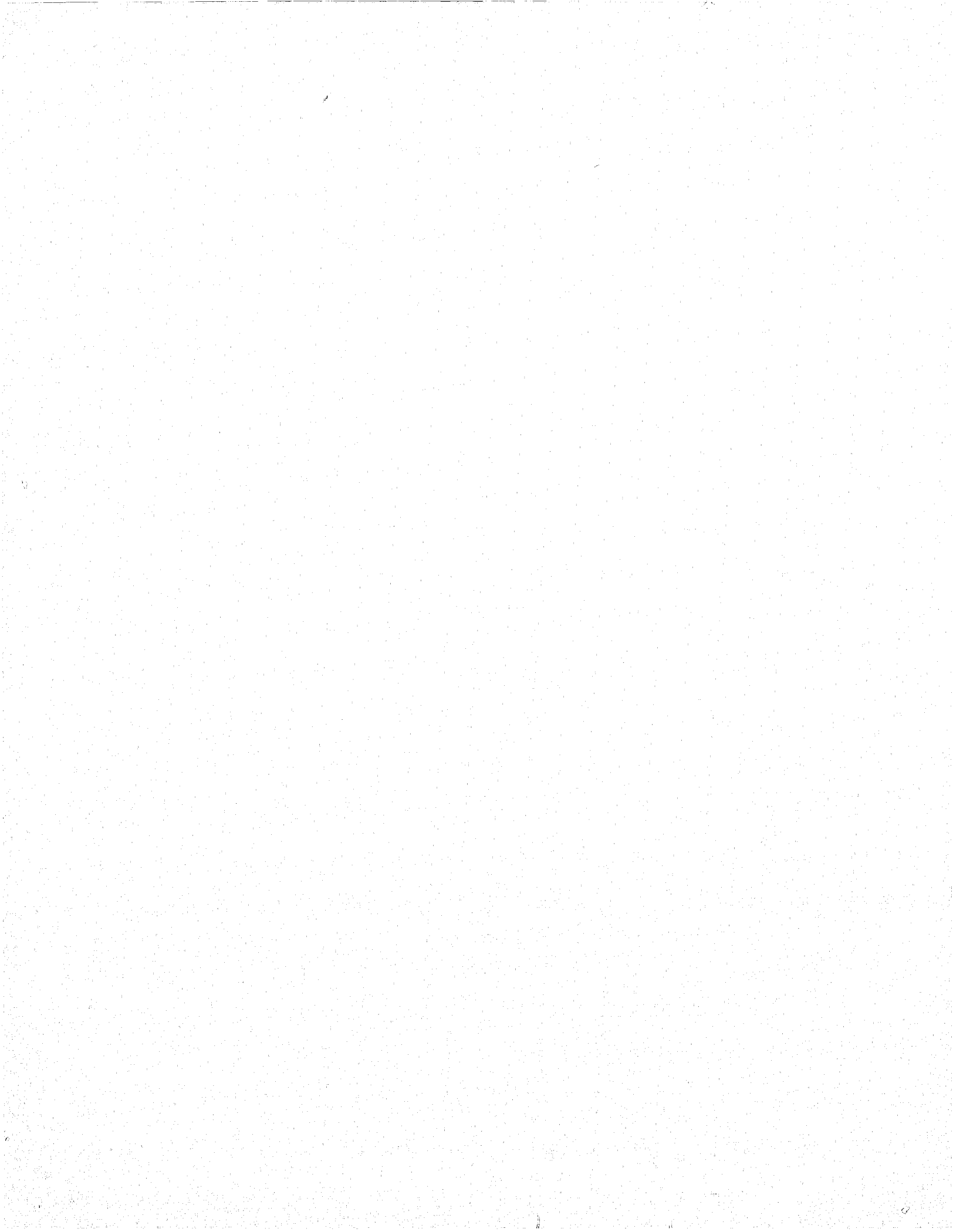


STATE OF CALIFORNIA
OFFICE OF CRIMINAL JUSTICE PLANNING

**California's Legislative
Anti-Crime Initiatives
Based On
Intergovernmental Planning**

April, 1978

477774



OFFICE OF CRIMINAL JUSTICE PLANNING
OFFICE OF THE DIRECTOR
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NCJRS

MAY 22 1978

FOREWORD

ACQUISITIONS

This summary report has been developed in response to the increasing number of inquiries that we at the Office of Criminal Justice Planning are receiving concerning this State's:

- Anti-Crime Legislative Initiatives
- Intergovernmental Planning Process Used To Develop Priority Programs; and
- The Specific Priority Programs

Included in the document is a step-by-step description of the intergovernmental-oriented planning process used to identify and refine the sixteen priority programs adopted by the California Council on Criminal Justice:

1. Reduce major crime through community involvement programs.
2. Reduce robbery, burglary and related crimes by reducing the opportunity to dispose of stolen property, better coordinating the detection, apprehension and trial of offenders, and implementing public prevention and community resistance programs.
3. Reduction and prevention of illegal trafficking in drugs.
4. Provide assistance to crime victims and witnesses through advocacy, service restitution, preventive counseling and education projects.
5. Support the efforts of state and local agencies to implement AB 3121 and SB 42, and related legislative changes.
6. Support multiagency efforts to reduce crimes through coordinated apprehension, trial and disposition of repeat offenders.
7. Provide for improved re-entry services for youthful and adult parolees and other ex-offenders.
8. Develop improved management, organization, and training in the courts.
9. Improve youth development and employment opportunities for young people who are at risk of becoming delinquents.
10. Increase the use of diversion and sentencing alternatives in appropriate cases.

11. Expand and improve prevention and diversion services to juveniles at risk of becoming delinquents by increasing the coordination and cooperation and agency accountability of public and private agencies.
12. Involve schools in diversion and prevention programs to reduce delinquent behavior.
13. Develop coordinated efforts among law enforcement, health, welfare, medical, educational, legal and other related agencies to reduce the incidence of child abuse.
14. Improve coordination among criminal justice agencies in dealing with organized criminal activities.
15. Prevent and reduce senior citizen victimization through improved sensitivity in public service delivery counseling, education, research and training.
16. Provide for research, analysis and evaluation of criminal justice data that will improve the decision making within the criminal justice system.

The program development process and the legislative initiatives set forth in this document will bear witness to California's desire to build on the benefits of "lessons learned" from LEAA funded efforts. Commitment to this objective can best be exemplified by this State's efforts in:

1. Building a "permanence" into the LEAA program by using Federal funds to influence the expenditure of other local and State funds in the budget process, and to support the development and, in some cases, implementation of substantive Legislative initiatives.
2. Encouraging continued intergovernmental cooperation and coordination between local, State and Federal agencies.

Questions dealing with this report, or requests for additional information, should be directed to this office by calling (916) 445-9156.

There are many individuals who have shared responsibility for the development and success of this effort. While it would be difficult to name all of those who have contributed their time and professional knowledge, a special note of thanks and appreciation goes to Douglas L. Brown, California's State Representative from the Law Enforcement Assistance Administration, for his help and guidance in the 1978 plan development process.

Sincerely,



DOUGLAS R. CUNNINGHAM
Executive Director

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CALIFORNIA'S LEGISLATIVE ANTI-CRIME INITIATIVES
BASED ON INTERGOVERNMENTAL PLANNING

I. INTRODUCTION

Over three years ago California's state administration examined the operations of various state agencies, one of which was the Office of Criminal Justice Planning, responsible for administering the LEAA program in California. The results of that review pointed out:

1. Burdensome compliance-oriented formal planning based on very detailed written guidelines.
2. Excessive administrative overhead costs generated by the rather complex "paper producing" planning guidelines; and
3. Limited involvement of local elected officials in the decision-making process, and "end running" of county and city budget processes; and
4. Limited success in building LEAA-funded programs into the on-going operation of local and state government agencies after federal funding ceased.

In an attempt to salvage and redirect the program in California, the state's administration and newly appointed supervisory board, the California Council on Criminal Justice (CCCJ), set out to deal with the issues at hand.

In recognition of the fact that the LEAA program was intended to serve as a vehicle for developing and testing anti-crime approaches

which, if they demonstrated to be successful, would be incorporated into justice agency operations, it was agreed that redirection efforts should emphasize:

1. Building a "permanence" into the LEAA program by encouraging the active involvement and participation of elected local and state government officials in the decision-making process to:
 - a. Assure coordination of LEAA monies with other fund sources such as the annual budget process; and
 - b. Increase the possibility of translating successful program techniques into substantive legislation.
2. The encouragement of intergovernmental cooperation and coordination among criminal justice and government agencies in the program planning process.

The following sections of this document describe the activities undertaken by the CCCJ to redirect the program in California.

II. REDIRECTING THE LEAA PROGRAM IN CALIFORNIA

A. Background

In 1976, under the leadership of a new state administration and the CCCJ, OCJP received a fundamental redirection in its criminal justice planning efforts. The State Plan for 1977 carried forward the first major thrusts of this new direction. One major outcome of the 1977 planning process was the expression of concern by numerous CCCJ members that the crime control program in California needed more direction and focus to avoid a "shotgun approach" since the amount of federal funds available were rather limited when compared with the long list of crime-related problems. The recurring question raised by CCCJ was "What impact has been and can be accomplished with such a small amount of money?".

In November 1976, the CCCJ initiated a policy development process involving local government, planning regions and other interested organizations. This process concluded in January 1977 with the adoption of Guiding Principles and Policies dealing with the administration of the Crime Control Program in California.

While a number of the policies deal with the state's planning process, of particular importance is Policy No. 202, "Development of Programs Under the State Policy Plan," since it sets out an orderly process for focusing LEAA action money on rather specific programs. A more detailed discussion of how this policy and others related to the planning process have been implemented is contained in this section of the report.

(Please refer to the Appendix, Tab I, for a complete set of CCCJ Guiding Principles and Policies.)

The CCCJ 1978 planning effort focused on two major activities:

- Development of priority programs; and
- Identification and development of Goals and Objectives which support the priority programs.

B. Program Development

As already indicated, the CCCJ adopted several Guiding Principles and Policies dealing with the preparation of the State's 1978 State Plan. The policy statement most related to the identification of priority problems and programs is:

No. 202 - Development of Programs Under the State Policy Plan

CCCJ will establish specific policy guidelines for the preparation of the State Policy Plan. CCCJ will approve the State Policy Plan on the basis of program-level emphasis and adherence to the policy guidelines. The OCJP Director will certify to the CCCJ that projects funded under the plan meet CCCJ guidelines.

Differences between local planning boards and the OCJP Director on matters relating to CCCJ guidelines will be resolved by the CCCJ in accordance with an appeals procedure. CCCJ will not routinely review local plans except as these are aggregated into the State Policy Plan, nor will CCCJ routinely review local projects. However, at the request of any member of the CCCJ, any local plan or project may be subject to Council review in accordance with its rules.

The policy guidelines for the preparation of the State Plan as set forth in this policy will include the requirement that each local board and the state agency planning group will allocate uncommitted LEAA action money under its control as follows:

- 1. Not less than half of the money to three or less programs selected from a list of specific programs predetermined and narrowly defined by CCCJ;*
- 2. Not less than half of the balance of the money to the single most pressing criminal or juvenile justice problem in the planning body's jurisdiction, selected on the basis of its analysis of crime statistics and system deficiencies; and*
- 3. The balance of funds to any other programs directed toward crime and delinquency control or prevention.*

To begin implementation of this policy, the CCCJ at its March 18, 1977, meeting adopted a two-phased process to identify criminal justice problems in the State and develop specific programs to deal with these problems.

The remainder of this section describes this process in more detail and explains the outcomes.

The process adopted by the CCCJ for developing programs was carried out in two parts:

- (1) Problem Identification, and
- (2) Program Development

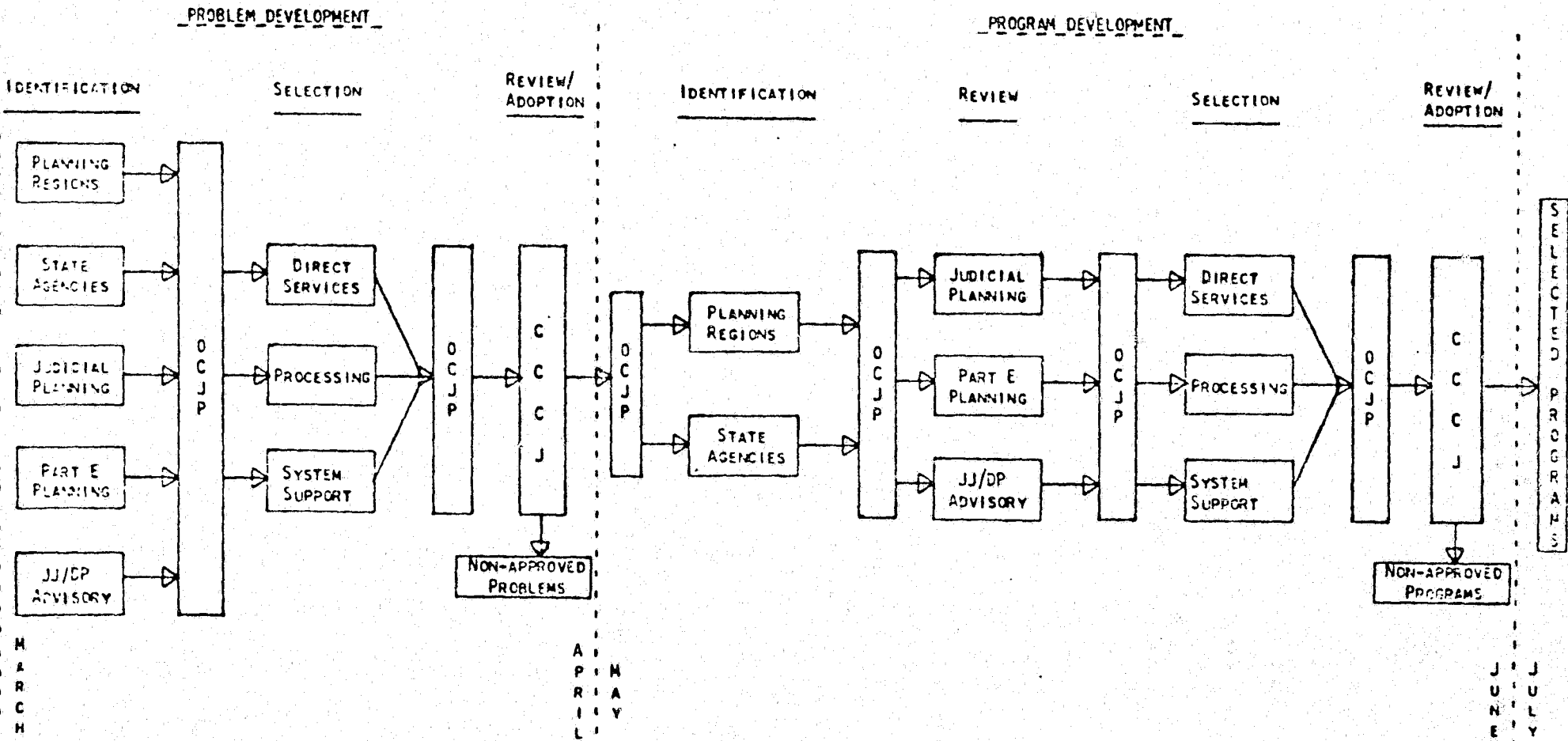
It should be noted that both of these efforts involved the Council's three program committees, the Judicial Planning Committee (JPC), Juvenile Justice Delinquency Prevention (JJDP) Advisory Group, Part E (Corrections) Planning Committee, Local and Regional Planning Units, State Agency Planning Committee, and other interested organizations such as the California District Attorneys' Association, California Public Defenders' Association and California Peace Officers' Association. The chart on page 7 depicts the process, leading from the identification of problems through the selection of responsive programs.

Since the CCCJ's three program committees played a major role in this process, it should be pointed out that each contains a mix of public, law enforcement, courts and corrections members as well as local and state elected officials. The committees, made up of CCCJ members, are listed on page 8.

1. Problem Identification

To identify the state's most pressing crime and criminal justice system problems, the Council and its three committees considered:

DEVELOPMENT OF SPECIFIC PROGRAMS UNDER THE STATE POLICY PLAN



CCCJ COMMITTEE ASSIGNMENTS

DIRECT SERVICES TO PREVENT & CONTROL CRIME & DELINQUENCY

Chairman Joe Freitas
District Attorney
City and County of
San Francisco

Vice
Chairman Honorable Harry Low
Judge, Superior Court
City and County of
San Francisco

Honorable James Bucher
Chairman, Imperial County
Board of Supervisors

Jim Grant
Sheriff
Yuba County

Quentin Kopp
County Supervisor
City and County of
San Francisco

Honorable Kenneth L. Maddy
State Assemblyman

Jerry Marr
Adult Probation Supervisor
County of San Mateo

Barbara McDonald
Deputy Public Defender
Orange County

Alice Travis
Public Member
City of Los Angeles

Pearl West
Director
California Youth Authority

PROCESSING WITHIN THE CRIMINAL JUSTICE SYSTEM

Chairman Ralph Nunez
Public Member
Fresno

Vice
Chairman Honorable Melvin Cohn
Judge, Superior Court
County of San Mateo

Charles Barrett
Chief Deputy Attorney General

Dave Cunningham
City Councilman
City of Los Angeles

Lou Cushenberry
Public Member
Sacramento

Jerry Enomoto
Director
Department of Corrections

Richard A. Frank
Acting Administrative Director
Judicial Council of California

Paul Halvonik
State Public Defender

Salvatorre V. Rosano
Chief of Police
City of Santa Rosa

SYSTEM SUPPORT ACTIVITIES

Chairman Dr. Carl Werthman
Criminal Justice Researcher
USC, Los Angeles

Vice
Chairman Glen Craig
Commissioner
California Highway Patrol

Rose Elizabeth Bird
Chief Justice
State Supreme Court

Myron A. Hesse
Public Member
San Diego

Lowell Jensen
District Attorney
County of Alameda

Burt Pines
City Attorney
City of Los Angeles

James Queen
Public Member
San Francisco

Sergeant Harold K. Ratliff
San Jose Police Department
San Jose

Honorable Alfred Song
State Senator

James Wilson
Vice Mayor
City of Long Beach

Note. CCCJ Chairman is ex-officio member of all committees.

- Problems and needs identified by the 21 Planning Regions in their 1977 Plans.
- Problems and needs identified by the State Agency Planning Committee composed of state-level criminal justice leaders.
- Crime trends and statistics.
- Problems recommended by the Judicial Planning Committee, Juvenile Justice Advisory Committee and Part E (Corrections) Committee.

When prioritizing problem statements, the Council and its three committees used the following criteria:

1. What is the magnitude of the problem?
2. Does this problem affect more than one segment of the criminal justice system?
3. Would the problem foreseeably be alleviated by the expenditure of any reasonable amount of money?
4. How broad a group of agencies, local boards and advisory groups identified this as a problem?
5. Does this problem fall within a special emphasis category specified in the federal legislation?

6. To what extent is the community level concerned with this problem?
7. If funds are directed at this problem, would state or local support continue after federal subvention?
8. Could the response to this problem involve volunteer efforts during or after the period of federal funding support?
9. To what extent is this problem directly related to the prevention or control of crime and delinquency?
10. Would solutions of this problem improve the operations of the criminal justice system?
11. Are potential solutions to the problem severely restricted by statutory or court decision authority?
12. Is the problem related to the direct delivery of criminal justice services? If so, is the group to be dealt with of adequate size or merit attention?
13. What impact has been had by previous efforts to solve this problem?
14. Has responsibility for dealing with this problem already been assigned to a particular agency or level of government?
15. Does the problem deal with the implementation of recently enacted state legislation, i.e., SB 42, AB 3121, and others?

The problem development effort resulted in the CCCJ adopting a list of 19 problems:

1. *High incident of juvenile crime and delinquency.*
2. *The impact of recent major changes of state law involving both adult and juvenile systems.*
3. *Structure, training and management needs of the courts.*
4. *Inadequate attention to witnesses and victims, particularly the elderly, criminally exploited and abused children and sexually abused women.*
5. *Diversion programs and sentencing alternatives are inadequate.*
6. *Need for improved management throughout the justice system and for improved training for system personnel and other agency staff in direct contact with the formal system.*
7. *Unacceptably high rates of robbery and other theft crimes against persons.*
8. *Citizen involvement in crime resistance is insufficient.*
9. *Need for research, evaluation and statistical analysis.*

10. *Burglary in California is intolerably high, especially residential burglary.*
11. *Re-entry programs for ex-offenders are inadequate.*
12. *Insufficient personnel in the criminal justice system, especially in the courts.*
13. *Fraud and other offenses against consumers.*
14. *Correctional programs for all agencies are inadequate.*
15. *Classification and prosecution of arrested persons, especially repeated offenders, is inadequate and untimely.*
16. *Lack of coordination among criminal justice agencies in dealing with organized criminal activities, and lack of coordination in utilization of criminal justice services and facilities, particularly in law enforcement.*
17. *Activities of terrorists including crime involving prison-based gangs.*
18. *Correctional programs and facilities for mentally disordered offenders are inadequate.*

19. *Equipment and facilities (other than communication and information equipment) are inadequate and at times ineffectively used.*

2. Program Development

After adoption of the 19 problem statements, OCJP as authorized by the CCCJ, distributed the statements to local and regional planning units, state criminal justice agencies and other interested organizations with a request that proposed programs dealing with one or more of the statements be submitted for committee and Council review.

Proposed programs suggested by state agencies were reviewed and refined by the State Agency Planning Committee before being integrated with local and Planning Region submissions.

Before sending the proposed programs to the three CCCJ Program Committees, the Part E Committee, JPC and JJDP Advisory Group reviewed and prioritized programs in their respective subject areas. They were also given the opportunity to examine the other programs and to modify or add additional proposed programs if appropriate.

Program rankings of these Advisory Committees were transmitted to the three Council Committees. While the committees were requested to review and rank

the proposed programs in their respective areas (Direct Services, Processing within the System and System Support), they were also offered the opportunity to review programs in other areas and modify or add statements.

This process lead to the identification of 28 proposed programs.

