureau of Narcotic Enforcement is responsible for the enforcement of Sections 11000-11853 of the Health and Safety Code and Article 8 of the Business and Professions Code relating to the use or abuse of narcotics and dangerous drugs. The major duties of the bureau are the custodial functions connected with the legitimate prescribing and dispensing of narcotics and the enforcement duties regarding the illegal trafficking, sale and use of narcotics and dangerous drugs. The bureau maintains offices in San Francisco, Los Angeles, Sacramento, Fresno, San Diego and Santa Ana. The bureau cooperates with federal and local agencies which also have responsibilities in this type of law enforcement.

The total amount of \$2,281,542 is proposed for fiscal year 1968-69 for the narcotic enforcement program which is an increase of \$51,621 or 2.3 percent over estimated expenditures for the current year.

The 1968-69 budget proposes an increase of 15 new positions consisting of seven narcotic agent trainees, two intermediate stenographers, and six narcotic chemist agents.

7 Narcotic agent trainees (budget page 747, line 74) ----- \$47,880
 2 Intermediate stenographers (budget page 747, line 75) --- 10,452

Projections made by the Bureau of Criminal Statistics indicate that drug arrests in California will continue to increase at a rapid rate. The following tables show the actual number of arrests and the projections by calendar year and the actual workload figure pertaining to narcotic agents and chemists.

Table 1

	Actual		Estimated		
	1965	1966	1967	1968	1969
Marijuana arrests					
Adults -----	8,383	14,209	24,000	29,000	34,000
Juveniles -----	1,619	4,034	9,000	12,500	14,000
Heroin arrests					
Adults -----	2,594	2,610	2,900	3,000	3,100
Juveniles -----	29	61	86	98	110
Dangerous drug arrests					
Adults -----	5,930	6,064	7,600	9,000	10,500
Juveniles -----	951	1,007	1,800	2,000	2,500

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Table 2

	Actual			Estimated 1968
	1965	1966	1967	
Chemists				
Court time (hours) per man.....	704	773	1,055	837
Annual actual and estimated chemical analyses workload.....	3,278	4,193	6,665	8,800
Agents				
Workload (investigations closed per agent, includes chemists).....	2,567	2,875	3,964	4,439
Average hours of overtime per agent per year.....	526	641	619	600

Drug arrests for both adults and juveniles are increasing at a rapid rate. Correspondingly, the court time of agents and chemists, the agent workload, the number of public presentations, and the number of investigations are also rapidly increasing. Narcotic agents have been working at an average of over 50 hours of overtime per man per month. With the tremendous increase in narcotics trafficking, the bureau has not been able to adequately respond to citizen reports of possible law violations or to give assistance to local police agencies.

We recommend approval as budgeted.

6 Narcotic chemist-agents (budget page 747, line 73) ----- \$62,136

This request is based on the bureau's backlog of chemical analyses and unpaid overtime hours. Referring to Table 2, the average chemist makes approximately 110 chemical analyses per month and about 90 court appearances per month. The bureau is proposing one new chemist position for each of its six offices.

We recommend the deletion of three narcotic chemist-agents for a reduction of \$31,068 plus related staff benefits.

The bureau's new office in Santa Ana has only been in operation since December 4, 1967. This office has no laboratory facilities and has been receiving the greater part of its laboratory work from the Los Angeles and San Diego chemical laboratories. The Santa Ana office has been authorized a chemist but has not filled this position. Recognizing that the Santa Ana office is new and that its number of analyses is small (only 22 for the month of December) and that there are no laboratory facilities for either the authorized or the proposed chemist, we cannot recommend approval of the proposed position.

The San Francisco office is authorized two chemist positions, of which one has been continuously vacant.

We recommend that the department fill the existing two vacant chemist positions, transfer the Santa Ana position to another office, and distribute the three chemist positions we are recommending to Los Angeles, San Diego and Sacramento. If this recommendation is followed, there will then be two chemists in each office that has physical facilities for providing chemical analyses.

Department of Justice
COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

ITEM 147 of the Budget Bill

Budget page 749

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

Amount requested -----	\$155,253
Estimated to be expended in 1967-68 fiscal year -----	112,049
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Increase (38.6 percent) -----	\$43,204
Increase to improve level of service -----	\$28,026

TOTAL RECOMMENDED REDUCTION ----- None

GENERAL PROGRAM STATEMENT

The Commission on Peace Officers' Standards and Training is composed of nine members and is responsible for establishing minimum standards of physical, mental and moral fitness for the recruitment and training of city and county peace officers. These standards apply to those jurisdictions that receive state aid for peace officer training through the provisions of Chapter 1823, Statutes of 1959. Each jurisdiction that participates in this program is entitled to reimbursement from the Peace Officers' Training Fund of up to 50 percent of all salaries and expenses of peace officers in training. The revenues accruing to the fund are derived from an assessment on criminal fines.

ANALYSIS AND RECOMMENDATIONS

The amount requested for support of the Commission on Peace Officers' Standards and Training from the Peace Officers' Training Fund for 1968-69 is \$155,253 which is an increase of \$43,204 or 38.6 percent over estimated expenditures for the current fiscal year. This increase is due mainly to merit salary increases plus three proposed new positions.