The CCCJ, at its July 29, 1977, meeting reviewed all statements, and ranked them using the criteria listed below:

1. Would the program seemingly have a direct impact on at least one of the 19 identified problems?
2. Does this program affect more than one segment of the criminal justice system?
3. Does the program appear to be an effective use of LEAA monies?
4. How broad a group of agencies, local boards and advisory groups identified this program?
5. Does this program fall within a special emphasis category specified in the federal legislation? (Courts, Part E, JJDP, Elderly Victims and Organized Crime)?
6. Can measurable and attainable objectives, based on available data, be established for this program?

7. If funds are directed at this program, would state or local support continue after federal subvention?
8. Could this program involve volunteer efforts during or after the period of federal funding support?
9. To what extent is this program directly related to the prevention or control of crime and delinquency?
10. Would this program improve the operations of the criminal justice system?
11. Can this program be implemented in communities or agencies throughout the state, or is it relevant to only a small sector?
12. Is the program related to the direct delivery of criminal justice services? If so, is the group to be dealt with of adequate size to merit attention?
13. What impact has been had by previous program of similar nature?
14. Does the program deal with the implementation of recently enacted state legislation, i.e., SB 42, AB 3121, and others?

In addition to rating each of the proposed statements on a "0-10" scale, members were also requested to specify the number of programs which should appear on the final list. This process contributed to the adoption of 16 programs:

1. Reduce major crime through community involvement programs.
2. Reduce robbery, burglary and related crimes by reducing the opportunity to dispose of stolen property, better coordinating the detection, apprehending and trial of offenders, and implementing public prevention and community resistance programs.
3. Reduction and prevention of illegal trafficking in drugs.
4. Provide assistance to crime victims and witnesses through advocacy, service, restitution, preventive counseling and education projects.
5. Support the efforts of state and local agencies to implement AB 3121 and SB 42 and related legislative changes.
6. Support multiagency efforts to reduce crimes through coordinated apprehension, trial and disposition of repeat offenders.
7. Provide for improved re-entry services for youthful and adult parolees and other ex-offenders.
8. Develop improved management, organization and training in the courts.

9. *Improve youth development and employment opportunities for young people who are at risk of becoming delinquents.*
10. *Increase the use of diversion and sentencing alternatives in appropriate cases.*
11. *Expand and improve prevention and diversion services to juveniles at risk of becoming delinquents by increasing the coordination and cooperation and agency accountability of public and private agencies.*
12. *Involve schools in diversion and prevention programs to reduce delinquent behavior.*
13. *Develop coordinated efforts among law enforcement, health welfare, medical, educational, legal and other related agencies to reduce the incidence of child abuse.*
14. *Improve coordination among criminal justice agencies in dealing with organized criminal activities.*
15. *Prevent and reduce senior citizen victimization through improved sensitivity in public service delivery counseling, education, research and training.*
16. *Provide for research, analysis and evaluation of criminal justice data that will improve the decision making within the criminal justice system.*

C. Goals and Objectives

With the adoption of program statements, the CCCJ completed Phase 1 (Problem Identification) and Phase 2 (Program Statements) of the process to develop program areas for the 1978 State Plan. The next step of the process was to develop goals and objectives for each of the program statements. This step was in keeping with Council policy which states:

No. 201 - Development of State Policy Plan Goals and Objectives

"CCCJ will establish a State Policy Plan for FY 1978 which sets forth specific goals and measurable objectives to be met by FY 1980. These will be based on data, goals and objectives incorporated by local planning boards in their FY 1977 plans, and on recommendations and data provided by state agencies and advisory groups. Annual action plans must be supportive of and consistent with these goals and objectives."

The 1978 Annual Action Plans submitted by the regional planning units and program statements from the regions, State criminal justice agencies, and other sources provided a base from which preliminary goals and objectives were developed.

Between September 12 and 21, the Stanford Research Institute, through an existing LEAA Technical Assistance contract, prepared the initial draft of goals and objectives and related information, primarily by

extracting relevant material from regional plans and priority program materials.

In workshop sessions, OCJP and SRI staff refined, modified and expanded the draft goals and objectives. The resulting product was mailed to all RPU's, State criminal justice agencies and appropriate advisory groups on September 23, with instructions to review and critique the material. Written comments and recommendations were solicited and, where appropriate, suggestions were incorporated in the final draft goals and objectives which were adopted by the CCCJ at its October 21, 1977 meeting. The goals and objectives by program area are included under Tab A.

III. LEGISLATIVE INITIATIVES

Beginning with the 1977 Legislative Session, several legislative and budgetary initiatives have been introduced which relate to or build upon one or more of the CCCJ's sixteen priority programs. In addition, one other related initiative, while not a direct result of the priority programs, is included.

A. Initiatives Directly Related to CCCJ Priority Programs

--CALIFORNIA COMMUNITY CRIME RESISTANCE PROGRAM (See Tab B)

Priority Programs:

1. *Reduce major crime through community involvement programs.*
2. *Reduce robbery, burglary and related crimes by reducing the opportunity to dispose of stolen property, better coordinating the detection, apprehension and trial of offenders, and implementing public prevention and community resistance programs.*

Summary:

Legislation is being introduced which would provide for a two-year, \$2 million, California Community Crime Resistance Program. In summary, this bill authorizes OCJP, in consultation with the CCCJ, to make grants to local communities to fund crime resistance/prevention programs. This proposed program emphasizes partnership efforts between the community and law enforcement, projects that deal with crime against the elderly, and the use of volunteers. It also focuses on many of the same community needs as LEAA's Community Anti-Crime Program. It should be noted that this program is one of two Anti-crime Actions included in the eight-point urban social and economic element of California's urban strategy.

--PREVENTION AND INTERVENTION ACTIVITIES AIMED AT THE
USE OF PHENCYCLIDINE (PCP) OR "ANGEL DUST" BY YOUNG PERSONS

Priority Program:

3. *Reduction and prevention of illegal trafficking
in drugs.*

Summary:

The Governor's FY 1978-79 Budget contains \$3 million for a program to support additional prevention and intervention programs deal with the abuse of PCP by young persons.

--VICTIM AND WITNESS ASSISTANCE CENTERS (See Tab C)

Priority Program:

4. *Provide assistance to crime victims and witnesses through
advocacy, service restitution, preventive counseling and
education projects.*

Summary:

The 1977 Legislative Session produced Victim-Witness Center legislation which authorized OCJP to award grants to government and community organizations to establish multi-service Victim-Witness Centers. While the Governor decided to remove the \$1 million in State funds, he directed the CCCJ to make federal funds available for such centers.

Consistent with that direction the CCCJ has invested over \$800,000 of LEAA monies in Victim-Witness Centers meeting the requirements of State Statutes.

--CAREER CRIMINAL PROSECUTION PROGRAM (See Tab D)

Priority Program:

6. *Support multiagency efforts to reduce crimes through coordinated apprehension, trial and disposition of repeat offenders.*

Summary:

Legislation appropriating \$1.5 million to establish the first six months of a California Career Criminal Prosecution Program, modeled on the concept developed by LEAA, passed in the 1977 Legislative Session. While OCJP is releasing grants to California's twelve most populated urban counties to implement Career Criminal Prosecution Units, an allied effort using \$238,500 in federal funds set aside by CCCJ is under way to carry the career criminal prosecution component to other counties in California. This legislation also encourages the consolidation and coordination of these funds with LEAA monies that may be made available for such purposes. LEAA is making technical assistance available to California to assist with the evaluation of this program. Like the Community Crime Resistance program, this effort is also included in the eight-point urban social and economic element of California's urban strategy.

--CAREER CRIMINAL APPREHENSION PROGRAM (See Tab E)

Priority Program:

6. *Support multiagency efforts to reduce crimes through coordinated apprehension, trial and disposition of repeat offenders.*

Summary:

California law enforcement is in strong support of proposed legislation, soon to be introduced, which if approved will make \$2 million available to OCJP to administer in a fashion and format modeled on the Career Criminal Prosecution Program. The proposed program is patterned after LEAA's Integrated Criminal Apprehension Program.

--MULTI-SERVICE YOUTH AND FAMILY PROGRAMS (See Tab F)

Priority Programs:

9. *Improve youth development and employment opportunities for young people who are at risk of becoming delinquents.*
11. *Expand and improve prevention and diversion services to juveniles at risk of becoming delinquents by increasing the coordination and cooperation and agency accountability of public and private agencies.*

Summary:

The recent enactment of AB 965, Multiservice Youth and Family Programs, has created an opportunity to improve the way services are provided to children, youth and families. The emphasis of the Act is on delinquency prevention and treatment. The Act encourages countywide and areawide multiservice systems by providing for a reduction of the administrative obstacles to funding such activities through a joint funding simplification program. This is not a new funding source but a coordination of existing sources. The Office of Criminal Justice Planning has the responsibility for implementing AB 965. The OCJP received \$62,500 in State General Funds to implement and administer this program.

B Related Initiative Program

While not directly related to the CCCJ's priority programs, one other legislative initiative with heavy intergovernmental flavor is currently pending in the Legislature:

--COUNTY JUSTICE SYSTEM SUBVENTION PROGRAM (See Tab G)

Summary:

Under this proposed program, the Department of Youth Authority would be required to administer subventions to counties for numerous programs and services including, for example, operating local crime and delinquency prevention programs, and establishing and maintaining juvenile homes, ranches, camps, forestry camps, schools, day-care centers, and group homes for wards of the juvenile court.



GOALS AND OBJECTIVES

FOR

PRIORITY PROGRAMS IDENTIFIED UNDER THE STATE POLICY PLAN

October 21, 1977

(As Amended January 20, 1978)

CCCJ Approved Programs
July 29, 1977

PROGRAM:

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2. Reduce robbery, burglary and related crimes by reducing the opportunity to dispose of stolen property, better coordinating the detection, apprehending and trial of offenders, and implementing public prevention and community resistance programs.....	3
3. Reduction and prevention of illegal trafficking in drugs.....	5
4. Provide assistance to crime victims and witnesses through advocacy, service, restitution, preventive counseling and education projects.....	7
5. Support the efforts of state and local agencies to implement AB 3121 and SB 42 and related legislative changes.....	9
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7. Provide for improved re-entry services for youthful and adult parolees and other ex-offenders.....	13
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PROGRAM 1**Reduce major crime through community involvement programs.**

PROBLEM STATEMENT: Crime and victimization rates for all major felonies have shown increases over the long-term. In order to reduce this rate of increase community involvement in crime prevention is essential.

RELATED INFORMATION:

- The seven major felonies are at record levels.
- There is a lack of community programs for the reduction and/or the prevention of crime.
- Citizen involvement in reporting crimes and in properly securing homes is unacceptably low in many jurisdictions. However, some jurisdictions have experienced some success in these areas.
- The public is not aware of the limitations of the criminal justice system in achieving a reduction in the opportunity to commit crime.
- There is a lack of awareness of the concepts of defensible space.
- Crime prevention is an attractive alternative when compared to the low clearance rates for most crimes, the length of time it takes to process a case through the criminal justice system, and the high cost of corrections.
- Volunteer citizen involvement can be implemented at a relatively low cost.
- Property crimes are of major concern since 85% of all major crimes are property related.

GOAL:**TO REDUCE THE MAJOR CRIME RATE THROUGH THE USE OF COMMUNITY INVOLVEMENT PROGRAMS.****OBJECTIVES:**

1. To develop community involvement programs designed to reduce the increase in the crime rate (e.g., Neighborhood Watch, block programs, Operation ID, Youth Cadet Patrol, self defense programs, and periodic crime prevention inspections).

2. Use the five-year baseline 1972-77 to demonstrate a decrease in the rate of crime(s) being targeted in those jurisdictions in which community involvement projects operate.
3. To develop programs that will instruct the community in home security standards and promote the prompt and accurate reporting of crimes and suspicious circumstances.
4. To develop programs that will provide the community with an understanding of the limitations of the criminal justice system in achieving a reduction in the opportunity to commit crime and emphasize the community's responsibility for crime prevention.
5. To demonstrate an annual increase of 5% in citizen participation in crime prevention programs in those jurisdictions in which such projects operate.
6. To develop architectural standards and ordinances that will promote the building of structures that consider crime prevention in design, placement, lighting, etc.
7. To develop 3 to 5 year baseline data with which to demonstrate/compare project impact.
8. To demonstrate a measurable reduction in participant victimization, when compared to the total at risk population victimization rate for the crime(s) targeted.

PROGRAM 2

Reduce robbery, burglary and related crimes by reducing the opportunity to dispose of stolen property, better coordinating the detection, apprehending and trial of offenders, and implementing public prevention and community resistance programs.

PROBLEM STATEMENT: Burglary is the most serious crime in California in terms of frequency, dollar loss, and expenditure of the criminal justice system's resources. Robbery is a serious crime in terms of rate of increase and potential for physical violence.

RELATED INFORMATION:

- The incidence of crimes against property is at least 5 times greater than crimes against persons.
- The crime of burglary affects the largest number of citizens.
- Burglary is a crime of opportunity.
- Robbery is a violent crime.
- The clearance rates for the crimes of burglary and theft are low.
- Little stolen property is ever recovered.
- The lack of inter- and intra-jurisdictional cooperation, communication, and information exchange impedes the detection and apprehension of criminals.
- There is a lack of a crime analysis capacity in many jurisdictions.

GOAL:

TO REDUCE THE RATE OF OCCURANCE OF BURGLARY, THEFT, AND ROBBERY.

OBJECTIVES:

1. To develop burglary, theft and robbery prevention programs and/or burglary, theft and robbery prevention units.
2. Using the five-year baseline, 1972-77, demonstrate a decrease in the rate of crime(s) being targeted in those jurisdictions in which robbery, burglary and related crime reduction projects operate.
3. Develop programs to provide incentives for citizens to install appropriate security measures on homes and businesses.
4. To develop 3 to 5 year baseline data with which to demonstrate/compare project impact.

GOAL:

TO INCREASE THE PROPERTY RECOVERY RATE FOR BURGLARY, THEFT, AND ROBBERY.

OBJECTIVES:

1. To make available to all citizens appropriate property identification tools.
2. To increase accuracy in the public's reporting of crime.
3. To develop programs to determine how stolen property is disposed.
4. To develop 3 to 5 year baseline data with which to demonstrate/compare project impact.

GOAL:

TO IMPROVE THE EFFECTIVENESS AND EFFICIENCY OF LAW ENFORCEMENT'S CRIME PREVENTION CAPABILITIES.

OBJECTIVES:

1. To increase law enforcement's capability in the detection and apprehension of criminals through the use of improved communication systems/practices and the sharing of information.
2. To develop programs designed to improve the quality of evidence and case preparation.
3. To increase coordination and cooperation among criminal justice agencies.
4. To increase the use of pattern and crime analysis in the detection, apprehension and prevention of burglary, theft and robbery.
5. Using the five-year baseline, 1972-77, demonstrate a decrease in the rate of crime(s) being targeted in those jurisdictions in which robbery, burglary and related crime reduction projects operate.
6. To develop 3 to 5 year baseline data with which to demonstrate/compare project impact.

PROGRAM 3**Reduction and prevention of illegal trafficking in drugs.**

PROBLEM STATEMENT: The amount of drug trafficking occurring within California is very difficult to determine as are the impacts of law enforcement efforts to interdict it. The number of arrests and amounts of drugs confiscated rise or fall as different strategies and policies are employed by law enforcement agencies.

RELATED INFORMATION:

- Drug arrests and seizures are impacted by the following interventions:
 - The numbers of law enforcement personnel working drug details.
 - The emphasis of the law enforcement activities on major or minor suppliers.
 - The focus of law enforcement on marijuana or upon the harder drugs and narcotics.
 - The amount of federal, state and local budgets allocated to the problem area.
- Depending upon the policies and practices of law enforcement in various parts of the state the apparent amount of trafficking taking place may be rising or falling. But the actual amount at any point in time is unknown.
- There are a large number of Federal, State, regional and local agencies that are involved in California in the investigation and suppression of narcotics trafficking.
- Public concern about drug trafficking is still very high in the communities of the state.
- In 1975 drug offenses accounted for 10.8% of all arrests (8.5% felony, 2.3% misdemeanor) in the State or approximately 140,000 arrests.
- A very small amount of the narcotics and drugs that are illegally trafficked in the United States is seized by law enforcement agencies.

GOAL:

TO REDUCE THE AMOUNT OF ILLEGAL DRUG TRAFFICKING IN THE STATE THROUGH COOPERATIVE ENFORCEMENT BY LAW ENFORCEMENT AGENCIES AND THROUGH COMMUNITY EDUCATION.

OBJECTIVES:

1. To increase the number of major drug dealer apprehensions each year.

2. To successfully prosecute major drug dealers and secure sentences that prohibit their continual involvement in drug trafficking.
3. To maintain cooperative networks among State, Federal and local law enforcement agencies for regional and statewide control of drug trafficking.
4. To implement, as an adjunct to other delinquency prevention efforts, alcohol and drug education programs in the California School system where drug and alcohol abuse is a serious problem.
5. To coordinate criminal justice and health services in conjunction with the civil commitment process to treat drug abusers and to reduce property crimes.

PROGRAM 4

Provide assistance to crime victims and witnesses through advocacy, service, restitution, preventive counseling and education projects.

PROBLEM STATEMENT: The criminal justice system, as it currently operates in California, largely ignores the plight of victims and witnesses of crime, while instead focusing its attention on the crime itself and the offenders.

RELATED INFORMATION:

- The state's program for victim compensation does not meet the needs of most victims of violent crime.
- Most programs that exist to assist victims of crime, such as rape crisis hotlines, are not an integral part of the criminal justice system.
- The principal system response to the crime victim or witness is to attempt to obtain the information necessary to apprehend and convict the offender rather than to assist the victim or witness with any problems arising from the victimization.
- Victims are subject to many delays in the processing of their case. In particular, they may have to appear in court on repeated occasions and may be unable to recover their property until the disposition in the case is settled.
- Victims and witnesses often experience trauma in connection with having to testify in court because they do not know what the procedures are and because of problems incurred in obtaining transportation, child care, and other necessary services.
- There is no state program established for restitution. The State Board of Control has initiated a restitution-lien program, but this is utilized only in connection with funds expended for victim compensation.

GOAL:

TO PROVIDE ASSISTANCE TO CRIME VICTIMS AND WITNESSES THROUGH ADVOCACY, SERVICE, RESTITUTION, PREVENTIVE COUNSELING, EDUCATION AND OTHER PROJECTS.

OBJECTIVES:

1. To educate victims and witnesses in order that they will be able to understand the operations of the criminal justice system.
2. To increase the amount of recovered stolen property in those jurisdictions with victim-witness assistance programs.

3. By 1980, to increase the number of persons receiving compensation as victims of violent crimes by 50% over those persons receiving similar compensation in 1977.
4. To streamline the procedures for receipt of victim compensation.
5. To assist victims of crime in obtaining necessary services, either through direct provision of the services or through referral to an appropriate community agency.
6. To increase the number of cases where victim restitution is a condition of an offender's probation in those jurisdictions with victim-witness assistance programs.
7. To decrease the number of cases that fail to be prosecuted because of lack of victim or witness cooperation in those jurisdictions with victim-witness assistance programs.
8. To establish prosecution, adjudication and correctional policies for case dispositions which are responsive to the needs of victims.
9. To determine the extent of problems experienced by victims and witnesses of crime and the impact these have on case delays and dismissals.
10. To better coordinate court calendaring procedures to assure that victims/witnesses are given proper notice of required court appearances.

PROGRAM 5

Support the efforts of state and local agencies to implement AB 3121 and SB 42 and related legislative changes.

PROBLEM STATEMENT: Recent California legislation has affected programs, procedures and policies regarding sentencing of convicted offenders (SB 42) and handling of juveniles by the criminal justice system (AB 3121).

RELATED INFORMATION:

- In 1975, there were over 40,000 admissions to juvenile halls in California for status offenses. AB 3121 mandates that status offenders may no longer be held in secure detention facilities. Additional nonsecure facilities still need to be developed.
- AB 3121 requires all juvenile offender cases in which petitions are requested (other than status offenders) to be handled by a prosecuting attorney.
- AB 3121 facilitates transfer of 16 and 17 year olds accused of serious crimes into the adult system.
- AB 3121 has resulted in extensive cost impacts for the processing of juveniles.
- A relationship has been suggested between truancy and juvenile burglary. Some concern has been expressed that AB 3121 will result in an increase of juvenile burglaries.
- There is concern that status offenders will be inappropriately classified as 300's or 602's.
- SB 42 establishes new sentencing rules and criteria in an attempt to achieve more uniform sentences.
- SB 42 determinate sentencing reduces incentives for inmates to participate in rehabilitative programs.
- SB 42 is expected to result in the release of an increased number of offenders back into the local community, with a substantial impact on the State parole system.
- SB 42 is expected to increase the time required for a Judge to take a simple plea of guilty.

GOAL:

TO SUPPORT THE EFFORTS OF STATE AND LOCAL AGENCIES TO COMPLY WITH AB 3121 AND RELATED LEGISLATIVE CHANGES.

OBJECTIVES:

1. To further develop and fund alternative programs for dealing with status offenders, for example:
 - Nonsecure short-term and long-term residential facilities, including shelter-care and crisis resolution facilities
 - Alternative schools
 - Day care
 - Youth and family counseling programs
 - Recreational and social programs
 - Employment programs
2. To develop clear, timely, and coordinated channels of information regarding funding opportunities, and assist in development of grant proposals.
3. To ensure dissemination, to all members of the criminal justice system, of information regarding implementation of AB 3121 and related legislation, including court decisions, legislative amendments, and diversion facilities available.
4. To provide staff training and technical assistance, when needed, to all parts of the criminal justice system affected by the new legislation.
5. To update and expand programs of data collection and analysis so as to be able by 1980 to evaluate the program and cost impact of the new legislation and to identify specific problems and needs created by it.

GOAL:

TO SUPPORT THE EFFORTS OF STATE AND LOCAL AGENCIES TO COMPLY WITH SB 42 AND RELATED LEGISLATIVE CHANGES.

OBJECTIVES:

1. To promote uniformity of sentencing by
 - Collecting, analyzing, and disseminating data by 1980 regarding state-wide sentencing patterns, with special emphasis on data with regard to base terms, enhancements and consecutive sentencing mandated in SB 42.
 - Providing staff training and technical assistance where needed regarding application of the new sentencing law.
2. To develop new incentives and new programs by 1980 that encourage inmate participation in rehabilitative programs.

3. To develop programs for handling an increased flow of offenders back into the community.
4. To develop by 1980 data with which to evaluate the program and cost impact of the legislation on the State parole system.
5. To ensure dissemination, to all members of the criminal justice system, of information regarding implementation of SB 42 and related legislation, including court decisions and legislative amendments.

PROGRAM 6

Support multi-agency efforts to reduce crimes through coordinated apprehension, trial and disposition of repeat offenders.

PROBLEM STATEMENT: A disproportionate number of crimes in California appear to be committed by repeat offenders.

RELATED INFORMATION:

- In 1975, 61.7% of persons sentenced in the Superior Courts in the state (excepting Alameda and Santa Clara Counties) had prior convictions. In 44.5% of cases sentenced in Superior Court, defendants had major prior records.
- During 1975, nearly 9% of offenders sentenced for a crime had previously served time in prison (excluding Alameda and Santa Clara Counties).
- Of those persons released from prison in 1972, 24.7% were returned to prison within one year; 34.1% were returned by the end of the second year; and by the end of the third year 37.4% had been reincarcerated.
- The California Legislature has recognized the seriousness of this problem by passage of SB 683 related to career criminals, currently awaiting Executive signature (Governor's decision due by September 30, 1977).

GOAL:

TO SUPPORT MULTI-AGENCY EFFORTS TO REDUCE CRIMES BY FOCUSING COORDINATED EFFORTS OF CRIMINAL JUSTICE AGENCIES ON THE APPREHENSION, TRIAL AND APPROPRIATE DISPOSITION OF REPEAT OFFENDERS.

OBJECTIVES:

1. To establish programs for the apprehension, prosecution, and disposition of serious and repeat offenders.
2. To provide support services and information to assist the judicial branch in its efforts to expeditiously adjudicate serious and repeat offenders.
3. To establish formal lines of communication and co-operation among law enforcement agencies in detecting and apprehending repeat felony offenders.
4. To provide the courts with information to assist them in determining when repeat felons should be denied-bail or release-on-own-recognizance. (As amended by CCCJ 10/21/77.)

PROGRAM 7

Provide for improved re-entry services to youthful and adult parolees and other ex-offenders.

PROBLEM STATEMENT: High recidivism rates indicate that parolees and other ex-offenders are not making a successful re-entry into society after a period of incarceration.

RELATED INFORMATION:

- Recent statistics show that of all Youth Authority wards released on parole, 43% fail within 24 months. Of these, 27% fail within the first six months of parole.
- Redicidivism data for 1972 show that of those persons released from prison in 1972, 7.8% were returned to prison during the year in which they were released and an additional 17.9% during the next year.
- Because of the distance between institutions where offenders are incarcerated and communities where they reside after release, plans for parole are often established with little contact between those responsible for their development and those responsible for their implementation in the community.
- Successful adaptation to conditions within an institution does not mean a person will be able to succeed in an outside environment. Measures do not currently exist to determine whether an inmate will be able to adapt successfully outside an institution.
- Institutions do not currently have adequate programs, such as job training, employment counseling, and family counseling, to assist inmates to adapt to conditions in the general society upon release from an institution.

GOAL:

TO PROVIDE FOR IMPROVED RE-ENTRY SERVICES FOR YOUTHFUL AND ADULT PAROLEES AND OTHER EX-OFFENDERS.

OBJECTIVES:

1. To increase the provision of services to parolees and other ex-offenders in such areas as education, community orientation, parole orientation, provision for housing, job training, school placement, employment, supervision, and other needs.
2. To establish programs based in the community, such as halfway houses, to assist ex-offenders adapt to community life.
3. To evaluate the above programs to determine their effectiveness in improving ex-offender adjustment.

4. To increase coordination between personnel within institutions and those within parole agencies to improve planning for those released from institutions.
5. To evaluate the services currently provided to persons upon their release from an institution to determine what services are most acutely needed.
6. To improve data collection and analysis of correctional programs, both institutional and community-based, to enable consistent and reliable estimates of recidivism, both of youthful offenders and adult offenders.

PROGRAM 8

Develop improved management, organization, and training in the courts.

**PROBLEM
STATEMENT 1:**

The timely and efficient processing of defendants is hindered by the lack of management information systems, inefficient court operations, and modern data processing capabilities.

RELATED INFORMATION:

- Due to the fact that there are not management information systems in some courts, delays are often experienced in providing judges and court personnel with necessary information on case flow and the court calendar.
- The heavy workload in many court districts has severely taxed their capacity to perform their criminal and civil functions. This problem is exacerbated by time-consuming manual filing and retrieval of cases which contributes to large backlogs.

GOAL:

TO IMPROVE THE MANAGEMENT, ORGANIZATION AND OPERATIONS IN THE COURTS.

OBJECTIVES:

1. To establish, or improve, management information systems in those court districts which have a demonstrated need.
2. To demonstrate a reduction in pre-trial, trial and sentencing delays.
3. To provide support services and information to appropriate criminal justice agencies that will result in improved pre-trial and bail decisions.
4. To increase court support services, such as professional administration, legal research assistance and coordinated witness scheduling.

**PROBLEM
STATEMENT 2:**

Training presently available to non-judicial court personnel and the prosecution and the defense should be increased and improved.

RELATED INFORMATION:

- Inexperienced or inadequately trained court personnel contribute to the delays in processing offenders.
- New legislation and court decisions accentuate the need for the judiciary, the prosecution, and the defense to be aware of the changes, in order to adequately perform their functions.
- In many areas of the State, training for non-judicial court and probation personnel is practically non-existent.
- Training programs are often too expensive for local jurisdictions to sponsor on their own.

GOAL:

TO IMPROVE THE CAPABILITIES OF COURT PERSONNEL BY INCREASING THE AVAILABILITY AND QUALITY OF TRAINING PROGRAMS.

OBJECTIVES:

1. To develop flexible curricula and instructional methods and to implement programs that are responsive to the performance requirements of the judiciary, the prosecution, and the defense.
2. As a result of training provided through this program, to demonstrate a reduction in the number of dismissals caused by the failure to adequately collect, preserve and present evidence.

PROGRAM 9

Improve youth development and employment opportunities for young people who are at risk of becoming delinquent.

PROBLEM STATEMENT: There is a need for more programs aimed at creating job opportunities, vocational training, volunteer work, and remedial or special education for youth. This would enable them to gain satisfaction and experience through employment and to feel useful in society.

RELATED INFORMATION:

- In April 1977, the Nation's unemployment rate was 7% and the State's was 7.8%. The situation is more acute for young people. The Department of Labor shows 4th quarter 1976 rates for teenage unemployment to be 19% for all youth ages 16-19 and 36% for ethnic minorities the same age.
- Problems encountered by youth include fewer semi-skilled jobs, racial discrimination, little industry in central cities, increase in high skill jobs and white collar jobs which demand specialized skills and knowledge.
- There is a correlation between low-income families (\$5,000 or less annually) and delinquent behavior among juveniles. Limited vocational opportunities exist for juveniles in low income areas.

GOAL:

TO INCREASE YOUTH DEVELOPMENT AND EMPLOYMENT OPPORTUNITIES FOR YOUNG PEOPLE AND THUS REDUCE DELINQUENCY.

OBJECTIVES:

1. To expand vocational training opportunities, career education, student counseling, and job placement services available to high risk youth.
2. To promote the cooperation of the State's criminal justice agencies with EDD, DOL, HEW and other state and federal agencies which provide job training and employment opportunities for economically disadvantaged and potentially employable youth at risk of becoming delinquent.
3. To increase the use of work programs by the courts as an alternative to institutionalizing juvenile offenders.
4. To collect and analyze data on youth unemployment in California in order to determine the extent and effectiveness of employment programs.

PROGRAM 10

Increase the use of diversion and sentencing alternatives in appropriate cases.

PROBLEM STATEMENT: There are too many offenders entering the criminal justice system who could be effectively handled elsewhere. These persons tie up valuable system resources which are needed elsewhere.

RELATED INFORMATION:

- Offender classification and screening services are inadequate in many areas of the state. Uniform criteria are not always applied at the discretionary points where decisions are made relating to diversion, supervision, release on own recognizance and similar alternatives.
- The delivery of youth services, particularly diversion services, is fragmented and uncoordinated at the local level.
- Community resources are not effectively utilized in diversion programs.
- Large probation caseloads, especially in the lower courts, preclude intensive supervision and appropriate assistance for many cases which could be diverted.
- Prosecution of minor first offenders can jeopardize their chances of securing employment since the action produces a criminal record.

GOAL:

TO IMPROVE THE SYSTEM'S EFFECTIVENESS THROUGH GREATER USE OF DIVERSION AND SENTENCING ALTERNATIVES.

OBJECTIVES:

1. To improve the quality of diversion services available to law enforcement and diversion and sentencing alternatives available to court personnel.
2. To increase the development and use of alcohol detoxification centers in the State.
3. To increase, by 1980, the number of criminal justice agencies using offender screening diagnostic and classification systems.
4. To acquire evaluation data on diversion and sentencing alternative projects in order to determine their effect on both individuals and the criminal justice system.
5. To use diversion only in those cases where the person would have been processed further by the justice system.

PROGRAM 11

Expand and improve prevention and diversion services to juveniles at risk of becoming delinquents by increasing the coordination and cooperation and agency accountability of public and private agencies.

PROBLEM STATEMENT: Juvenile delinquency is a multi-faceted problem which can only be successfully addressed by the combined and coordinated efforts of the community. Little coordination exists among the large number of agencies providing services to juveniles. Eligibility requirements differ, transportation is a problem, many programs are geared to a specific ethnic group, and limited funding threatens to curtail services.

RELATED INFORMATION:

- AB 3121 encourages the establishment of more community resources to provide services to status offenders. As these develop, a need exists for:
 - Interagency cooperation.
 - Community education and awareness.
 - Resource referral systems.
- Although juvenile arrests have decreased statewide since 1974, much of the decline may be the result of changes in law enforcement procedures, social attitudes, and state law. However, agencies are still having to provide more services to non-delinquent juveniles.

GOAL:

TO INCREASE COOPERATION AND COORDINATION AMONG SCHOOLS, LAW ENFORCEMENT, SOCIAL SERVICES AND PRIVATE ORGANIZATIONS TO PROVIDE COMPREHENSIVE SERVICES TO JUVENILES.

OBJECTIVES:

1. To establish and strengthen juvenile service delivery systems to provide both direct and referral service in areas where needed.
2. To involve parents, community volunteers, and problem youth in planning and implementing services for juveniles.
3. To establish in metropolitan areas mechanisms for coordinating the provision of juvenile services and for exchanging information among youth services agencies.
4. To determine the success of juvenile projects and to transfer successful programmatic techniques.

5. To improve the juvenile records-keeping systems so that the accountability and the effectiveness of prevention and diversion services can be determined.
6. To improve the functioning of local Juvenile Justice and Delinquency Prevention Commissions.

PROGRAM 12

Involve schools in diversion and prevention programs to reduce delinquent behavior.

PROBLEM STATEMENT: California's public schools are not realizing their full potential to prevent delinquency and to divert youths from the criminal justice system.

RELATED INFORMATION:

- Services provided at school and in the community can keep youths from coming in contact with the police.
- A large portion of juvenile crimes of violence, theft, and vandalism take place on school grounds.
- School Attendance Review Boards (SARBs) established to reduce truancy and school problems have had some success but need support.
- Recent legislation requiring education of students on the criminal justice system and their responsibilities, needs increased implementation efforts.
- Student grievances, frustrations, and unrest need conflict resolution at school. Administrators, teachers and school personnel often are not trained in conflict management.
- Many at risk youth have learning disabilities and behavioral problems which can be detected and treated at an early age.

GOAL:

TO INCREASE THE INVOLVEMENT OF SCHOOLS IN DELINQUENCY PREVENTION AND DIVERSION PROGRAMS.

OBJECTIVES:

1. To increase student's understanding of the juvenile justice system by adding classes on criminal justice to the curriculum of the junior and senior high schools in the state.
2. Using the three-year baseline, 1975-77, by 1980, decrease losses due to school vandalism by 20%.
3. To decrease student crime and violence on school premises.
4. To establish education programs in which community resources for diversion, family counseling and placement, are explained to school personnel, so that these services can be utilized for truants and potential dropouts.
5. To support comprehensive school programs dealing with language, learning and behavioral problems.

PROGRAM 13

Develop coordinated efforts among law enforcement, health, welfare, medical, educational, legal and other related agencies to reduce the incidence of child abuse.

PROBLEM STATEMENT: Child abuse is a seriously underreported crime. There is a general lack of awareness of the problem of child abuse and neglect and how to identify and prevent it.

RELATED INFORMATION:

- While 58,715 cases were referred for protective services in California in 1975, the Department of Justice Child Abuse Index received only 5,300 reports involving physical abuse, intentional deprivation and sexual abuse.
- Medical and educational personnel are reluctant to report cases of child abuse even though they are mandated by law to do so.
- Research has shown that parents who were battered as children are more likely to become child abusers themselves, thus perpetuating the crime through succeeding generations.

GOAL:

TO DEVELOP COORDINATED EFFORTS AMONG LAW ENFORCEMENT, HEALTH, WELFARE, MEDICAL, EDUCATIONAL, LEGAL AND OTHER RELATED AGENCIES TO REDUCE THE INCIDENCE OF CHILD ABUSE.

OBJECTIVES:

1. To provide training for law enforcement officers in the detection of child abuse and in dealing with both the victims and perpetrators.
2. To develop programs on the community level to deal with the problems of child abuse through involvement of law enforcement, health, welfare, medical, educational and legal personnel and the general public.

PROGRAM 14

Improve coordination among criminal justice agencies in dealing with organized criminal activities.

PROBLEM STATEMENT: There is a lack of coordination among criminal justice agencies at the federal, state and local level in dealing with organized crime activities in the State of California, which results in disjointed and sometimes ineffectual approaches to dealing with organized crime.

RELATED INFORMATION:

- There are approximately 700 different agencies in the State involved in the investigation and prosecution of organized crime.
- Organized crime is not static, instead it flourishes beyond geographical boundaries. Thus enforcement activities require cooperation and communication among agencies.
- The Attorney General has stated that organized crime has infiltrated 250 business enterprises in California.
- Major law enforcement agencies have membership in the Law Enforcement Intelligence Unit (LEIU), an international network of agencies concerned with organized crime.
- The extent to which organized crime operates in some of the regions is not known by local law enforcement administrators.
- The Organized Crime and Criminal Intelligence Branch (OCCIB) of the Department of Justice provides state level support and coordination in developing a criminal intelligence system based upon mutual cooperation of various enforcement agencies.
- A recent survey of local agency needs by the OCCIB revealed a need for greater informational support from that unit.
- The California Narcotic Information Network is a repository of narcotics information, tracks major drug transactions, and disseminates information to user agencies.

GOAL:

TO IMPROVE THE COORDINATION AND COOPERATION AMONG LAW ENFORCEMENT AND PROSECUTORIAL AGENCIES IN THE STATE IN COMBATING ORGANIZED CRIME.

OBJECTIVES:

1. To determine the extent of penetration of organized crime in the State at a point in time and to identify types of activities and the organizational networks operating in the state.

2. To continue the current level of cooperation among enforcement and prosecution agencies and to increase the amount of
 - Joint training.
 - Joint investigations.
 - Information exchanges.
 - Assistance in case preparation.
3. To reduce the opportunities for organized crime figures to buy favors from public officials and candidates by uniform and expeditious prosecution of violations of the California Political Reform Act of 1974.
4. To support the continued development of a comprehensive automated criminal intelligence system to provide a repository of intelligence information on organized crime figures.
5. The incidence crime and violence, both within and outside of prisons, which results from organized prison-based gang activity, will be reduced annually.

PROGRAM 15

Prevent and reduce senior citizen victimization through improved sensitivity in public service delivery, counseling, education, research, and training.

PROBLEM STATEMENT: Crimes against the elderly are of particular concern in California especially because of the increased risk of injury and lack of financial security faced by many senior citizens.

RELATED INFORMATION:

- Existing crime statistics, admittedly limited, show that the elderly are not disproportionately victimized. However, crimes committed against the elderly are a special concern for two principal reasons:
 - The traumatic effect of crime against an elderly person is higher than for younger people because of an increased risk of injury.
 - Older persons often reside in central cities and other high crime areas and due to economic necessity and decreased mobility are unable to move.
- Senior citizens are often afraid to leave their homes and become virtual prisoners in their own dwellings.
- The fear of victimization has more impact on a senior citizen than statistical probabilities that may show the probability of victimization to be quite low.
- Senior citizens are more often targets of consumer fraud than other citizens.
- If California conforms to the national average, more than 34% of California's elderly annually fall victim to crime either directly or indirectly.

GOAL:

TO PREVENT AND REDUCE SENIOR CITIZEN VICTIMIZATION THROUGH IMPROVED SENSITIVITY IN PUBLIC SERVICE DELIVERY, COUNSELING, EDUCATION, RESEARCH AND TRAINING.

OBJECTIVES:

1. To increase the number of senior citizen victims who receive compensation.
2. To establish programs to educate the elderly to lessen the possibility of their becoming targets of fraudulent schemes.
3. To include the elderly as primary targets of crime prevention programs.

4. To conduct victimization research, concentrating on the senior citizen population, to substantiate the degree of the crime problem among the elderly both in terms of rates of victimization and the effect of those victimizations.

PROGRAM 16

Provide for research, analysis, and evaluation of criminal justice data that will improve the decision-making within the criminal justice system.

PROBLEM STATEMENT: Many areas within the State do not have the capability and resources to assess the effectiveness of criminal justice programs, projects and/or system component operation.

RELATED INFORMATION:

- A lack of evaluation feedback often makes it difficult for policymakers to objectively make decisions on refunding projects in their jurisdictions.
- Assessment of progress being made in reaching system goals is hindered when evaluation data are not available.
- Agency staff members who perform evaluations of criminal justice projects do not always possess the necessary skills to make these assessments.
- Unrefined evaluation measures, such as "recidivism rate" when used as an undifferentiated single indicator of outcome, can mask the actual situation and lead to inaccurate conclusions.

GOAL:

TO PROVIDE HIGH QUALITY FEEDBACK ON THE EFFECTIVENESS OF CRIMINAL JUSTICE-RELATED PROJECTS AND PROGRAMS.

OBJECTIVES:

1. To develop 3-5 years standardized baseline data for the priority areas of the criminal justice system in order to assess their effectiveness.
2. To identify causes for recent nonresidential burglary reductions and to apply this knowledge to other areas of theft crime.
3. To support educational and training programs in evaluation for criminal justice staff persons responsible for assessing programs.
4. To increase the level of and the quality of evaluation of criminal justice projects and programs in the State.
5. To promote the use of evaluation findings by governmental policymakers throughout the State.
6. Increase the quality of decision-making at the local level through establishment and use of sound research, analysis and planning capabilities.



ASSEMBLY BILL

No. 2971

Introduced by Assemblyman Levine

March 20, 1978

REFERRED TO COMMITTEE ON CRIMINAL JUSTICE

An act to add and repeal Chapter 5 (commencing with Section 13840) to Title 6 of Part 4 of the Penal Code, relating to community crime resistance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2971, as introduced, Levine (Crim.J.). Crime resistance.

Under existing law the Office of Criminal Justice Planning and the California Council on Criminal Justice have various powers and duties relative generally to the improvement of criminal justice and to delinquency prevention including the dispersal of federal funds for approved programs.

This bill would further create a California Crime Resistance Task Force in the Office of Criminal Justice Planning to advise relative to crime resistance and prevention programs.

This bill would appropriate \$2,000,000 for the support of specific types of programs.

The bill would take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5 (commencing with Section
2 13840) is added to Title 6 of Part 4 of the Penal Code, to
3 read:

4
5 CHAPTER 5. CALIFORNIA COMMUNITY CRIME
6 RESISTANCE PROGRAM
7

8 13840. The Legislature hereby finds the resistance to
9 crime and juvenile delinquency requires the cooperation
10 of both community and law enforcement officials; and
11 that successful crime resistance programs involving the
12 participation of citizen volunteers and community
13 leaders shall be identified and given recognition. In
14 enacting this chapter, the Legislature intends to
15 recognize successful crime resistance and prevention
16 programs, disseminate successful techniques and
17 information and to encourage local agencies to involve
18 citizen volunteers in efforts to combat crime and related
19 problems.

20 13841. As used in this chapter:

21 (a) "Community" means cities, counties, or
22 combinations thereof.

23 (b) "Elderly or senior citizen" means individuals 55
24 years of age or older.

25 13842. (a) There is hereby established in the Office of
26 Criminal Justice Planning an advisory group entitled,
27 "The California Crime Resistance Task Force." All funds
28 appropriated to the Office of Criminal Justice Planning
29 for the purposes of this chapter shall be administered and
30 disbursed by the Executive Director of such office in
31 consultation with the California Council on Criminal
32 Justice, and shall to the greatest extent feasible be
33 coordinated or consolidated with federal funds that may
34 be made available for these purposes. Differences
35 between applicants and the Executive Director on
36 matters relating to the award or curtailment of funding
37 decisions will be resolved by the California Council on
38 Criminal Justice in accordance with its appeals

1 procedure.

2 (b) The Crime Resistance Task Force, to consist of not
3 more than 16 members, shall be composed of two elected
4 city officials, two elected county officials, six community
5 members, and six law enforcement officials designated by
6 the Governor in recognition of successful endeavors in
7 the area of crime prevention and other forms of crime
8 resistance. When this chapter takes effect the existing
9 members of the Crime Resistance Task Force shall
10 continue as full members.

11 (c) Members of the Task Force shall assist the
12 Governor and the California Council on Criminal Justice
13 in furthering citizen involvement in local law
14 enforcement and crime resistance efforts.

15 (d) The California Crime Resistance Task Force shall
16 be chaired by the Governor or his designated
17 representative.

18 (e) The Executive Director of the Office of Criminal
19 Justice Planning shall serve as Secretary of the Task
20 Force. He shall accept and administer on behalf of the
21 Task Force any funds made available to the crime
22 resistance program.

23 (f) Funds awarded under this program as local
24 assistance grants shall not be subject to review as
25 specified in Section 14780 of the Government Code.

26 13843. (a) Allocation and award of funds
27 appropriated under this act shall be made upon
28 application to the Office of Criminal Justice Planning. All
29 applications shall be reviewed and evaluated by the
30 Crime Resistance Task Force in accordance with its
31 established criteria, policy, and procedures. Applications
32 deemed appropriate for funding consideration and those
33 deemed not appropriate for funding will be transmitted,
34 with explanatory comments to the Executive Director of
35 the Office of Criminal Justice Planning.