2 Police consultant (budget page 750, line 30) ----- \$22,800
1 Intermediate stenographer (budget page 750, line 31) ----- \$5,226

The budget proposes an expansion in the number of hours in the basic training course for police officers. During the 1968-69 fiscal year it is planned to increase from 200 to 300 the number of hours in the basic training course in order to meet the increasing demand for basic training necessary for an officer to adequately perform his duties. The increase in the level of service results from the passage of Chapter 1640, Statutes of 1967, which increased the penalty assessment from \$2 for every \$20 of criminal fines to \$5 for every \$20 of criminal fines.

To provide for this expansion, two police consultant and one intermediate stenographer positions are proposed for the 1968-69 fiscal year. *We recommend approval of the proposed three positions as budgeted.*

In addition to the proposed three positions listed above, two federally funded positions were established during the current year and are proposed for continuance during 1968-69.

Commission on Peace Officers' Standards and Training—Continued

1 Project director (budget page 750, line 24)-----	\$15,000
1 Senior stenographer (budget page 750, line 25)-----	\$5,858

These two positions were established in the current year for a federally funded Law Enforcement Recruitment Project. The project is to determine the problems involved with the recruitment of qualified personnel into law enforcement careers and to formulate a plan for the removal of the problem. These positions are proposed for continuance.

We recommend approval as budgeted.

CALIFORNIA COUNCIL ON CRIMINAL JUSTICE

ITEM 148 of the Budget Bill

Budget page 751

FOR SUPPORT OF THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE FROM THE GENERAL FUND

Amount requested -----	\$50,000
Estimated to be expended in 1967-68 fiscal year-----	25,000
Increase (100 percent) -----	\$25,000

TOTAL RECOMMENDED REDUCTION----- None

GENERAL PROGRAM STATEMENT

The California Council on Criminal Justice, created by Chapter 1661, Statutes of 1967, is composed of 25 members. The statutes provide that the council shall develop plans for the prevention, detection and control of crime in the administration of criminal justice, encourage coordination, planning and research by law enforcement and criminal justice agencies throughout the state and act as a clearinghouse for proposals and projects in this field. The council will develop plans for the dissemination of information on proposed, existing and completed research and development projects and advise the Governor and the Legislature and other state agencies who handle criminal justice matters. The council is also responsible for approving the annual budget of the California Crime Technological Research Foundation.

ANALYSIS AND RECOMMENDATIONS

The total amount proposed for fiscal year 1968-69 is \$50,000. This is an increase of \$25,000 or 100 percent over that which is estimated to be expended during the current fiscal year. This increase results from the fact that although \$50,000 was appropriated for the 1967-68 fiscal year, only \$25,000 will be expended reflecting partial year costs.

The executive officer and a supporting clerical position were established administratively during the current year and are proposed for continuance for fiscal year 1968-69.

We recommend approval as budgeted.

CALIFORNIA CRIME TECHNOLOGICAL RESEARCH FOUNDATION

ITEM 149 of the Budget Bill

Budget page 752

FOR SUPPORT OF THE CALIFORNIA CRIME TECHNOLOGICAL RESEARCH FOUNDATION FROM THE GENERAL FUND

Amount requested -----	\$25,000
Estimated to be expended in 1967-68 fiscal year -----	50,000
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Decrease (50 percent) -----	\$25,000
TOTAL RECOMMENDED REDUCTION -----	None

GENERAL PROGRAM STATEMENT

The California Crime Technological Research Foundation was established by Chapter 1661, Statutes of 1967. The foundation is a public corporation composed of 15 members and is to foster and support scientific and technological research in California. The members are to identify, review and evaluate research developments applied to the detection and prevention of crime and the treatment of criminals. They will sponsor and conduct conferences and studies, collect information and issue periodic reports relating to research concerning the detection and prevention of crime. As of the preparation of this analysis, no report has been submitted and we have no substantive basis for reviewing performance to date on this new program.

The budget of the foundation is subject to the approval of the California Council on Criminal Justice.

ANALYSIS AND RECOMMENDATIONS

The total amount of \$25,000 is proposed for the budget year. This is a decrease of \$25,000 or 50 percent from estimated expenditures of \$50,000 for fiscal year 1967-68.

We recommend approval as budgeted, since the amount requested appears adequate to carry out the legislative intent.

MILITARY DEPARTMENT

ITEM 150 of the Budget Bill

Budget page 753

FOR SUPPORT OF THE MILITARY DEPARTMENT FROM THE GENERAL FUND

Amount requested -----	\$3,812,457
Estimated to be expended in 1967-68 fiscal year -----	3,627,091
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Increase (4.9 percent) -----	\$185,366
TOTAL RECOMMENDED REDUCTION -----	None

GENERAL PROGRAM STATEMENT

The Military Department includes the Office of the Adjutant General, the National Guard, the State Military Reserve, the California Cadet Corps and the Naval Militia. The legal authority for the present organization is found in the Military and Veterans Code, Sections 50-54 and 100-472, for the National Guard Reserve in Sections 51 and 550-567, and for the California Cadet Corps in Sections 51 and 500-520.1.