36 (b) The Executive Director of the Office of Criminal
37 Justice Planning is authorized to allocate and award funds
38 to communities developing citizen involvement and
39 crime resistance programs in compliance with the
40 policies and criteria developed by the California Crime

1 Resistance Task Force as set forth in Sections 13844 and
2 13845. Applications receiving funding under this section
3 shall be selected from among those deemed appropriate
4 for funding by the Crime Resistance Task Force.
5 Comprehensive crime prevention programs for the
6 elderly as set forth in paragraph (1) of subdivision (a) of
7 Section 13844 shall, in the aggregate, be included among
8 program activities in local assistance grants receiving not
9 less than 50 percent of funds available under this chapter.

10 (c) No single award of funds under this chapter shall
11 exceed a maximum of one hundred twenty-five thousand
12 dollars (\$125,000) for a 12-month grant period. It is
13 intended that at least eight local project awards will be
14 supported with funds made available under this chapter.

15 (d) Funds disbursed under this chapter shall not
16 supplant local funds that would, in the absence of the
17 Community Crime Resistance Program, be made
18 available to support crime resistance programs in local
19 law enforcement agencies.

20 (e) Within 90 days following the effective date of this
21 chapter and in consultation with the California Crime
22 Resistance Task Force, the Executive Director shall
23 prepare and issue written program and administrative
24 guidelines and procedures for the California Community
25 Crime Resistance Program, consistent with this chapter.
26 In addition to all other formal requirements that may
27 apply to the enactment of such guidelines and
28 procedures, a complete and final draft of them shall be
29 submitted no later than 60 days following the effective
30 date of this chapter to the Chairpersons of the Criminal
31 Justice Committee of the Assembly and the Judiciary
32 Committee of the Senate of the California Legislature.

33 (f) Annually, commencing November 1, 1978, the
34 Executive Director shall prepare a report to the
35 Legislature describing in detail the operation of the
36 program and results obtained from the California
37 Community Crime Resistance Program.

38 13844. (a) Local projects supported under the
39 California Community Crime Resistance Program shall
40 include at least three (3) of the following activities:

1 (1) Comprehensive crime prevention programs for the
2 elderly, to include but not limited to, education, training
3 and victim and witness assistance programs.

4 (2) Efforts to promote neighborhood involvement,
5 such as, but not limited to block clubs and other
6 community based resident-sponsored anti-crime
7 programs.

8 (3) Home and business security inspections.

9 (4) Efforts to deal with domestic violence.

10 (5) Prevention of sexual assaults.

11 (6) Programs which make available to community
12 residents and businesses information on locking devices,
13 building security and related crime resistance
14 approaches.

15 (7) Training for peace officers in community
16 orientation and crime prevention.

17 (b) Those activities which shall be included in
18 approved programs are:

19 (1) The use of volunteers or paraprofessions to assist
20 local law enforcement agencies in implementing and
21 conducting community crime resistance programs.

22 (2) The applicant's commitment to continue the
23 citizen involvement program with local funds after they
24 have been developed and implemented with state
25 monies.

26 13845. Criteria for selection of communities to
27 receive funding shall include consideration of, but need
28 not be limited to, all of the following:

29 (1) Compliance with paragraph (2) of subdivision (a)
30 of Section 13844.

31 (2) The rate of reported crime, by type, including, but
32 not limited to, the seven major offenses, in the
33 community making the application.

34 (3) The number of elderly citizens residing in the
35 community.

36 (4) The number and ratio of elderly crime victims
37 compared to the total senior citizen population in that
38 community.

39 (5) The display of efforts of cooperation between the
40 community and their local law enforcement agency in

1 dealing with the crime problem.

2 (6) Demonstrated effort on the part of the applicant to
3 show how funds that may be awarded under this program
4 may be coordinated or consolidated with other local,
5 state or federal funds available for the activities set forth
6 in Section 13844.

7 13846. (a) Evaluation and monitoring of all grants
8 made under this section shall be the responsibility of the
9 Office of Criminal Justice Planning.

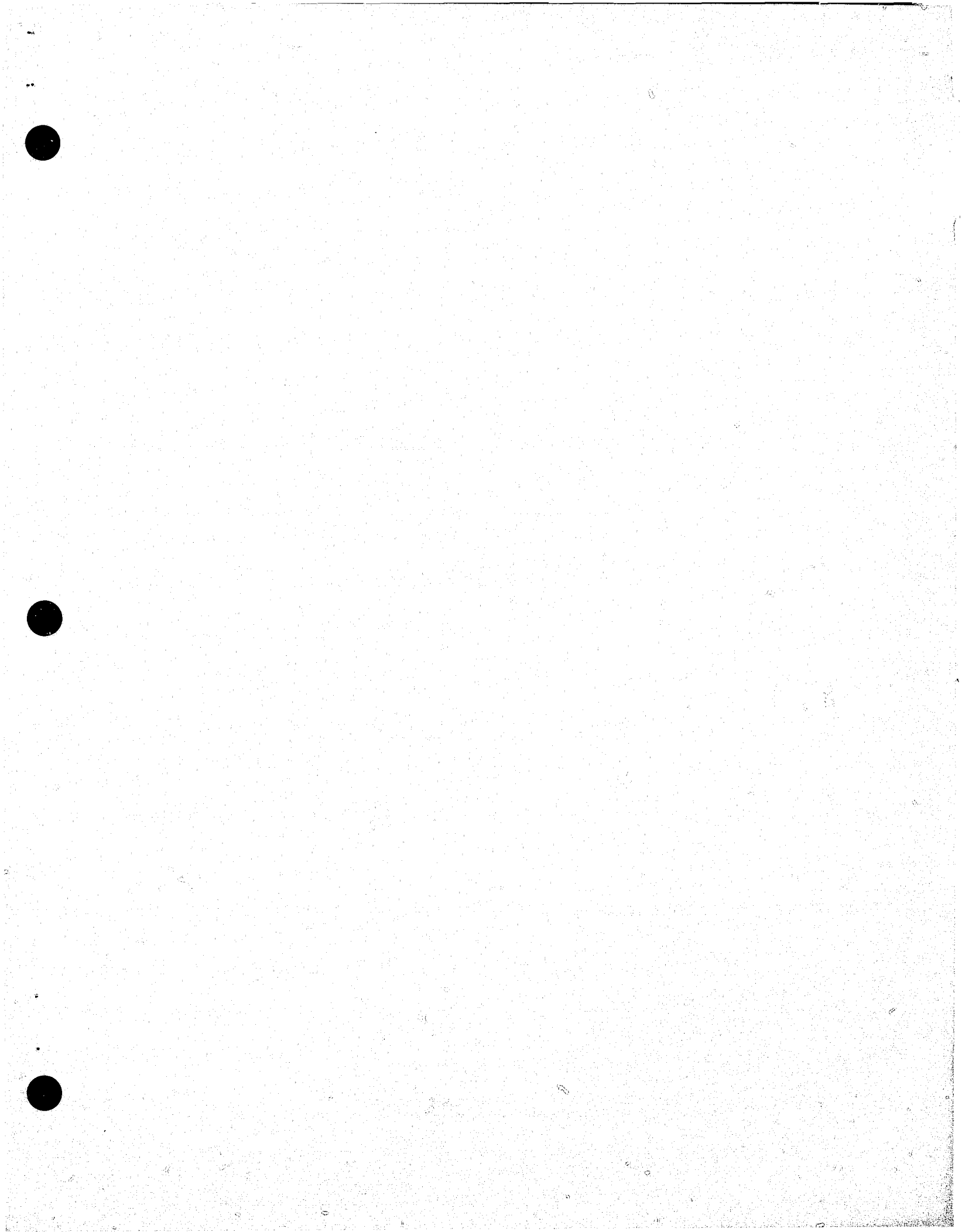
10 (b) Information on successful programs shall be made
11 available and relayed to other California communities
12 through the California Crime Resistance Task Force
13 technical assistance procedures.

14 SEC. 2. The sum of two million dollars (\$2,000,000) is
15 hereby appropriated to the Office of Criminal Justice
16 Planning from the General Fund for use during fiscal
17 years 1978-1979 and 1979-1980 and is available until
18 expended, for carrying out the purposes of Section 1 of
19 this act. No more than 7.5 percent of the funds
20 appropriated under this act may be used by the Office of
21 Criminal Justice Planning for program administration
22 purposes. It is the intent of Legislature that any
23 additional funding shall be requested in the annual
24 Budget Act.

25 SEC. 3. Section 1 of this act shall remain operative
26 only until January 1, 1983, and on such date is repealed.

27 SEC. 4. This act is an urgency statute necessary for
28 the immediate preservation of the public peace, health,
29 or safety within the meaning of Article IV of the
30 Constitution and shall go into immediate effect. The facts
31 constituting such necessity are:

32 The crime rate in California has substantially increased
33 over a 10-year period. The rate of increase over the last
34 five years has been 20 percent (20%); and over the last
35 10 years has been at a rate of 93 percent (93%). This
36 represents an average increase of almost 10 percent
37 (10%) per year. The types of crime resistance activities
38 to be supported under this act have generally been
39 demonstrated to have a substantial and rapid effect in
40 reducing local crime incidence.





Assembly Bill No. 1434

CHAPTER 1256

An act to add an article heading immediately preceding Section 13830 of, and to add Article 2 (commencing with Section 13835) to Chapter 4 of Title 6 of Part 4 of the Penal Code, relating to criminal justice, and making an appropriation therefor.

[Approved by Governor October 1, 1977. Filed with
Secretary of State October 1, 1977.]

I am deleting the appropriation contained in Section 3 of Assembly Bill No. 1434. I believe the money for this bill should come from the federal funds made available to the California Council on Criminal Justice. I strongly encourage that body to support the efforts envisioned by this bill.

With this deletion, I approve Assembly Bill No. 1434.

EDMUND G. BROWN JR., Governor

LEGISLATIVE COUNSEL'S DIGEST

AB 1434, Cage. Victims and witnesses of crime: assistance centers.

Existing law provides for indemnification of victims of crime for certain uncompensated losses, but provides no assistance for witnesses of crimes.

This bill would direct the Office of Criminal Justice Planning to designate certain public or private nonprofit agencies who apply therefor as victim and witness centers to provide specified services and assistance to victims and witnesses of crime. It would state the intent of the Legislature that the state shall fund an amount declining from 90% to 50% of the costs of this program from January 1, 1978, to January 1, 1983, provided local governments contribute the remainder of such costs, and that after January 1, 1983, any such center which is continued shall be supported by local funding entirely.

The bill would appropriate \$1,000,000 to the Office of Criminal Justice Planning for purposes of the bill.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. An article heading is added immediately preceding Section 13830 of the Penal Code, to read:

Article 1. General Provisions

SEC. 2. Article 2 (commencing with Section 13835) is added to Chapter 4 of Title 6 of Part 4 of the Penal Code, to read:

Article 2. Local Assistance Centers for Victims and Witnesses

13835. The Legislature finds and declares as follows:

(a) That there is a need to develop methods to reduce the trauma and undue treatment victims and witnesses may experience in the wake of a crime, since all too often citizens who become involved with the criminal justice system, either as victims or witnesses to crime, are further victimized by that system.

(b) That when crime strikes, the chief concern of criminal justice agencies has been apprehending and dealing with the criminal, and that after police leave the scene of the crime, the victim is frequently forgotten.

(c) That victims often become isolated and receive little practical advice or necessary care.

(d) That witnesses must make arrangements to appear in court regardless of their own schedules, child care responsibilities, or transportation problems, and that they often find long waits, crowded courthouse hallways, confusing circumstances and, after testifying, receive no information as to the disposition of the case.

(e) That a large number of victims and witnesses are unaware of both their rights and obligations. Unreported crimes occur at more than twice the rate of reported crimes and the reasons people give for not reporting indicate that they are disenchanted with the criminal justice system.

(f) That the single most important determinant of whether or not a case will be solved is the information the victim supplies to the immediately responding patrol officer.

(g) That although the State of California has a fund for needy victims of violent crimes, and compensation is available for medical expenses, lost income or wages, and rehabilitation costs, the application process is difficult, complex, and time consuming and few victims are aware that the compensation provisions exist.

It is, therefore, the intent of the Legislature to provide ways of improving attitudes of victims and witnesses toward the criminal justice system and to provide for faster and more complete victim recovery from the effects of crime through the establishment of pilot project centers for victim and witness assistance.

13835.2. (a) Any public or private nonprofit agency may apply to the Office of Criminal Justice Planning for selection and funding as a victim and witness assistance center pursuant to this article.

(b) The office shall consider the following factors together with any other circumstances it deems appropriate in selecting applicants to receive funds and to be designated as victim and witness assistance centers:

- (1) Maximization of volunteers.
- (2) Stated goals of applicants.
- (3) Number of people to be served and the needs of the community.

- (4) Evidence of community support.
- (5) Organizational structure of the agency which will operate the center and provide services to victims and witnesses of crimes.
- (c) Upon evaluation of all applicants, the office shall select a number of public or private nonprofit agencies which the office deems qualified pursuant to this article for designation to receive state and local funds pursuant to this article for the establishment and operation of the centers.
- (d) The evaluation and selection of applicants shall take place from January through June 1978. The centers shall be established on or before July 1, 1978.
- (e) Upon establishment of the centers, the office shall conduct appraisals of their performance to determine which of the centers shall receive continuation grants and shall report thereon to the Legislature.

13835.4. The centers shall be designed to do the following:

- (a) Assist the criminal justice agencies in giving more consideration and personal attention to victims and witnesses by delivery of services on their behalf.
- (b) Provide a model for other community-based efforts to aid victims and witnesses.
- (c) Sensitize law enforcement officials, communications technicians, and supervisors to the needs of victims of crime and reinforce a concerned approach to these victims.
- (d) Attempt to decrease the incidence of unreported crimes.
- (e) Assure that victims and witnesses are informed of the progress of the case in which they are involved.

13835.6. Services provided by the centers shall include but are not limited to the following:

- (a) Receipt by victims of crime of more local benefits and state compensation awards through assistance to the victims in preparing complete and detailed claims and assistance to the state by providing local verification and evaluation.
- (b) Establish a means for volunteers to work with criminal justice agencies to achieve community support.
- (c) Provide followup support services to victims of violent crime and their families in order to insure that they receive necessary assistance through available community resources.
- (d) To provide elderly victims of crime with services appropriate to their special needs.
- (e) Provide liaison and referral systems to special counseling facilities and community service agencies for victims.
- (f) Provide transportation and household assistance to those victims and witnesses participating in the criminal justice process.
- (g) Notification of friends, relatives, and employer of victim if requested.
- (h) Arrangement for verification of medical benefits and assistance in applying for state victim compensation.

(i) Notification of witnesses prior to their being subpoenaed in criminal cases and of changes in the court calendar to avoid unnecessary trips to court and unnecessary time at court.

(j) Provision of reception and guidance at the courthouse including an explanation of unfamiliar procedures and bilingual information.

13835.8. It is the intention of the Legislature in enacting this article that from January 1, 1978, to January 1, 1983, the functions of the Office of Criminal Justice Planning required by this article and the victim and witness assistance centers established pursuant to this article shall be funded as follows: for the 1977-78, 1978-79 and 1979-80 fiscal years, by the state to the extent of 90 percent of the costs thereof provided that the local governments which would be served by a center contribute not less than 10 percent of such costs; for the 1980-81 fiscal year, by the state to the extent of 75 percent of such costs provided that such local governments contribute not less than 25 percent of such costs; for the 1981-82 fiscal year, by the state to the extent of 60 percent of such costs provided that such local governments contribute not less than 40 percent of such costs; and for the 1982-83 fiscal year, by the state to the extent of 50 percent of such costs provided that such local governments contribute not less than 50 percent of such costs. On and after January 1, 1983, funding for the continuation for any such center shall be at the election of the local governments served thereby, and state responsibility therefor shall cease.

SEC. 3. The sum of one million dollars (\$1,000,000) is hereby appropriated from the General Fund to the Office of Criminal Justice Planning for the 1977-78 and 1978-79 fiscal years for the purposes of this act.





Senate Bill No. 683

CHAPTER 1151

An act to add and repeal Chapter 2.3 (commencing with Section 999b) to Title 6 of Part 2 of the Penal Code, relating to career criminals, and making an appropriation therefor.

[Approved by Governor September 29, 1977. Filed with Secretary of State September 29, 1977.]

LEGISLATIVE COUNSEL'S DIGEST

SB 683, Deukmejian. Career criminals.

Existing law contains various provisions relating to the prosecution and sentencing of persons with prior felony convictions.

This bill would add provisions permitting prosecutors in each county to establish Career Criminal Prosecution Programs whereby enhanced prosecution procedures would apply to persons under arrest who have suffered previous convictions or are charged with multiple offenses, as specified.

The bill would appropriate \$1,500,000 for such purposes.

The provisions of the bill would remain operative only until January 1, 1982, and on such date would be repealed.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Chapter 2.3 (commencing with Section 999b) is added to Title 6 of Part 2 of the Penal Code, to read:

CHAPTER 2.3. CAREER CRIMINALS

999b. The Legislature hereby finds a substantial and disproportionate amount of serious crime is committed against the people of California by a relatively small number of multiple and repeat felony offenders, commonly known as career criminals. In enacting this chapter, the Legislature intends to support increased efforts by district attorneys' offices to prosecute career criminals through organizational and operational techniques that have been proven effective in selected counties in this and other states.

999c. (a) There is hereby established in the Office of Criminal Justice Planning a program of financial and technical assistance for district attorneys' offices, designated the California Career Criminal Prosecution Program. All funds appropriated to the Office of Criminal Justice Planning for the purposes of this chapter shall be administered and disbursed by the executive director of such office in consultation with the California Council on Criminal Justice, and shall to the greatest extent feasible be coordinated or consolidated

Article 2. Local Assistance Centers for Victims and Witnesses

13835. The Legislature finds and declares as follows:

(a) That there is a need to develop methods to reduce the trauma and undue treatment victims and witnesses may experience in the wake of a crime, since all too often citizens who become involved with the criminal justice system, either as victims or witnesses to crime, are further victimized by that system.

(b) That when crime strikes, the chief concern of criminal justice agencies has been apprehending and dealing with the criminal, and that after police leave the scene of the crime, the victim is frequently forgotten.

(c) That victims often become isolated and receive little practical advice or necessary care.

(d) That witnesses must make arrangements to appear in court regardless of their own schedules, child care responsibilities, or transportation problems, and that they often find long waits, crowded courthouse hallways, confusing circumstances and, after testifying, receive no information as to the disposition of the case.

(e) That a large number of victims and witnesses are unaware of both their rights and obligations. Unreported crimes occur at more than twice the rate of reported crimes and the reasons people give for not reporting indicate that they are disenchanting with the criminal justice system.

(f) That the single most important determinant of whether or not a case will be solved is the information the victim supplies to the immediately responding patrol officer.

(g) That although the State of California has a fund for needy victims of violent crimes, and compensation is available for medical expenses, lost income or wages, and rehabilitation costs, the application process is difficult, complex, and time consuming and few victims are aware that the compensation provisions exist.

It is, therefore, the intent of the Legislature to provide ways of improving attitudes of victims and witnesses toward the criminal justice system and to provide for faster and more complete victim recovery from the effects of crime through the establishment of pilot project centers for victim and witness assistance.

13835.2. (a) Any public or private nonprofit agency may apply to the Office of Criminal Justice Planning for selection and funding as a victim and witness assistance center pursuant to this article.

(b) The office shall consider the following factors together with any other circumstances it deems appropriate in selecting applicants to receive funds and to be designated as victim and witness assistance centers:

- (1) Maximization of volunteers.
- (2) Stated goals of applicants.
- (3) Number of people to be served and the needs of the community.

offenses not arising out of the same transaction involving one or more of such felonies, or has suffered at least one conviction during the preceding 10 years for any felony listed in paragraph (1) of this subdivision, or at least two convictions during the preceding 10 years for any felony listed in paragraph (2) of this subdivision:

(1) Robbery by a person armed with a deadly or dangerous weapon, burglary of the first degree, arson as defined in Section 447a or 448a, forcible rape, sodomy or oral copulation committed with force, lewd or lascivious conduct committed upon a child, kidnapping as defined in Section 209, or murder.

(2) Grand theft, grand theft auto, receiving stolen property, robbery other than that described in paragraph (1) above, burglary of the second degree, kidnapping as defined in Section 207, assault with a deadly weapon, or any unlawful act relating to controlled substances in violation of Section 11351 or 11352 of the Health and Safety Code.

For purposes of this chapter, the 10-year periods specified in this section shall be exclusive of any time which the arrested person has served in state prison.

(b) In applying the career criminal selection criteria set forth above, a district attorney may elect to limit career criminal prosecution efforts to persons arrested for any one or more of the felonies listed in subdivision (a) of this section if crime statistics demonstrate that the incidence of such one or more felonies presents a particularly serious problem in the county.

(c) In exercising the prosecutorial discretion granted by Section 999g, the district attorney shall consider the following: (1) the character, background, and prior criminal background of the defendant; and (2) the number and the seriousness of the offenses currently charged against the defendant.

999f. Subject to reasonable prosecutorial discretion, each district attorney's office establishing a career criminal prosecution unit and receiving state support under this chapter shall adopt and pursue the following policies for career criminal cases:

(a) A plea of guilty or a trial conviction will be sought on the most serious offense charged in the accusatory pleading against an individual meeting career criminal selection criteria.

(b) All reasonable prosecutorial efforts will be made to resist the pretrial release of a charged defendant meeting career criminal selection criteria.

(c) All reasonable prosecutorial efforts will be made to persuade the court to impose the most severe authorized sentence upon a person convicted after prosecution as a career criminal.

(d) All reasonable prosecutorial efforts will be made to reduce the time between arrest and disposition of charge against an individual meeting career criminal selection criteria.

(e) The prosecution shall not negotiate an agreement with a career criminal:

(1) That permits the defendant to plead guilty or nolo contendere to an offense lesser in degree or in kind than the most serious offense charged in the information or indictment;

(2) That the prosecution shall not oppose the defendant's request for a particular sentence if below the maximum; or

(3) That a specific sentence is the appropriate disposition of the case if below the maximum.

999g. The selection criteria set forth in Section 999e and the policies of Section 999f shall be adhered to for each career criminal case unless, in the reasonable exercise of prosecutor's discretion, one or more of the following circumstances are found to apply to a particular case:

(a) The facts or available evidence do not warrant prosecution on the most serious offense charged.

(b) Prosecution of the most serious offense charged, if successful, would not add to the severity of the maximum sentence otherwise applicable to the case.

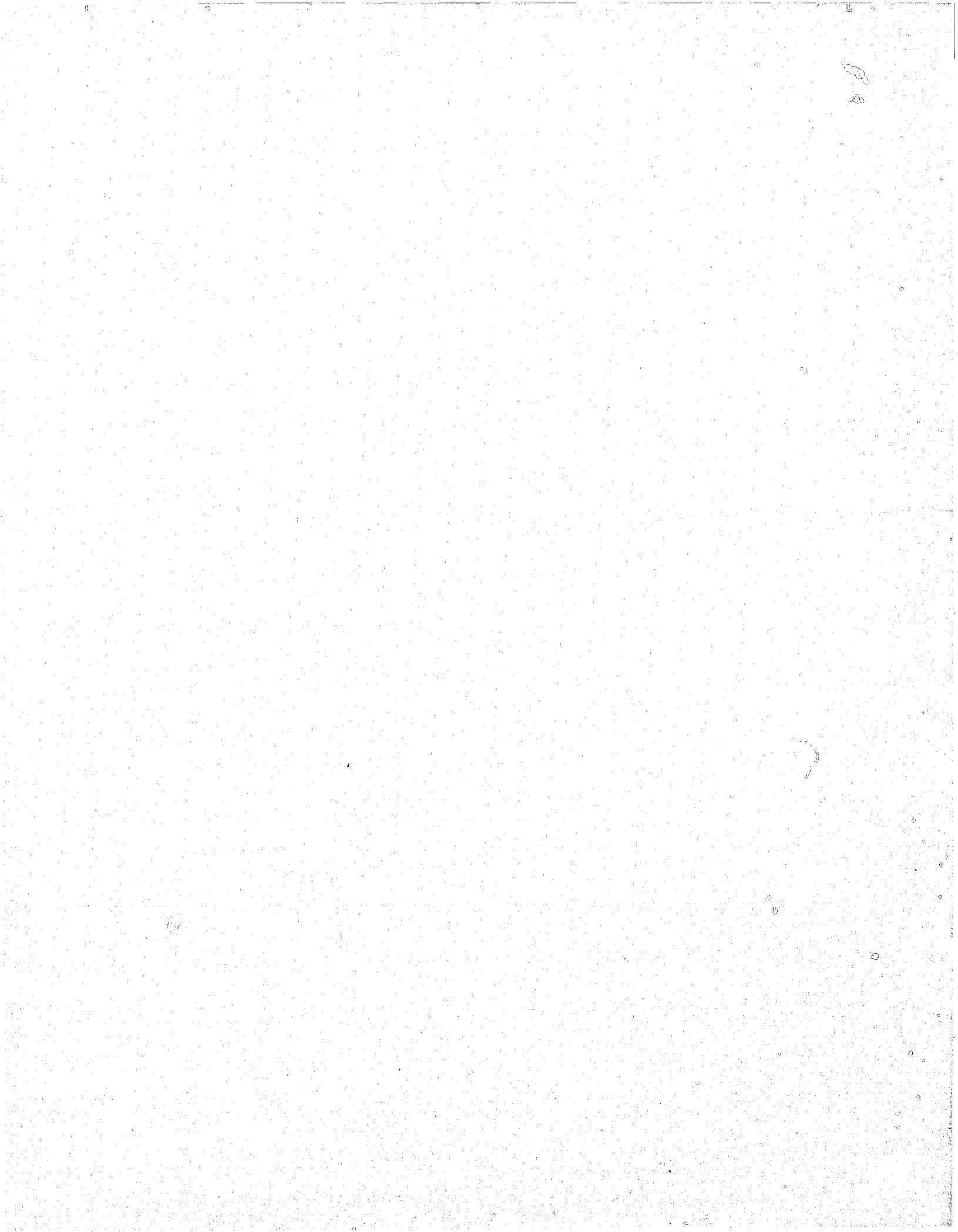
(c) Departure from such policies with respect to a particular career criminal defendant would substantially improve the likelihood of successful prosecution of one or more other felony cases.

(d) Extraordinary circumstances require the departure from such policies in order to promote the general purposes and intent of this chapter.

999h. The characterization of a defendant as a "career criminal" as defined by this chapter may not be communicated to the trier of fact.

SEC. 2. The sum of one million five hundred thousand dollars (\$1,500,000) is hereby appropriated from the General Fund to the Office of Criminal Justice Planning without regard to fiscal years for costs of administration of this act and for allocation by the Office of Criminal Justice Planning to district attorneys' offices and the Attorney General for the purposes of this act. It is the intent of the Legislature that any additional funding shall be requested in the annual Budget Act.

SEC. 3. This act shall remain operative only until January 1, 1982, and on such date is repealed.



STATE AND FEDERAL FUNDS ALLOCATED
TO CAREER CRIMINAL PROGRAMS

CALIFORNIA CAREER CRIMINAL PROSECUTION PROGRAM FUNDS (SB 683)					LEAA FUNDS	PROGRAM TOTAL	
County	Population Group	Maximum Allowable Allocation	Requested Allocation	OCJP Approved Allocation	California Block Funds	Federal Discretionary Funds	
Los Angeles	Over 2,000,000	\$ 450,000	\$ 449,981	\$ 449,981			\$ 449,981
Orange	Over 1,000,000 less than 2,000,000	275,000	159,726	159,726	\$87,255-Fed. 4,847-State 4,848-Local <u>\$97,895-Sub Total</u>		257,621
San Diego	Over 1,000,000 less than 2,000,000	275,000	321,856	275,000			275,000
Santa Clara	Over 1,000,000 less than 2,000,000	275,000	274,989	274,539			274,539
Alameda	Over 1,000,000 less than 2,000,000	275,000	273,468	273,468			273,468
San Bernardino	Over 400,000 less than 1,000,000	250,000	250,000	250,000			250,000
Sacramento	Over 400,000 less than 1,000,000	250,000	249,938	249,938			249,938
San Francisco	Over 400,000 less than 1,000,000		32,962	32,962		\$296,654 <u>32,962-Local</u> <u>\$329,616</u>	362,578
Contra Costa	Over 400,000 less than 1,000,000	250,000	250,000	250,000			250,000

STATE AND FEDERAL FUNDS ALLOCATED
TO CAREER CRIMINAL PROGRAMS

CALIFORNIA CAREER CRIMINAL PROSECUTION PROGRAM FUNDS (SB 683)					LEAA FUNDS		PROGRAM TOTAL
County	Population Group	Maximum Allowable Allocation	Requested Allocation	OCJP Approved Allocation	California Block Funds	Federal Discretionary Funds	
San Mateo	Over 400,000 less than 1,000,000	\$ 250,000	\$ 245,962	\$ 245,962			\$ 245,962
Riverside	Over 400,000 less than 1,000,000	250,000	250,000	250,000			250,000
Fresno	Over 400,000 less than 1,000,000	250,000	228,310	138,015	\$90,295* 5,016-Local 5,017-State <u>\$100,328</u>		238,343
Ventura	Over 400,000 less than 1,000,000			-0-		\$262,398** 29,155-Local <u>\$291,553-Sub Total</u>	291,553
Stanislaus	Less than 400,000			-0-	\$58,375 3,243-Local 3,243-State <u>\$64,861</u>		64,861
San Joaquin	Less than 400,000			-0-	\$99,272 5,515-Local 5,515-State <u>\$110,302</u>		110,302
				<u>TOTAL</u>	<u>TOTAL</u>	<u>TOTAL</u>	<u>TOTAL</u>
				\$2,849,591	\$373,386	\$621,169	\$3,844,146

*1976 Block C Funds (Reverted by CDC Info. Sys. Grant) out of State Agency Plan. Award is subject to CCCJ approval.

**LEAA funds have been approved but have not been released.

DISBURSEMENT SCHEDULE FOR
CALIFORNIA CAREER CRIMINAL FUNDS

County	77/78 FY Allocation	78/79 FY Allocation	TOTAL
Los Angeles	195,727	254,254	449,981
Orange	90,463	69,263	159,726
San Diego	131,141	143,859	275,000
Santa Clara	141,669	132,870	274,539
Alameda	133,389	140,079	273,468
San Bernardino	136,231	113,769	250,000
Sacramento	141,447	108,491	249,938
San Francisco	32,962	-0-	32,962
Contra Costa	126,654	123,146	250,000

DISBURSEMENT SCHEDULE FOR
CALIFORNIA CAREER CRIMINAL FUNDS

County	77/78 FY Allocation	78/79 Allocation	TOTAL
San Mateo	\$124,182	\$121,780	\$245,962
Riverside	134,352	115,648	250,000
Fresno	57,389	110,626	168,015

TOTAL
\$1,445,806

TOTAL
\$1,433,785

TOTAL
\$2,879,591



Introduced by Senator Holmdahl

March 30, 1978

An act to add and repeal Chapter 6 (commencing with Section 13850) to Title 6 of Part 4 of the Penal Code, relating to a career criminal apprehension program, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 2039, as introduced, Holmdahl. Career criminals: apprehension.

Existing law contains provisions relative to increased efforts in the prosecution of persons who meet certain criteria as career criminals.

This bill would make additional provisions relative to increased efforts to apprehend persons defined for such purposes as career criminals.

The program would be administered through the Office of Criminal Justice Planning.

The bill would appropriate \$2,000,000 for its purposes.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 6 (commencing with Section
2 13850) is added to Title 6 of Part 4 of the Penal Code, to
3 read:

4

5 CHAPTER 6. CALIFORNIA CAREER CRIMINAL
6 APPREHENSION PROGRAM

7 13850. The Legislature hereby finds that a substantial
8 and disproportionate amount of serious crime is
9 committed against the people of California by a relatively

1 small number of multiple and repeat felony offenders,
2 commonly known as career criminals. In enacting this
3 chapter, the Legislature intends to support increased
4 efforts by local law enforcement agencies to investigate
5 and apprehend career criminals through management,
6 organization and operational techniques that have been
7 demonstrated to be effective in selected cities and
8 counties in this and other states.

9 13851. (a) There is hereby established in the Office of
10 Criminal Justice Planning a program of financial and
11 technical assistance for local law enforcement, called the
12 California Career Criminal Apprehension Program. All
13 funds appropriated to the Office of Criminal Justice
14 Planning for the purposes of this chapter shall be
15 administered and disbursed by the executive director of
16 such office in consultation with the California Council on
17 Criminal Justice and shall to the greatest extent feasible
18 be coordinated or consolidated with federal funds made
19 available for such purposes.

20 (b) The executive director is authorized to allocate and
21 award funds to local units of government or combinations
22 thereof, in which career criminal apprehension units are
23 established in law enforcement agencies in substantial
24 compliance with policies and criteria set forth in Sections
25 13852 and 13853.

26 (c) Such allocation and award of funds shall be made
27 upon application executed by the chief law enforcement
28 officer of the applicant unit of government and approved
29 by the legislative body. Funds disbursed under this
30 chapter shall not supplant local funds that would, in the
31 absence of the California Career Criminal Apprehension
32 Program, be made available to support the apprehension
33 of multiple or repeat felony criminal offenders.

34 (d) On or before May 1, 1979, the Executive Director
35 of the Office of Criminal Justice Planning shall prepare
36 and issue administrative guidelines and procedures for
37 the California Career Criminal Apprehension Program
38 consistent with this chapter. In addition to all other
39 formal requirements that may apply to the enactment of
40 such guidelines and procedures, a complete and final

1 draft shall be submitted on or before April 1, 1979, to the
2 Chairpersons of the Criminal Justice Committee of the
3 Assembly and the Judiciary Committee of the Senate of
4 the California Legislature.

5 (e) Annually, commencing October 1, 1979, the
6 executive director shall prepare a report to the
7 Legislature describing in detail the operation of the
8 program and the results obtained from law enforcement
9 career criminal apprehension programs receiving funds
10 under this chapter and comparable federally-financed
11 awards.

12 13852. Law enforcement agencies receiving funds
13 under this chapter shall concentrate enhanced law
14 enforcement management efforts and resources upon
15 individuals identified under selection criteria set forth in
16 Section 13853. Enhanced law enforcement efforts and
17 resources shall include but not be limited to:

18 (a) Crime analysis, which is the timely collection and
19 study of local crime data to perform all of the following:

20 (1) Identify evolving or existing crime patterns,
21 particularly those involving career felony criminals.

22 (2) Provide investigative leads.

23 (3) Identify geographical areas or population groups
24 experiencing relatively severe crime victimization, in
25 order to improve effectiveness of crime prevention
26 efforts.

27 (4) Provide supporting data for improved allocation of
28 overall law enforcement agency resources.

29 (b) Improved management of patrol and investigative
30 operations involving use of information resulting from
31 crime analysis, may include participation in
32 multi-jurisdictional investigative units and measures to
33 increase continuity of investigative efforts from the initial
34 patrol response through the arrest and prosecution of the
35 offender. Such measures may include:

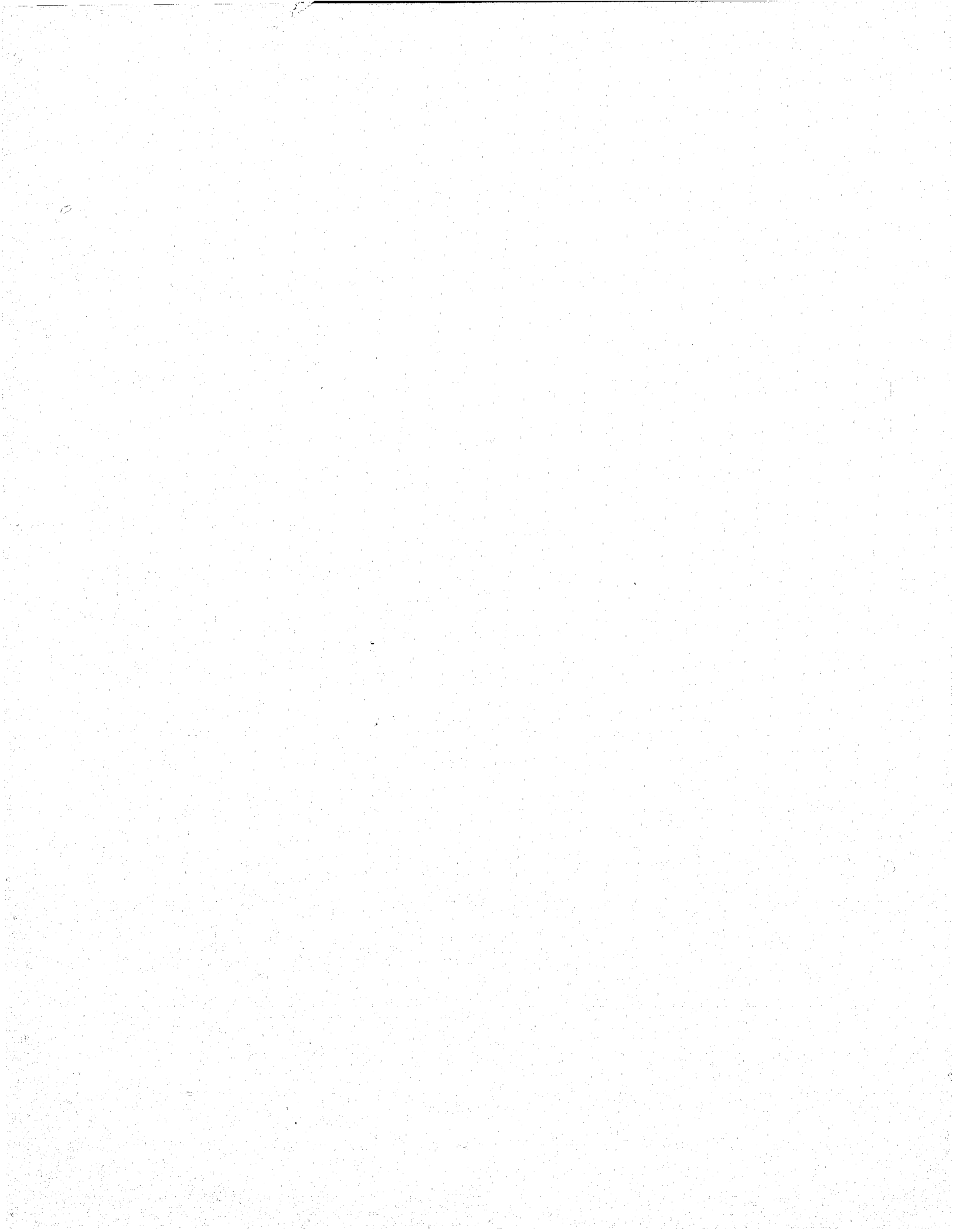
36 (1) Innovative personnel deployment techniques.

37 (2) Innovative techniques of case screening.

38 (3) Management of continuing investigations.

39 (4) Monitoring of investigation operations.

40 (c) (1) Career criminal apprehension programs



CONTINUED

1 OF 2

1 supported under this chapter shall concentrate on the
2 identification and arrest of career criminals and the
3 support of their subsequent prosecution. The
4 determination of which suspected felony offenders shall
5 be the subject of career criminal apprehension efforts
6 shall be in accordance with written criteria developed by
7 the applicant law enforcement agency, consistent with
8 Section 13853 and approved by the local district attorney.
9 Highly qualified and experienced personnel shall be
10 assigned to staff career criminal apprehension programs.

11 (2) Each career criminal apprehension program as one
12 of its ongoing functions, shall maintain coordination with
13 the prosecutor assigned to each case resulting from its
14 efforts. This coordination should include but not be
15 limited to case preparation, processing, and adjudication.

16 13853. An individual may be the subject of career
17 criminal apprehension efforts who is under investigation
18 for the commission or attempted commission of one or
19 more of the following felonies: homicide, rape or sexual
20 assault, child molestation, robbery, burglary, arson, any
21 unlawful act relating to controlled substances in violation
22 of Section 11351 or 11352 of the Health and Safety Code,
23 receiving stolen property, grand theft and grand theft
24 auto; and who is either under suspicion of having
25 committed three or more separate felony offenses not
26 arising out of the same transaction, or has suffered at least
27 one conviction during the preceding 10 years for the
28 commission or attempted commission of any felony listed
29 in paragraph (1) of this subdivision, or at least two
30 convictions during the preceding 10 years for the
31 commission or attempted commission of any felony listed
32 in paragraph (2) of this subdivision:

33 (1) Robbery by a person armed with a deadly or
34 dangerous weapon, burglary of the first degree, arson as
35 defined in Section 447a or 448a, forcible rape, sodomy or
36 oral copulation committed with force, lewd or lascivious
37 conduct committed upon a child, kidnapping as defined
38 in Section 209, or murder.

39 (2) Grand theft, grand theft auto, receiving stolen
40 property, robbery other than that described in paragraph

1 (1) above, burglary of the second degree, kidnapping as
2 defined in Section 207, assault with a deadly weapon, or
3 any unlawful act relating to controlled substances in
4 violation of Section 11351 or 11352 of the Health and
5 Safety Code.

6 For purposes of this chapter, the 10-year periods
7 specified in this section shall be exclusive of any time
8 which the arrested person has served in state prison.

9 13854. (a) Criteria for selection of law enforcement
10 agencies to receive career criminal apprehension
11 program funding shall be developed in consultation with
12 an advisory group entitled "The Career Criminal
13 Apprehension Program Steering Committee."

14 (b) The Career Criminal Apprehension Program
15 Steering Committee shall be composed of four police
16 chiefs, three sheriffs, two district attorneys, two public
17 defenders, one city manager and one county
18 administrative officer, all of whom are designated by the
19 executive director of the Office of Criminal Justice
20 Planning, who shall provide staff services to the Steering
21 Committee.

22 (c) The executive director of the Office of Criminal
23 Justice Planning, in consultation with the Steering
24 Committee and the California Council on Criminal
25 Justice, shall develop specific guidelines and
26 administration of the procedures for the selection of the
27 California Criminal Apprehension Program whose
28 guidelines shall include the selected criteria described in
29 the subdivisions above.

30 (d) Administration of the overall program and the
31 evaluation and monitoring of all grants made under this
32 chapter shall be performed by the Office of Criminal
33 Justice Planning, provided that funds expended for such
34 functions shall not exceed 7.5 percent of the total annual
35 amount appropriated for the purposes of this chapter.

36 (e) Local assistance grants made available from funds
37 appropriated in this chapter shall not be subject to review
38 pursuant to Section 14780 of the Government Code.

39 SEC. 2. The sum of two million dollars (\$2,000,000) is
40 hereby appropriated from the General Fund to the

1 Office of Criminal Justice Planning without regard to
2 fiscal years for costs of administration of this act and for
3 allocation by the Office of Criminal Justice Planning for
4 the purposes of this act. It is the intent of the Legislature
5 that any additional funding shall be requested in the
6 annual Budget Act or obtained from appropriate federal
7 sources.

8 SEC. 3. This act shall remain operative only until
9 January 1, 1983, and on such date is repealed.

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Senator John W. Holmdahl
Room 3082, State Capitol
Sacramento, California 95814
Telephone: (916) 445-6671

FOR IMMEDIATE RELEASE

"CAREER CRIMINAL" POLICE ACTION PROPOSED

SACRAMENTO. Intensive effort by the police agencies to apprehend "career criminals" is the aim of legislation introduced by Senator John Holmdahl (D-Alameda County).

Last year, legislation co-authored by Senator Holmdahl, was enacted defining the "career criminal" and providing funds for special prosecuting efforts leading, hopefully, to faster and more certain conviction. This bill would extend the program and establish, in the Office of Criminal Justice Planning, financial and technical assistance for local law enforcement agencies in the investigation and apprehension of career criminals.

"The clever professional criminal," said Senator Holmdahl, "is already aware of the forces that will be arrayed against him, when he is caught. For that reason he is likely to practice his trade with greater than usual caution. Thus, it is necessary to extend the emphasis of the program to the apprehension stage -- obviously the stage of primary importance.

"I believe that one of the most important aspects of this proposal is the multi-jurisdictional investigative efforts that will be developed. No longer will the professional thug be able to move with impunity from one community to another for a fresh start in his criminal career. Such an investigation into past criminal activity will be triggered by the arrest of a person for grand theft, assault, kidnapping, rape, robbery, and burglary, among other serious offenses.

"Programs of this kind have been encouraged by the federal government and have been demonstrating their effectiveness in selected cities and counties in California as well as other states. Passage of this legislation will be one more step in our campaign to convince the professional criminal that California is an unhealthy place for him and that the climate for his business is indeed bad," Holmdahl concluded.

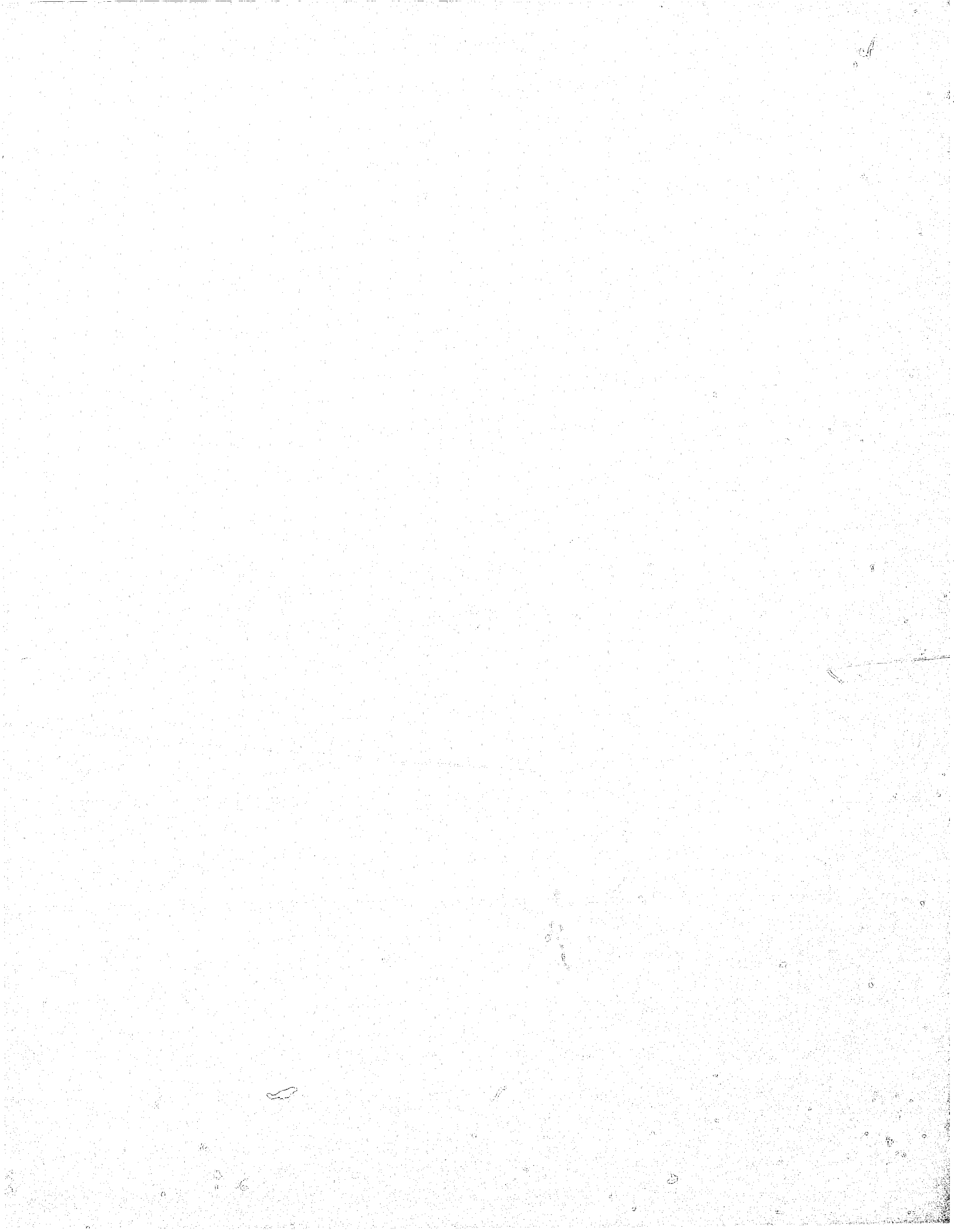
Under the bill, local law enforcement agencies would be required to establish career criminal apprehension units, in compliance with the policies and criteria set forth in the proposal in order to qualify for available funds. These criteria include identification of the career felons and the geographical areas in which they operate. The purpose is to provide a continuity of investigative effort from initial patrol response through the arrest and booking of the offender. Distribution of funds would be determined under criteria developed by a Program Steering Committee. The funds appropriated would be available only to implement the program and not to supplant local funds normally available for the apprehension of criminals.

The proposal is Senate Bill 2039.

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Assembly Bill No. 965

CHAPTER 1103

An act to add and repeal Chapter 2 (commencing with Section 2000) to Division 2.5 of the Welfare and Institutions Code, relating to youth and family projects, and making an appropriation therefor.

[Approved by Governor September 27, 1977. Filed with Secretary of State September 27, 1977.]

I am reducing the appropriation contained in Section 3 of Assembly Bill No. 965 from \$62,500 to \$30,000. The full-year cost of this bill will be reviewed during preparation of the 1978-79 Budget.

With this reduction, I approve Assembly Bill No. 965.

EDMUND G. BROWN JR., Governor

LEGISLATIVE COUNSEL'S DIGEST

AB 965, Montoya. Youth and family projects.

Existing law authorizes public or private organizations to make application to the Department of the Youth Authority for the purpose of receiving funding for the establishment or operation or both of one or more youth service bureaus.

This bill would delineate a procedure whereby the Office of Criminal Justice Planning would administer the establishment of joint funded multiservice youth and family programs—i.e., the establishment of designated programs involving federal funds presently administered through two or more state agencies.

It would require an annual report evaluating the functioning of such coordination of projects.

The provisions authorizing such coordination would automatically be repealed January 1, 1983.

The bill would also appropriate \$62,500 from the General Fund to the Office of Criminal Justice Planning for the above purposes for the fiscal year 1977-78.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Chapter 2 (commencing with Section 2000) is added to Division 2.5 of the Welfare and Institutions Code, to read:

CHAPTER 2. MULTISERVICE YOUTH AND FAMILY PROGRAMS

2000. The Legislature hereby finds that the most significant trend in the development of delinquency prevention programs has been in the direction of multipurpose comprehensive youth and family services, such as multipurpose youth service bureau projects, implemented at the local level and dealing with the prevention of

juvenile delinquency through youth development and treatment programs designed to prevent juvenile delinquency, child abuse and neglect, alcohol and drug abuse, and behavior patterns, such as runaway minors, which lead to antisocial behavior problems. The Legislature recognizes that the need for such services has become more pressing as a result of the major revisions in the juvenile court law enacted during the 1975-76 Regular Session of the Legislature. It is the intention of the Legislature to encourage countywide and areawide multiservice systems by providing for a reduction of the administrative obstacles to funding such activities through a joint funding simplification program for multiservice youth and family programs. This is not to be construed as a new funding program or single source of funds, but a coordination of existing sources, to the end that improved fund flow management techniques can be developed and demonstrated at state and local level.

2001. The Office of Criminal Justice Planning shall conduct a survey to determine which state agencies administer federal grant funds for the purposes set forth in Section 2002. All state agencies shall cooperate in such survey by identifying the type, quantity, period of availability of such grant funds and other information as set forth in the survey. State agencies which administer federal grant funds as provided shall designate an executive staff person to coordinate joint funding activities for that agency.

2002. Pursuant to the provisions of this chapter, an application may be submitted to the Office of Criminal Justice Planning for a joint funded multiservice youth and family program, provided that the application involves three or more separate federal grant fund sources administered by or through two or more state agencies and involves three or more of the functions set forth in this section. Any such program may provide all of the following services:

(a) Community-based programs and services for the prevention and treatment of juvenile delinquency through the development of foster-care and shelter-care homes, group homes, halfway houses, and any other community-based diagnostic, treatment or rehabilitative service;

(b) Community-based programs and services to work with parents and other family members to maintain and strengthen the family unit so that the juvenile may be retained in his home;

(c) Youth service bureaus and other community-based programs to divert youth from the juvenile court or to support, counsel, or provide work and recreational opportunities for delinquents and youth in danger of becoming delinquent;

(d) Comprehensive programs of drug and alcohol abuse education and prevention and programs for the treatment and rehabilitation of drug-addicted youth, and "drug dependent" youth (as defined in the Public Health Service Act (42 U.S.C. 201));

(e) Educational programs or supportive services designed to keep delinquents and to encourage other youth to remain in elementary

and secondary schools or in alternative learning situations;

(f) Expanded use of probation and recruitment and training of probation officers, other professional and paraprofessional personnel and volunteers to work effectively with youth;

(g) Youth-initiated programs and outreach programs designed to assist youth who otherwise would not be reached by assistance programs; and

(h) Programs which:

(1) Reduce the number of commitments of juveniles to any form of juvenile facility as a percentage of the state juvenile population;

(2) Increase the use of nonsecure community-based facilities as a percentage of total commitments to juvenile facilities; and

(3) Discourage the use of secure incarceration and detention.

For each of these services, the Office of Criminal Justice Planning shall recommend to the appropriate state agency the development of state standards or procedures to which local programs shall adhere in program performance. The lack of existing standards shall not preclude the funding of programs pursuant to this chapter.

2003. Using the procedures developed for the Joint Funding Simplification Act of 1974 (P.L. 93-510) as a model, the Office of Criminal Justice Planning shall prepare procedures, in consultation with the Secretary of Health and Welfare and other state agencies identified under Section 2001, to govern the manner in which multiservice youth and family programs may be jointly funded. Such procedures shall be issued in the form of a management memorandum by the Department of Finance and made part of the state administrative manual. These procedures shall be developed and issued within 180 days after January, 1978. Such procedures shall, at a minimum, provide for the following:

(a) A single and uniform preapplication, application, review, approval or disapproval, accounting, requisitioning, monitoring, evaluation and auditing system for the grant proponent;

(b) That separate state-administered federal grant funds shall be combined but separately accounted by the lead agency and grantee;

(c) Coordination of timing of project period and payments where a single or combined schedule is to be established for the project as a whole;

(d) Establishment of a joint funding task force by the Office of Criminal Justice Planning for each joint funded preapplication and application. Such task force shall consist of representatives of all state agencies identified in the grant application as potential grantors;

(e) The Office of Criminal Justice Planning shall act as lead agency for receiving preapplications and applications under the provisions of this chapter. The Office of Criminal Justice Planning shall convene and chair joint funding task force meetings and coordinate the administration of joint funding grants;

(f) State grantor agencies shall participate in joint funding task force activities and in joint funding programs, but shall retain

existing authority to grant approval.

(g) Joint funding grant proponents shall be counties, except that a city or a combination of contiguous cities organized pursuant to Section 6500 and following of the Government Code, totaling over 200,000 population, may also act as an applicant, provided such combination formally requests county sponsorship of the application and the county takes no action or refuses to sponsor the application within 60 days of the request;

(h) Administrative policies, procedures and regulations which would hinder the joint funding program shall be waived by individual agencies. The applicant, with the assistance of the Office of Criminal Justice Planning, shall identify those administrative requirements which must be waived by individual grantor agencies;

(i) The application process shall consist of a preapplication for which a task force shall be established by the Office of Criminal Justice Planning. Such task force shall make findings of fund availability and the viability of a joint funded program. The preapplication shall either be rejected or application shall be invited. If rejected, reasons must be stated based on preestablished criteria. If application is invited, potential fund source availability shall be presented by individual grantor agencies and any problems they anticipate under joint funding shall be presented to the Office of Criminal Justice Planning. The Office of Criminal Justice Planning shall notify a proponent of preapplication decision, potential fund availability and invite complete application for continuing review and action;

(j) The Joint Funding Task Force established for each proponent shall provide technical assistance to the proponent throughout the application review and approval process; and

(k) That nonprofit community-based organizations will be used to implement no less than 50 percent of the joint funded multiservice youth and family program.

2004. Each state plan prepared pursuant to a federal law which qualifies the state for federal grant funds for one or more of the purposes set forth in Section 2002 and requires gubernatorial review under Part III of the President's Office of Management and Budget Circular A-95, or equivalent federal regulations implementing the Intergovernmental Cooperation Act of 1968, shall describe any joint funding proposals considered under such plan and set forth reasons for disapproval of any such proposal not approved.

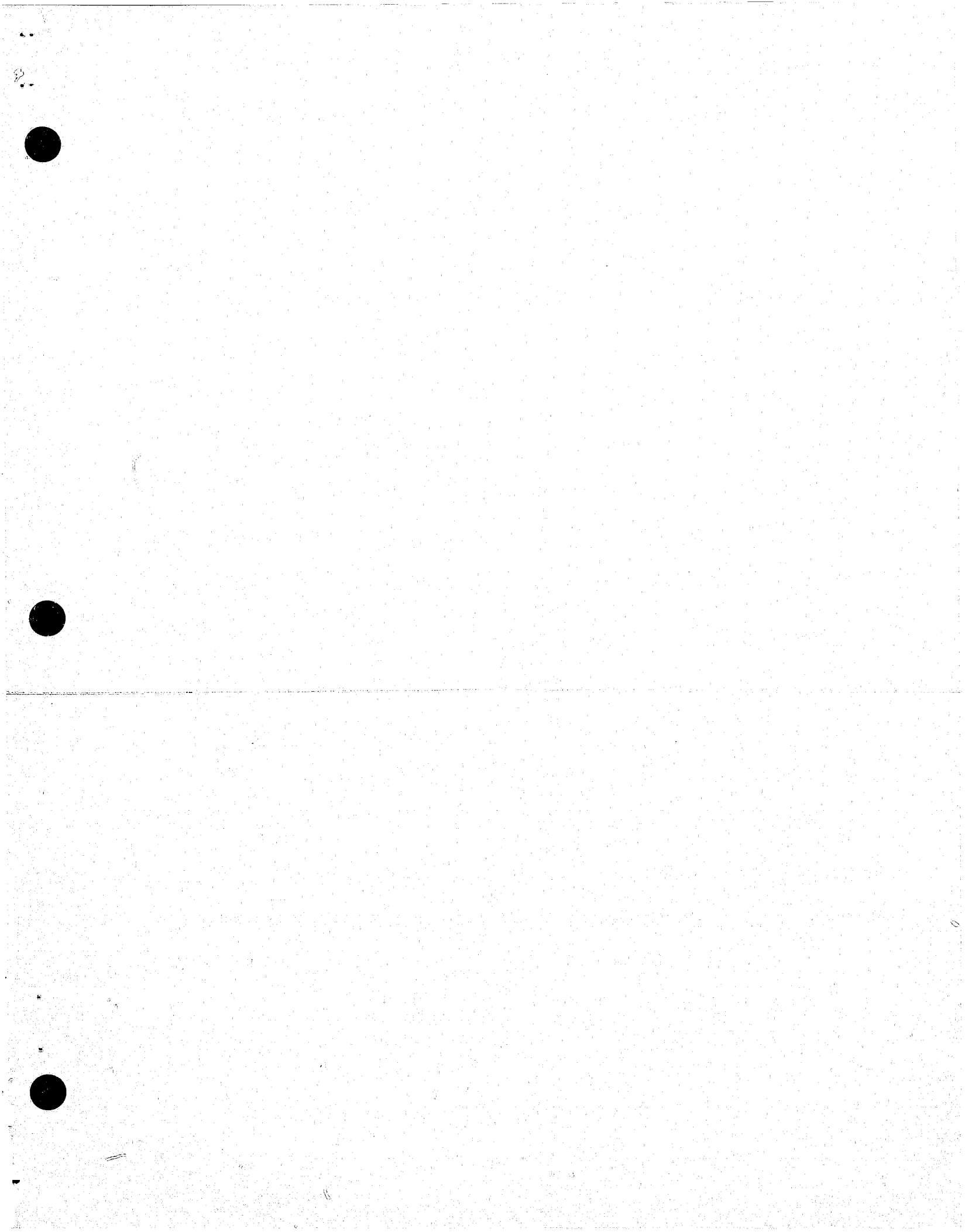
2005. State administered joint funding multiservice youth and family programs are encouraged to seek out and cooperate with similar projects funded through the Joint Funding Simplification Act of 1974 (P.L. 93-510) by the federal government.

2006. The Office of Criminal Justice Planning shall annually submit a report to the Legislature and Governor on actions taken pursuant to this chapter and make recommendations for its continuation, modification, expansion to other programs or

termination. The report shall provide a detailed evaluation of the functioning of this chapter, including information regarding the benefits and costs of jointly funded projects accruing to participating state and local governments.

SEC. 2. The provisions of this act shall be operative only until January 1, 1983, and on that date are repealed.

SEC. 3. The sum of sixty-two thousand five hundred dollars (\$62,500) is hereby appropriated from the General Fund to the Office of Criminal Justice Planning for the purposes of carrying out provisions of Chapter 2 (commencing with Section 2000) of Division 2.5 of the Welfare and Institutions Code during the fiscal year 1977-78.



AMENDED IN SENATE FEBRUARY 2, 1978
AMENDED IN SENATE SEPTEMBER 7, 1977
AMENDED IN SENATE AUGUST 17, 1977
AMENDED IN ASSEMBLY JUNE 22, 1977
AMENDED IN ASSEMBLY MAY 25, 1977
AMENDED IN ASSEMBLY MAY 2, 1977
AMENDED IN ASSEMBLY JANUARY 24, 1977

CALIFORNIA LEGISLATURE—1977-78 REGULAR SESSION

ASSEMBLY BILL

No. 90

Introduced by Assemblyman Dixon

December 20, 1976

An act to amend Sections 885, 888, and 1825 of, to repeal Sections 887, 888.5, and 891 of, to add Article 7 (commencing with Section 1805) to Chapter 1 of Division 2.5 of, and to repeal Article 7 (commencing with Section 1820) of Chapter 1 of Division 2.5 of, the Welfare and Institutions Code, relating to juvenile court law, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 90, as amended, Dixon. Juvenile court law.

Under existing law state moneys, through the Department of the Youth Authority, are required to be made available to counties which operate approved supervision programs established by county probation departments for the purpose of reducing the number of persons committed to the Department of the Youth Authority or the Department of Corrections. The amount of moneys made available to each county is generally determined by the use of a statutory table which

requires the state to reimburse each county on the basis of the county's actual performance in reducing the commitment rate.

Existing law also provides state moneys to counties which operate certain other juvenile programs, including the juvenile homes, ranches, camps, and forestry camps.

This bill would, as of July 1, 1978, repeal the above-mentioned state funding provisions and it would enact a uniform county justice system subvention program. Under such program, the Department of Youth Authority would be required to administer subventions to counties for numerous programs and services, including, for example, operating local crime and delinquency prevention programs, and establishing and maintaining juvenile homes, ranches, camps, forestry camps, schools, day-care centers, and group homes for wards of the juvenile court.

A county board of supervisors would be required to submit its application, after receiving certification from the Department of the Youth Authority, for state funding to the State Controller. The receipt of state funds under the program would be contingent upon the county maintaining its funding year commitment rate as provided in the bill.

The bill would require the Department of Youth Authority to report annually to the Legislature regarding the progress and effectiveness of the program, and it would require the department to contract with an independent public or private agency to evaluate the effectiveness of such program and report thereon to the Legislature by January 1, 1983.

~~Chapter 1071 of the Statutes of 1976 extensively revised the law relating to juvenile courts and provided that notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be an appropriation made by that chapter because there are savings as well as costs in that chapter which, in the aggregate, do not result in additional net costs.~~

~~This bill states that the Legislature recognizes that the law requires state reimbursement of counties for costs incurred as a result of the enactment of Chapter 1071.~~

~~Under existing law, the State Board of Control hears allegations of a local agency that it has not been reimbursed for costs~~

mandated by the state in certain situations; but existing law makes no provision for payment of claims for reimbursement of costs mandated by a statute which contains no appropriation. An appropriation bill is submitted to pay claims for reimbursement awarded by the State Board of Control.

This bill would provide that counties shall submit to the State Board of Control claims for reimbursement for costs imposed by Chapter 1071 of the Statutes of 1976, which arise between January 1, 1977, and June 30, 1978, to the extent that costs exceed savings provided for by that act.

This bill would appropriate \$73,000,000 to be allocated in accordance with a specified schedule: \$55,000,000 to the Department of the Youth Authority for the purposes of the act.

The bill would also provide that on or after July 1, 1978, no appropriation is made or obligation created by the act for which counties must be reimbursed.

The bill would take effect immediately as an urgency statute. *Certain provisions of the bill would not be operative until July 1, 1978.*

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 885 of the Welfare and
- 2 Institutions Code is amended to read:
- 3 885. (a) The Youth Authority shall adopt and
- 4 prescribe the minimum standards of construction,
- 5 operation, programs of education, and training and
- 6 qualifications of personnel for such juvenile homes,
- 7 ranches, camps, or forestry camps.
- 8 (b) The Youth Authority shall conduct an annual
- 9 inspection of each juvenile home, ranch, camp, or
- 10 forestry camp situated in this state which, during the
- 11 preceding calendar year, was used for confinement of
- 12 any minor for more than 24 hours. If the Youth Authority,
- 13 after such inspection, finds that the juvenile home, ranch,
- 14 camp, or forestry camp is not in compliance with the
- 15 standards adopted pursuant to subdivision (a) of this
- 16 section, the Youth Authority shall give notice of its

1 findings to all persons having authority to confine minors
2 in such facilities and commencing 60 days thereafter such
3 juvenile home, ranch, camp, or forestry camp shall not be
4 used for confinement of any minor until such time as the
5 department finds, after reinspection of the facility, that
6 the conditions which rendered the facility unsuitable
7 have been remedied, and such facility is a suitable place
8 for the confinement of minors.

9 (c) The custodian of each juvenile home, ranch, camp,
10 or forestry camp shall make such reports as may be
11 required by the Youth Authority to effectuate the
12 purposes of this section.

13 SEC. 2. Section 887 of the Welfare and Institutions
14 Code is repealed.

15 SEC. 3. Section 888 of the Welfare and Institutions
16 Code is amended to read:

17 888. Any county establishing such juvenile home,
18 ranch, or camp under the provisions of this article may,
19 by mutual agreement, accept children committed to such
20 home, ranch, or camp by the juvenile court of another
21 county in the state. Two or more counties may, by mutual
22 agreement, establish such juvenile homes or camps, and
23 the rights granted and duties imposed by this article shall
24 devolve upon such counties acting jointly. The provisions
25 of this article shall not apply to any juvenile hall.

26 SEC. 4. Section 888.5 of the Welfare and Institutions
27 Code is repealed.

28 SEC. 5. Section 891 of the Welfare and Institutions
29 Code is repealed.

30 SEC. 6. Article 7 (commencing with Section 1820) of
31 Chapter 1 of Division 2.5 of the Welfare and Institutions
32 Code is repealed.

33 SEC. 7. Article 7 (commencing with the Section
34 1805) is added to Chapter 1 of Division 2.5 of the Welfare
35 and Institutions Code, to read:

36
37 Article 7. County Justice System Subvention Program

38
39 1805. It is the intent of the Legislature in enacting this
40 article to protect society from crime and delinquency by

1 assisting counties in maintaining and improving local
2 criminal justice systems, by encouraging greater
3 selectivity in the kinds of juvenile and adult offenders
4 retained in the community, and by assisting the counties
5 in reducing the number of offenders reentering the local
6 criminal justice systems; and to protect and care for
7 children and youth who are in need of services as a result
8 of truancy, running away, and being beyond the control
9 of their parents by assisting counties in providing
10 appropriate services and facilities for such children and
11 youth.

12 1806. (a) From any state moneys made available to it
13 for such purpose, the Department of the Youth Authority
14 shall, commencing with the 1978-79 fiscal year, and in
15 accordance with this article, administer subventions to
16 counties for all of the following:

17 (1) Improving local justice system offender-centered
18 services offered by probation departments, county and
19 city law enforcement agencies, the courts, and public and
20 private agencies.

21 (2) Establishing and maintaining public and private
22 adult correctional programs and facilities, including, but
23 not limited to, county jail programs, correctional
24 rehabilitation centers, work-furlough programs,
25 vocational training programs, job placement services,
26 prerelease planning services, and part-way houses.

27 (3) Operating local crime and delinquency
28 prevention programs, including, but not limited to, the
29 establishment and maintenance of youth service bureaus.

30 (4) Providing public education and information
31 regarding crime and delinquency prevention.

32 (5) Operating nonsecure facilities, sheltered-care
33 facilities, crisis resolution homes, counseling and
34 education centers, and home supervision programs for
35 juveniles.

36 (6) Establishing and maintaining juvenile homes,
37 ranches, camps, forestry camps, schools, day care centers,
38 and group homes for wards of the juvenile court.

39 (7) Funding those services and programs required to
40 implement the provisions of Chapter 1071 of the Statutes

1 of 1976, including, but not limited to, services and
2 programs provided by courts, district attorneys,
3 probation officers, and public defenders.

4 (b) The amount of funds obtained pursuant to this
5 article by any county which may be utilized or
6 encumbered for capital construction may not exceed 10
7 percent of the maximum amount which a county may
8 obtain pursuant to Section 1813.

9 Funds obtained under this article shall not be used to
10 supplant local funds that would otherwise be expended in
11 support of the local criminal justice activities referred to
12 in subdivision (a).

13 1807. The director of the Department of the Youth
14 Authority shall prescribe the policies and procedures to
15 be followed in the administration of this article,
16 including, but not limited to, program monitoring,
17 program evaluation, and methods of accounting for and
18 certifying the proper use of funds received under this
19 article. Such policies and procedures shall be for the
20 purposes of carrying out, and not inconsistent with, the
21 provisions of this article.

22 1808. Application by individual counties for funding
23 under this article shall be made in the manner and form
24 prescribed by the director.

25 1809. (a) Funds received shall be spent pursuant to
26 the purposes set forth in subdivision (a) of Section 1806.

27 (b) No county shall be entitled to receive funds under
28 this article until the Department of the Youth Authority
29 has certified to the State Controller that the county's
30 application for funding establishes that such funds will be
31 spent pursuant to the purposes set forth in subdivision (a)
32 of Section 1806.

33 1810. ~~The Department of the Youth Authority.~~ The
34 Department of the Youth Authority shall provide
35 technical assistance and consultation to the counties in
36 the development of the applications and the
37 implementation of programs.

38 1811. (a) Each county which intends to apply for
39 funding under this article shall establish a County Justice
40 System Advisory Group, or may elect to substitute for the

1 County Justice System Advisory Group an existing
2 governmental entity, provided that the existing entity
3 includes or is expanded to include the officials and
4 representatives listed in subdivision (b). Such advisory
5 group shall be responsible for preparing and forwarding
6 to the board of supervisors a recommended application
7 for funding.

8 (b) The County Justice System Advisory Group shall
9 be composed of the county chief probation officer, the
10 county sheriff, the presiding judge of the superior court,
11 the chairperson of the Juvenile Justice Commission or the
12 Delinquency Prevention Commission, the district
13 attorney, the public defender, the county superintendent
14 of schools, the county administrative officer or the
15 equivalent thereof, two chiefs of police selected on the
16 basis of city population, one of whom shall represent a
17 city above the median population range and one below
18 the median population range of cities in the county, one
19 representative of a private agency which provides
20 services to juvenile offenders, one representative of a
21 private agency which provides services to adult
22 offenders, and one public member, who is neither
23 employed by nor who has ever been employed by a law
24 enforcement agency, selected by the board of
25 supervisors.

26 (c) In a county lacking two chiefs of police, a substitute
27 member who is a representative of city government shall
28 be selected by the board of supervisors. In a county in
29 which there are two chief probation officers, one of them
30 shall be designated by the board of supervisors as a
31 member of the advisory group. The representatives of
32 the private agencies providing services to juvenile and
33 adult offenders shall be selected by the board of
34 supervisors. In a county in which there are chairpersons
35 of both a Juvenile Justice Commission and a Delinquency
36 Prevention Commission, one of them shall be selected by
37 the board of supervisors. In a county in which a position
38 designated in this section does not exist, the board of
39 supervisors shall select, to the extent possible, an
40 equivalent substitute.

1 (d) The chairperson of the County Justice System
2 Advisory Group shall be selected by its members.
3 Reasonable and necessary expenses incurred by the
4 advisory group and its members in the performance of its
5 duties may be paid by the county, and any application for
6 funding under this article may include provision for
7 payment of such expenses.

8 (e) The County Justice System Advisory Group shall
9 assess community justice system needs, evaluate
10 alternative programs for meeting the needs, and make
11 written recommendations to the board of supervisors.

12 The board of supervisors shall review and consider the
13 County Justice System Advisory Group's
14 recommendations in their determination of the
15 allocation of the county's subvention.

16 (f) Any application for funding under this article shall
17 be approved by the board of supervisors prior to
18 submission to the Department of the Youth Authority.

19 1812: (a) The receipt of funds under this article shall
20 be contingent upon the county maintaining its funding
21 year commitment rate of juvenile and criminal offenders
22 to the Department of the Youth Authority and the
23 Department of Corrections within a base commitment
24 rate of such commitments, except that no county shall be
25 excluded from funds under this article which does not
26 commit more than three people to the Department of
27 the Youth Authority and the Department of Corrections
28 during the funding year. For purposes of this article,
29 "funding year" is the fiscal year for which the subvention
30 is made.

31 (b) The Youth Authority shall calculate the base
32 commitment rate for each county by computing the ratio
33 of new commitments by county population, expressed in
34 a commitment rate per 100,000 population for each of the
35 fiscal years 1973-74, 1974-75, 1975-76, and 1976-77. The
36 average of these four rates shall be the base commitment
37 rate for the county. The number of new commitments for
38 each of the above fiscal years shall be the total of the new
39 commitments to the Department of the Youth Authority
40 and to the Department of Corrections, as certified by the

1 respective departments, on the basis provided in Article
2 7 (commencing with Section 1820) of Chapter I of
3 Division 2.5, in effect during such fiscal years, excluding
4 persons within any of the categories listed below:

5 (1) Persons committed to the Department of the
6 Youth Authority or the Department of Corrections who
7 are subsequently recalled or discharged pursuant to
8 Section 1737 of this code or Section 1168 of the Penal
9 Code.

10 (2) Persons committed to the Department of the
11 Youth Authority or the Department of Corrections for
12 diagnostic study pursuant to Section 704, 707.2, 1731.6, or
13 1752.1 of this code or Section 1203.03 of the Penal Code.

14 (c) The Youth Authority shall calculate the funding
15 year commitment rate for each participating county by
16 computing the ratio of new commitments to county
17 population, expressed in a commitment rate per 100,000
18 population, for the funding year, excluding persons
19 placed in or committed to state institutions for the
20 offenses specified below:

21 (1) Persons committed to the Department of the
22 Youth Authority who are subsequently recalled pursuant
23 to Section 1737, or subsequently recalled within 120 days
24 of the date of such commitment, pursuant to Section 779,
25 and persons committed to the Department of
26 Corrections who are subsequently recalled pursuant to
27 subdivision (d) or (f) of Section 1170 of the Penal Code.

28 (2) Persons committed to the Department of the
29 Youth Authority or the Department of Corrections for
30 diagnostic study pursuant to Section 704, 707.2, 1731.6, or
31 1752.1 of this code or Section 1203.03 of the Penal Code.

32 (3) Persons committed to the Department of the
33 Youth Authority or the Department of Corrections as a
34 result of having been found to have committed any of the
35 following specified violent offenses:

36 (A) Murder in the first and second degree, as defined
37 in Sections 187 and 189 of the Penal Code.

38 (B) Attempted murder, as defined in Sections 187, 189,
39 and 664 of the Penal Code.

40 (C) Arson, as defined in Section 447a of the Penal

- 1 Code.
- 2 (D) Robbery, as defined in Section 211 of the Penal
3 Code, where one or more enhancements have been
4 imposed pursuant to Section 12022, 12022.5, or 12022.7 of
5 the Penal Code.
- 6 (E) Rape, as defined in subdivision 1, 2, or 3 of Section
7 261 of the Penal Code, or attempted rape.
- 8 (F) Kidnapping, as defined in Section 209 of the Penal
9 Code.
- 10 (G) Assault with intent to commit murder, as defined
11 in Section 217 of the Penal Code.
- 12 (H) Assault with a deadly weapon or instrument or by
13 force, as defined in Section 245 of the Penal Code.
- 14 (I) Assault with chemicals, as defined in Section 244 of
15 the Penal Code.
- 16 (J) Trainwrecking, as defined in Section 219 of the
17 Penal Code.
- 18 (K) Any offense listed in Section 1203.06, 1203.07, or
19 1203.11 of the Penal Code.
- 20 (L) Any offense for which probation or suspension of
21 sentence is prohibited by law.
- 22 (d) the county population for purposes of calculating
23 the base commitment rate and the funding year
24 commitment rate shall be that certified by the
25 Department of Finance to the State Controller on July 1
26 of each fiscal year.
- 27 (e) The Department of the Youth Authority will
28 annually compute the statewide average commitment
29 rate for informational purposes.
- 30 (f) The use of commitment rates for fiscal years
31 1973-74, 1974-75; ~~and 1975-76~~ 1975-76, and 1976-77 for
32 the calculation of the base commitment rate pursuant to
33 subdivision (b) reflects the judgment of the Legislature
34 that the present capacity of the state correctional system
35 is insufficient to accommodate significant increase in the
36 numbers of people committed to the Department of
37 Corrections and the Department of the Youth Authority.
38 It is the intent of the Legislature to reconsider the
39 method of calculation of the base commitment rate at
40 such time as the Department of Corrections or the

1 Department of the Youth Authority develop the capacity
2 to accommodate a significant increase in the number of
3 people who may be committed to such departments.

4 1813. (a) The amount that may be paid to any county
5 receiving funding under this article may not exceed two
6 dollars and fifty-five cents (\$2.55) per capita in such
7 county. The county population shall be that certified by
8 the Department of Finance to the State Controller of July
9 1 of the funding year; except that, for the purposes of this
10 section, no county shall be considered to have a
11 population of less than 20,000 persons.

12 (b) In lieu of the per capita funding limitation set forth
13 in subdivision (a), a county may elect, as its maximum
14 funding limitation, an amount equal to the total of funds
15 received by such county for fiscal year 1977-78 under
16 former Article 7 (commencing with Section 1820) of
17 Chapter 1 of Division 2.5, and for maintenance of juvenile
18 homes, ranches, and camps pursuant to Section 887, as
19 such programs were in effect during fiscal year 1977-78,
20 and for reimbursement of costs imposed for fiscal year
21 1977-78 by Chapter 1071 of the Statutes of 1976, as
22 claimed and reimbursed pursuant to ~~Section 9 of this act,~~
23 ~~as enacted during the 1977-78 Regular Session of the~~
24 ~~Legislature Chapter 1241 of the Statutes of 1977.~~ Such
25 election shall be made on or before September 15 of the
26 funding year and shall apply retroactively for the entire
27 funding year. In the absence of an election by any county
28 by September 15 of the funding year, any such county
29 shall be deemed to have elected the per capita funding
30 limitation set forth in subdivision (a).

31 (c) The Director of the Department of Finance shall
32 annually adjust both the per capita maximum dollar
33 amount as set forth in subdivision (a), and the maximum
34 amount which each county may elect as its maximum
35 funding limitation pursuant to subdivision (b), beginning
36 with the 1979-80 fiscal year, by the percentage increase
37 or decrease in the consumer price index established by
38 the United States Department of Labor and given a
39 weighted average for California by the California
40 Department of Industrial Relations. The first adjustment

1 shall use the December 1977 consumer price index as the
2 base.

3 (d) The Legislature hereby declares that a component
4 portion of the per capita sum specified in subdivision (a)
5 is based on the total amount of state-mandated costs
6 pursuant to Chapter 1071 of the Statutes of 1976. The
7 Legislature further declares its intent that, to the extent
8 that the actual amount of such costs for the 1977-78 fiscal
9 year are less than or in excess of eighteen million dollars
10 (\$18,000,000), such component portion of the per capita
11 sum as eighteen million dollars (\$18,000,000) bears to the
12 total amount appropriated to the Department of the
13 Youth Authority to carry out the purpose of this article
14 during the 1978-79 fiscal year, be increased or decreased
15 by a like percentage with the effect of a consequent
16 increase or decrease in the total per capita sum.
17 The actual amount of state-mandated costs pursuant to
18 Chapter 1071 of the Statutes of 1976 shall be the
19 reimbursements for such costs, as claimed and
20 reimbursed pursuant to ~~Section 9 of this act, as enacted~~
21 ~~during the 1977/78 Regular Session of the Legislature,~~
22 *Chapter 1241 of the Statutes of 1977*, plus such additional
23 costs as the Department of Finance determines would
24 have been approved for reimbursement pursuant to
25 ~~Section 9 of this act, as enacted during the 1977/78~~
26 ~~Regular Session of the Legislature~~ *Chapter 1241 of the*
27 *Statutes of 1977* had claims been submitted but for which
28 the county secured alternative funding.

29 (e) On or before January 1, 1979, the per capita sum
30 specified in subdivision (a) shall be further adjusted
31 retroactive to July 1, 1978, using the following method:

32 (1) The total of the maximum amounts applicable to
33 all those counties who have elected the method set forth
34 in subdivision (b) shall be subtracted from the total
35 amount appropriated to the Department of the Youth
36 Authority to carry out the purposes of this article during
37 the 1978-79 fiscal year.

38 (2) The remainder shall be divided by the sum of the
39 populations of all counties, as determined for funding
40 year 1978-79 pursuant to subdivision (a), which have not

1 elected the method of maximum payment set forth in
2 subdivision (b). The quotient of the above division shall
3 be the adjusted per capita sum for the funding year
4 1978-79.

5 1814. (a) A county's per capita distribution shall be
6 made quarterly by the state. Counties shall be required
7 to file an annual summary program budget showing the
8 county's intended distribution of its subvention in
9 accordance with subdivision (a) of Section 1806.

10 (b) Any funds not used for actual expenditures for the
11 funding year in accordance with this article shall revert
12 to the state, except funds encumbered annually by the
13 county for capital expenditures, subject to the limitations
14 set forth in subdivision (b) of Section 1806.

15 1815. (a) The Director of the Department of the
16 Youth Authority shall, on an annual or more frequent
17 basis, determine if each county is maintaining its funding
18 year commitment rate of juvenile and criminal offenders
19 to the Department of the Youth Authority and the
20 Department of Corrections within the base commitment
21 rate of such commitments.

22 (b) If it appears to the director that a county either is
23 or will be in violation of the provisions of this article, the
24 director shall give notice of such actual or potential
25 violation to the county. Within 60 days of such
26 notification, the county shall submit a plan for correcting
27 or avoiding such violations. Such plan shall be consistent
28 with the intent of this article to maintain and improve
29 local alternatives to state incarceration.

30 (c) If the plan for correcting or avoiding violations is
31 not approved by the director, the Youth Authority may
32 thereafter withhold from the county all or any portion of
33 annual funds authorized to be paid to the county or may
34 require repayment of funds previously paid; except that
35 no county shall, by reason of the director's disapproval of
36 such plan, have withheld or be required to repay the
37 percentage amount of such county's total funding year
38 maximum distribution, as determined pursuant to
39 Section 1813, that is equal to the total of all counties'
40 state-mandated costs for the fiscal year 1977-78 incurred

1 pursuant to Chapter 1071 of the Statutes of 1976 divided
2 by the total of all counties' maximum distributions, as
3 determined pursuant to Section 1813, for fiscal year
4 1978-79, to the extent that such county actually expends
5 such funds for costs mandated by Chapter 1071 of the
6 Statutes of 1976.

7 (d) In the event a county's funding year commitment
8 rate exceeds its base commitment rate as provided in
9 subdivision (a) because of extremely unusual
10 circumstances, as defined by criteria established by the
11 Director of the Youth Authority, with the advice of the
12 Director of Corrections, the Director of the Youth
13 Authority may certify to the State Controller
14 authorization for payment of the per capita subvention to
15 which the county would otherwise be certified.

16 (e) The Board of Corrections shall establish
17 administrative procedures by which a county may
18 request review of the director's finding of actual or
19 potential violation prior to the withhold or ordered
20 repayment of funds. The Board of Corrections shall have
21 final authority to determine any actual or potential
22 violation of the provisions of this article.

23 1816. (a) In order for the Legislature to determine
24 the need to continue or modify the County Justice System
25 Subvention Program, the Department of the Youth
26 Authority shall, commencing on January 1, 1979, submit
27 an annual report to the Legislature regarding the
28 progress and effectiveness of the program. In addition,
29 the Department of the Youth Authority shall contract
30 with an independent public or private agency for an
31 evaluation of the effectiveness of programs in all or a
32 representative number of counties funded in whole or in
33 part under this article. These evaluations shall be
34 completed by June 30, 1982. The Department of the
35 Youth Authority shall make a report thereon to the
36 Legislature by January 1, 1983. The Legislature shall
37 assess the impact of the effectiveness of the County
38 Justice System Subvention Program by December 31,
39 1983.

40 (b) In the event of the termination of the program

1 established by this article, counties shall thereafter be
2 entitled to be reimbursed for costs mandated by Chapter
3 1071 of the Statutes of 1976, including, but not limited to,
4 all costs required to provide alternative programs for
5 minors alleged or found to be wards of the juvenile court
6 pursuant to Section 601 who, but for Chapter 1071 of the
7 Statutes of 1976, would have been placed in secure
8 detention.

9 (c) The participating counties shall maintain records
10 of all county justice system subvention expenditures and
11 expenditures attributable to Chapter 1071 of the Statutes
12 of 1976.

13 1817. No funds shall be paid by the state pursuant to
14 the maintenance and operation subsidy program
15 (Section 887), and the construction subsidy program
16 (Section 891) as provided by statute during the 1977-78
17 fiscal year to those programs after June 30, 1978, without
18 regard to whether a county participates in the County
19 Justice System Subvention Program, except funds
20 previously encumbered by the Youth Authority pursuant
21 to such programs.

22 1818. From any state funds made available to it for
23 such purpose, the State of California, through the
24 Department of the Youth Authority shall reimburse each
25 county participating in the State Aid for Probation
26 Services Program prior to July 1, 1978, for previously
27 unreimbursed costs incurred in the operation of special
28 supervision programs during the 1977-78 fiscal year to
29 the extent that they do not exceed earnings pursuant to
30 the State Aid for Probation Services Programs as certified
31 by the Director of the Department of the Youth
32 Authority.

33 SEC. 7.5. Section 1825 of the Welfare and Institutions
34 Code is amended to read:

35 1825. (a) No county shall be entitled to receive any
36 state funds provided by this article until its application is
37 approved and unless and until the minimum standards
38 prescribed by the Department of the Youth Authority are
39 complied with and then only on such terms as are set
40 forth hereafter in this section.

1 (b) A commitment rate for each county and for the
2 state as a whole shall be calculated by the Department of
3 the Youth Authority by computing the ratio of new
4 commitments to state and county population, expressed
5 in a rate per 100,000 population, for each of the calendar
6 years 1959 through 1963. The average of these rates for a
7 county for the five-year period or the average of the last
8 two years of the period, whichever is higher, shall be the
9 base rate for that county, however, if the base rate is
10 lower than 40 commitments per 100,000 population, the
11 rate shall be established at 40, and if the rate is higher
12 than 100, the rate shall be established at 100. The number
13 of commitments shall be the total of the new
14 commitments to the custody of the Director of the Youth
15 Authority and the new criminal commitments to the
16 custody of the Director of Corrections, as certified by the
17 respective departments. The county and state population
18 shall be that certified by the Department of Finance to
19 the Controller as of July 1 of each year. Persons
20 committed to the Department of Corrections and
21 subsequently discharged under Section 1168 of the Penal
22 Code and persons committed to the Department of
23 Corrections or the Department of the Youth Authority
24 for diagnostic study only pursuant to Section 1203.03 of
25 the Penal Code or Section 704 or 1752.1 of the Welfare
26 and Institutions Code, shall not be counted as having
27 been committed for purposes of determining
28 commitment rates under this subdivision or subdivision
29 (c).

30 (c) An annual commitment rate shall be calculated at
31 the end of each fiscal year for each participating county
32 and for the state as a whole in a like manner to that
33 described in subdivision (b) using the population figure
34 of the July 1 included in the year, except that, in addition
35 to the categories of persons excluded from being counted
36 as having been committed under subdivision (b), persons
37 committed to the Department of Corrections who are
38 subsequently recalled at any time during the 1977-78
39 fiscal year pursuant to subdivision (d) or (f) of Section
40 1170 of the Penal Code shall not be counted as having

1 been committed for purposes of determining
 2 commitment rates under this subdivision.
 3 (d) The maximum amount that may be paid to a
 4 county pursuant to this article is determined by obtaining
 5 the interpolated dollar amount in the table in this
 6 subdivision for such county's base commitment rate and
 7 its percentage decrease, interpolated to the nearest
 8 one-tenth of 1 percent, in rate of commitment and
 9 multiplying the appropriate dollar amount by the
 10 "commitment reduction number." The "commitment
 11 reduction number" is obtained by subtracting (1) the
 12 most recent annual commitment number from (2) the
 13 product of the base commitment rate and population of
 14 the county for the same year employed in (1). The
 15 Director of the Youth Authority, with approval of the
 16 Director of Finance may annually adjust the dollar
 17 amounts in the ensuing table, beginning with the
 18 1973-1974 fiscal year, to reflect changes in the Consumer
 19 Price Index established by the U.S. Department of Labor
 20 and given a weighted average for California by the
 21 California Department of Industrial Relations. The first
 22 adjustment shall use the December 1971 index as the
 23 base. Payments per uncommitted case shall in any event
 24 not exceed the average annual per capita cost of
 25 maintaining wards in Department of the Youth Authority
 26 institutions.

27
 28 Per Capita Subsidy in Relation to Percentage Decrease
 29 Base Commitment Rates/100,000
 30 (Adult and Juvenile)

31	Percent of						
32	decrease from	40-49	50-59	60-69	70-79	80-89	90-100
33	base rate	100,000	100,000	100,000	100,000	100,000	100,000
34	0 percent....	—	—	—	—	—	—
35	1 percent....	\$2,285	\$2,180	\$2,135	\$2,105	\$2,085	\$2,080
36	2 percent....	2,570	2,360	2,265	2,210	2,175	2,160
37	3 percent....	2,855	2,545	2,400	2,315	2,260	2,240
38	4 percent....	3,145	2,725	2,535	2,420	2,350	2,320
39	5 percent....	3,430	2,910	2,665	2,525	2,435	2,400
40	6 percent....	3,715	3,090	2,800	2,630	2,520	2,480

1	7 percent....	4,000	3,275	2,935	2,735	2,610	2,560
2	8 percent....	4,000	3,455	3,065	2,840	2,695	2,640
3	9 percent....	4,000	3,635	3,200	2,945	2,785	2,720
4	10 percent....	4,000	3,820	3,335	3,055	2,870	2,800
5	11 percent....	4,000	4,000	3,465	3,160	2,955	2,880
6	12 percent....	4,000	4,000	3,600	3,265	3,045	2,960
7	13 percent....	4,000	4,000	3,735	3,370	3,130	3,040
8	14 percent....	4,000	4,000	3,865	3,475	3,215	3,120
9	15 percent....	4,000	4,000	4,000	3,580	3,305	3,200
10	16 percent....	4,000	4,000	4,000	3,685	3,390	3,280
11	17 percent....	4,000	4,000	4,000	3,790	3,480	3,360
12	18 percent....	4,000	4,000	4,000	3,895	3,565	3,440
13	19 percent....	4,000	4,000	4,000	4,000	3,650	3,520
14	20 percent....	4,000	4,000	4,000	4,000	3,740	3,600
15	21 percent....	4,000	4,000	4,000	4,000	3,825	3,680
16	22 percent....	4,000	4,000	4,000	4,000	3,915	3,760
17	23 percent....	4,000	4,000	4,000	4,000	4,000	3,840
18	24 percent....	4,000	4,000	4,000	4,000	4,000	3,920
19	25 percent....	4,000	4,000	4,000	4,000	4,000	4,000
20	Over						
21	25 percent....	4,000	4,000	4,000	4,000	4,000	4,000

(e) The state will reimburse the county upon presentation of a valid claim based on actual performance in reducing the commitment rate from its base rate. Whenever a claim made by a county, pursuant to this article, covering a prior fiscal year, is found to be in error, adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(f) If the amount received by a county in reimbursement of its expenditures in a fiscal year is less than the maximum amount computed under subdivision (d), the difference may be used in the next two succeeding fiscal years and may be paid to the county in quarterly installments during such fiscal years upon preparation of valid claims for reimbursement of its quarterly expenses.

(g) In the event a participating county earns less than the sum paid in the previous year because of extremely unusual circumstances claimed by the county and

1 verified by the Director of the Youth Authority with the
2 approval of the Director of Finance, the Director of the
3 Youth Authority may pay to the county a sum equal to the
4 prior year's payment, provided, however, that in
5 subsequent years the county will be paid only the amount
6 earned.

7 (h) Funds obtained under this article shall not be used
8 to support existing programs or develop or expand new
9 programs in juvenile homes, ranches, or camps
10 established under Article 15 (commencing with Section
11 880) of Chapter 2 of Part 1 of Division 2 of this code,
12 except that funds obtained under this article may be used
13 by a county that has not established a juvenile home,
14 ranch or camp to pay for its juvenile home, ranch or camp
15 placements in other counties.

16 (i) Counties where the average number of
17 commitments in the base period as established by
18 subdivision (b) is less than 30 may elect either to comply
19 with the procedure set out above or, as an alternative, to
20 receive from the state 90 percent of the salary of one
21 full-time additional probation officer or, in the event
22 there are fewer than 20 persons placed on probation
23 annually otherwise eligible for commitment to state
24 institutions, the county would be entitled to 90 percent of
25 the salary of a half-time officer. In the event a county
26 chooses the alternative proposal, it will be eligible for
27 reimbursement only so long as the officer devotes all of
28 his time in the performance of probation services to
29 supervision of persons eligible for state commitment and
30 persons participating in special supervision programs and
31 (1) if its base rate is below the state average, it does not
32 on an annual basis exceed the base state rate, or (2) if its
33 base rate is above the state average, it does not in the year
34 exceed by 5 percent its own base rate.

35 (j) As a supplement to earnings received by counties
36 pursuant to subdivision (d), the Director of the Youth
37 Authority may allocate from any moneys made available,
38 to each participating county, an amount not to exceed 10
39 percent of the county's earnings generated in the 1972-73
40 fiscal year. This special allocation may be used,

1 notwithstanding the provisions of Section 1821 or any
2 other section of the article, for the diagnosis, control, or
3 treatment of offenders or alleged offenders by local law
4 enforcement agencies in the county, subject to standards,
5 rules, and regulations established by the Director of the
6 Youth Authority.

7 A sum of two million dollars (\$2,000,000) is hereby
8 appropriated to the Department of the Youth Authority
9 for the 1974-75 fiscal year to carry out the provisions of
10 this act.

11 In addition, one hundred seventy-four thousand dollars
12 (\$174,000) is hereby appropriated to the Director of the
13 Youth Authority. One hundred forty-five thousand
14 dollars (\$145,000) of the total appropriation shall be used
15 to (a) reimburse each participating county for carrying
16 out program evaluation studies specified by the
17 Department of the Youth Authority and twenty-nine
18 thousand dollars (\$29,000) to be used to (b) defray the
19 cost to the Department of the Youth Authority for
20 processing the county evaluations to prepare a report to
21 the 1975-76 Legislature on the effectiveness of state aid
22 to probation services.

23 Each county participating in these studies shall be
24 required to enter into a contractual agreement with the
25 state. Such agreement shall specify the maximum amount
26 each county shall be reimbursed.

27 No county shall share in any additional funds
28 appropriated by this subdivision unless it enters into an
29 agreement with the state to provide such evaluation or is
30 granted an exemption by the Department of the Youth
31 Authority.

32 The provisions of this subdivision shall be terminated
33 on June 30, 1975.

34 (k) A review of this article shall be made by the
35 Director of the Youth Authority and a report made to the
36 1975-76 Legislature by January 9, 1976.

37 This section shall be operative only until July 1, 1978,
38 and as of such date is repealed.

39 ~~SEC. 8. The Legislature recognizes that there are~~
40 ~~state/mandated local costs incurred by counties as a result~~

1 of the enactment of Chapter 1071 of the Statutes of 1976,
2 including, but not limited to, costs required to provide
3 alternative programs for minors alleged or found to be
4 wards of the juvenile court pursuant to Section 601 of the
5 Welfare and Institutions Code, but for Chapter 1071 of
6 the Statutes of 1976, would have been placed in secure
7 detention, and that such costs may exceed the savings
8 provided to counties by Chapter 1071 of the Statutes of
9 1976. The Legislature further recognizes that Section
10 2231 of the Revenue and Taxation Code requires state
11 reimbursement of counties for such costs.

12 **SEC. 9.** Notwithstanding Section 2253 of the Revenue
13 and Taxation Code, counties shall submit to the State
14 Board of Control claims for reimbursement for costs
15 imposed by Chapter 1071 of the Statutes of 1976, which
16 costs arise between January 1, 1977, and June 30, 1978, to
17 the extent that costs exceed savings provided for by that
18 act during that period. Any county utilizing programs
19 and facilities of a type now required by Chapter 1071 of
20 the Statutes of 1976 shall be reimbursed only the costs
21 arising with respect to those programs and facilities on
22 and after January 1, 1977, that are directly imposed on the
23 county by Chapter 1071 of the Statutes of 1976. The Board
24 of Control shall consider the claims based on
25 recommendations or evidence, or both, presented by the
26 Department of the Youth Authority and the Department
27 of Finance, Local Mandate Programs Unit, or other state
28 departments as appropriate.

29 **SEC. 10.** As used in Sections 8 and 9 of this act, "county"
30 also means any city and county.

31 **SEC. 11.** Sections 1 to 7, inclusive, of this act shall
32 become operative on July 1, 1978.

33 **SEC. 12.** The sum of seventy-three million dollars
34 (~~\$73,000,000~~) is hereby appropriated from the General
35 Fund to be allocated as follows:

36 (a) The sum of eighteen million dollars (~~\$18,000,000~~) to
37 the State Controller for disbursement to any county for
38 reimbursement for costs incurred pursuant to Chapter
39 1071 of the Statutes of 1976, upon approval of claims for
40 such reimbursement pursuant to Section 9 of this act and

1 in accordance with the following schedule:

2 ~~(1)~~ Six million dollars (\$6,000,000) for 1976/77 fiscal
3 year.

4 ~~(2)~~ Twelve million dollars (\$12,000,000) for 1977/78
5 fiscal year; provided, that if claims received in 1976/77
6 fiscal year are over six million dollars (\$6,000,000) the
7 Department of Finance may allocate funds in this
8 paragraph to paragraph ~~(1)~~. If the total county claims for
9 reimbursement for costs incurred pursuant to Chapter
10 1071 of the Statute of 1976 exceed the amount of funds
11 appropriated herein, the Department of Finance shall
12 request additional funds from the Legislature to meet the
13 full amount of such claims.

14 ~~(3)~~ The sum of fifty-five million dollars (\$55,000,000)
15 to the Department of the Youth Authority to carry out
16 the purposes of Article 7 (commencing with Section
17 1805) of Chapter 1 of Division 2.5 of the Welfare and
18 Institutions Code during the fiscal year 1978/79.

19 *SEC. 8. Sections 1, 2, 3, 4, 5, 6, and 7 of this act shall*
20 *become operative July 1, 1978.*

21 *SEC. 9. The sum of fifty-five million dollars*
22 *(\$55,000,000) is hereby appropriated from the General*
23 *Fund to the Department of the Youth Authority to carry*
24 *out the purposes of Article 7 (commencing with Section*
25 *1805) of Chapter 1 of Division 2.5 of the Welfare and*
26 *Institutions Code during fiscal year 1978-79.*

27 ~~SEC. 12.5.~~ *SEC. 10. Notwithstanding Section 2231 of*
28 *the Revenue and Taxation Code, on and after July 1, 1978,*
29 *there shall be no reimbursement pursuant to that section*
30 *for counties, as a result of the enactments contained in*
31 *Chapter 1071 of the Statutes of 1976, without regard to*
32 *whether a county participates in the County Justice*
33 *System Subvention Program.*

34 ~~SEC. 12.6.~~ *SEC. 11. Notwithstanding Section 2231 of*
35 *the Revenue and Taxation Code, on and after July 1, 1978,*
36 *there shall be no reimbursement pursuant to that section*
37 *by this act, nor is there any obligation created thereby.*

38 ~~SEC. 13.~~ *Any claim incurred by a county during the*
39 *period of January 1, 1977, to June 30, 1977, which is filed*
40 *by a county with the State Controller after the normal*

1 filing period shall be accepted and the county shall be
2 reimbursed by funds made available pursuant to this act.

3 ~~SEC. 14.~~ SEC. 12. This act is an urgency statute
4 necessary for the immediate preservation of the public
5 peace, health, or safety within the meaning of Article IV
6 of the Constitution and shall go into immediate effect.

7 The facts constituting such necessity are:

8 In order for counties to be promptly reimbursed for
9 costs imposed by Chapter 1071 of the Statutes of 1976, it
10 is necessary that this act take effect immediately.

11 In order for the Department of the Youth Authority to
12 carry out the purposes of the Article 7 (commencing with
13 Section 1805) that will be added to Chapter 1 of Division
14 2.5 of the Welfare and Institutions Code by this act, it is
15 necessary that this act take effect immediately.

O



California Council on Criminal Justice

Guiding Principles

(Adopted January 28, 1977)

Principle

101 - Role of Local Planning Boards

With CCCJ setting overall substantive policy under federal and state statutes and regulations, planning decisions relating to state programs will be made by CCCJ, those involving programs to be implemented by or sponsored by local units of government will be delegated to the local criminal justice and delinquency prevention planning district boards designated for such purposes by local government in compliance with state statutes. Through the mechanism of such boards, local government units and local criminal justice planning and operating agencies will be consulted and will be involved in all stages of policy development and the planning process.

102 - Role of California Council on Criminal Justice (CCCJ)

The CCCJ's role will be to establish substantive funding policy for the LEAA program and to develop policy recommendations for the Governor, the Legislature and local units of government on major criminal and juvenile justice issues.

103 - Role of the Office of Criminal Justice Planning (OCJP)

Within CCCJ's broad funding policies, OCJP's role will be to establish policy on procedural and administrative matters for local planning agencies and subgrantees.

104 - Principal Program Thrust

The principal thrust of the LEAA program in California is to assist state and local governments in strengthening and improving law enforcement and criminal justice with emphasis on crime and delinquency control and prevention.

105 - Minimization of Administrative Burden

The LEAA program in California will be conducted with a minimum of red tape and administrative overhead at all levels. Financial resources made available for planning and administration will be allocated commensurate with level of responsibility.

Guiding Principles (cont.)

Principle

106 - Multi-year Planning

A multi-year State Policy Plan with goals and measurable objectives will be adopted and updated by CCCJ on an annual basis. Reasonable project development requires CCCJ to maintain stable action fund allocation formulas throughout the multi-year plan cycle.

107 - Performance Measurement

Each project funded with LEAA dollars will be subject to assessment or evaluation as to its effectiveness, as required by state or federal law and regulations. Whenever feasible, subsequent decisions on the funding of each project shall involve consideration of the findings of that assessment or evaluation.

108 - Permanent Funding for Grant-Supported Projects

Available LEAA grant dollars and fiscal problems facing local and state government require that the potential for permanent funding or the likelihood of significant benefit to the criminal justice system be a major consideration in selecting projects for grant awards. Consequently, the LEAA-related planning bodies should provide adequate and credible data, evaluation findings, and research outcomes that will aid state and local policy makers in their decisions regarding the adoption of operating budgets.

109 - Citizen and Community Involvement

Community groups and citizens shall be involved with all levels of the LEAA planning process.

California Council on Criminal Justice

Policies

(Adopted January 28, 1977)

(Amended March 18, 1977)

(Amended June 24, 1977)

(Amended October 21, 1977)

Policy

201 - Development of State Policy Plan Goals and Objectives

CCCJ will establish a State Policy Plan for FY 1978 which sets forth specific goals and measurable objectives to be met by FY 1980. These will be based on data, goals and objectives incorporated by local planning boards in their FY 1977 plans, and on recommendations and data provided by state agencies and advisory groups. Annual action plans must be supportive of and consistent with these goals and objectives.

202 - Development of Programs Under the State Policy Plan

CCCJ will establish specific policy guidelines for the preparation of the State Policy Plan. CCCJ will approve the State Policy Plan on the basis of program level emphasis and adherence to the policy guidelines. The OCJP Director will certify to the CCCJ that projects funded under the plan meet CCCJ guidelines. Differences between local planning boards and the OCJP Director on matters relating to CCCJ guidelines will be resolved by the CCCJ in accordance with an appeals procedure. CCCJ will not routinely review local plans except as these are aggregated into the State Policy Plan, nor will CCCJ routinely review local projects. However, at the request of any member of the CCCJ, any local plan or project may be subjected to Council review in accordance with its rules.

The policy guidelines for the preparation of the State Plan as set forth in this policy will include the requirement that each local board and the state agency planning group will allocate uncommitted LEAA action money under its control as follows:

1. Not less than half of the money to three or less programs selected from a list of specific programs predetermined and narrowly defined by CCCJ.
2. Not less than half of the balance of the money to the single most pressing criminal or juvenile justice problem in the planning body's jurisdiction, selected on the basis of its analysis of crime statistics and system deficiencies; and
3. The balance of funds to any other programs directed toward crime and delinquency control or prevention.

Policies (cont.)

Policy

203 - Identification of Standards Applicable to Programs and Projects

CCCJ will establish a State Policy Plan for FY 1978 which clearly sets forth issues of state-wide concern and responsibility as contrasted with issues of purely local concern (Communications systems, information systems, manpower development and deinstitutionalization of status offenders, being examples of issues of state-wide concern). Local plans will assist in the identification of issues of local, as opposed to state-wide concern. Existing state-established standards will be identified and applied to issues of state-wide concern. To qualify for funding, local and state projects must adhere to these standards or represent efforts to achieve compliance with these standards. Issues of state-wide concern for which no state standards currently exist will be identified by the CCCJ. It will encourage such standards to be developed by responsible state agencies through a public hearing process which includes an analysis of cost impact on local and state government.

204 - State Agency Planning Committee

CCCJ will establish a State Agency Planning Committee including representatives of all state criminal justice agencies to assist in the preparation of the State Agency Plan.

205 - CCCJ Plan Development Committees

To assure an orderly and cooperative guideline development process, the Council will be divided into three committees, as follows:
(1) Direct Services to Prevent and Control Crime and Delinquency;
(2) Processing Within the Criminal Justice System; and (3) System Support Activities. These three areas correspond to the program organization of California's 1977 State Plan. Each committee will have the responsibility for developing and recommending policy guidelines for its program area containing statements of state-wide problems, goals and proposed programs which will guide 1978 planning.

206 - Allocation of Funds to State and Local Government

Part C and Juvenile Justice action funds provided through the LEAA grant program will be divided between State and local units of government, or combinations thereof, on a 25% State - 75% local ratio. If the pass-through requirement exceeds 75%, it will be so modified.

Part E funds will be divided equally between correctional programs (50%) and construction or renovation of correctional facilities (50%). All Part E funds for facilities and 25% of the Part E

Policies (cont.)

Policy

206
(cont.)

funds for state level programs will be allocated to specific projects by a committee of the Council. The award of Part E funds for planning of other phases of a construction project carries no indication or assurance that any award of additional funds for subsequent phases will follow.

The remaining 75% of Part E funds for the improvement of correctional programs will be allocated through local planning boards on a population formula.

The allocation of Part E funds to correctional programs by local planning boards shall not result in a proportionate reduction of commitment of other LEAA action funds to correctional programs. (Amended March 18, 1977 and October 21, 1977).

207

Allocations Among Local Planning Districts

The entire local share of Part C and Juvenile Justice Action funds will be allocated among local planning districts on a population formula. However, in no case will the amount of Part C funds allocated to any local planning district be less than the difference between \$100,000 and the combined amounts of Part E and Juvenile Justice Act funds also allocated on a formula basis to such region.

208

Federal Fund Ratios

In the absence of an adopted policy on declining grant ratios by a Regional Board, CCCJ will provide all federal funds to projects at the maximum percentage rate allowed by federal statute.

209

Funding for Evaluation

In addition to planning and administrative funds, LEAA action funds may be used to support the formal evaluation of criminal justice activities and projects. Action funds may be used for such purposes by local planning district boards, local units of government and state agencies, other than CCJP. Use of such funds shall be consistent with the LEAA-approved state evaluation plan and, as to local

Policies (cont.)

Policy

209 projects, each board's OCJP-approved local evaluation plan. Each
(cont.) local board undertaking a consolidated region-wide evaluation program
should support such programs with an amount equal to not less than
five percent of its total annual allocation of action funds.
(Added March 18, 1977)

210 - Allocation of Action Funds Among Local Units of Government

Each local planning board is responsible for conducting its planning process in a manner that will result, on a multi-year basis, in an allocation of funds and program benefits among its constituent jurisdictions that balances factors such as crime incidence, fiscal constraints, state-wide and local problem and program priorities relative opportunity for cost-effective improvement of the criminal justice system, potential for assumption of cost, incentive to inter-agency and interjurisdictional coordination, evaluation of past or current projects, and other factors required or permitted by law, regulations and these policies. When a unit of local government eligible under Section 303(a)(4) of the Crime Control Act establishes its own criminal justice plan that is comprehensive in terms of the criminal or juvenile justice functions of such unit and fosters coordination with related functions of other units, the regional planning board's allocation of funds shall be guided by each plan to the greatest degree consistent with effective region-wide planning.

Any unit of local government eligible under Section 303(a)(4) of the Crime Control Act may appeal to OCJP and the Council an action of its local board that results in fund allocations that are not consistent with this policy.

Any unit of local government, or combination thereof, eligible under Section 303(a)(4) of the Crime Control Act may receive a consolidated grant of action funds for the implementation of all or a portion of its local criminal justice plan, in accordance with this policy and procedures established by OCJP. (Added March 18, 1977)

211 - Regional Board Membership

a. Each regional board shall be balanced, insofar as possible, in terms of race, sex, age, economic and geographic factors. The regional target composition for each factor (except geographic) shall be calculated from the weighted average of regional population groups. It should be noted that these targets are goals, not minimum or maximum quotas.

(1) All locally elected officials

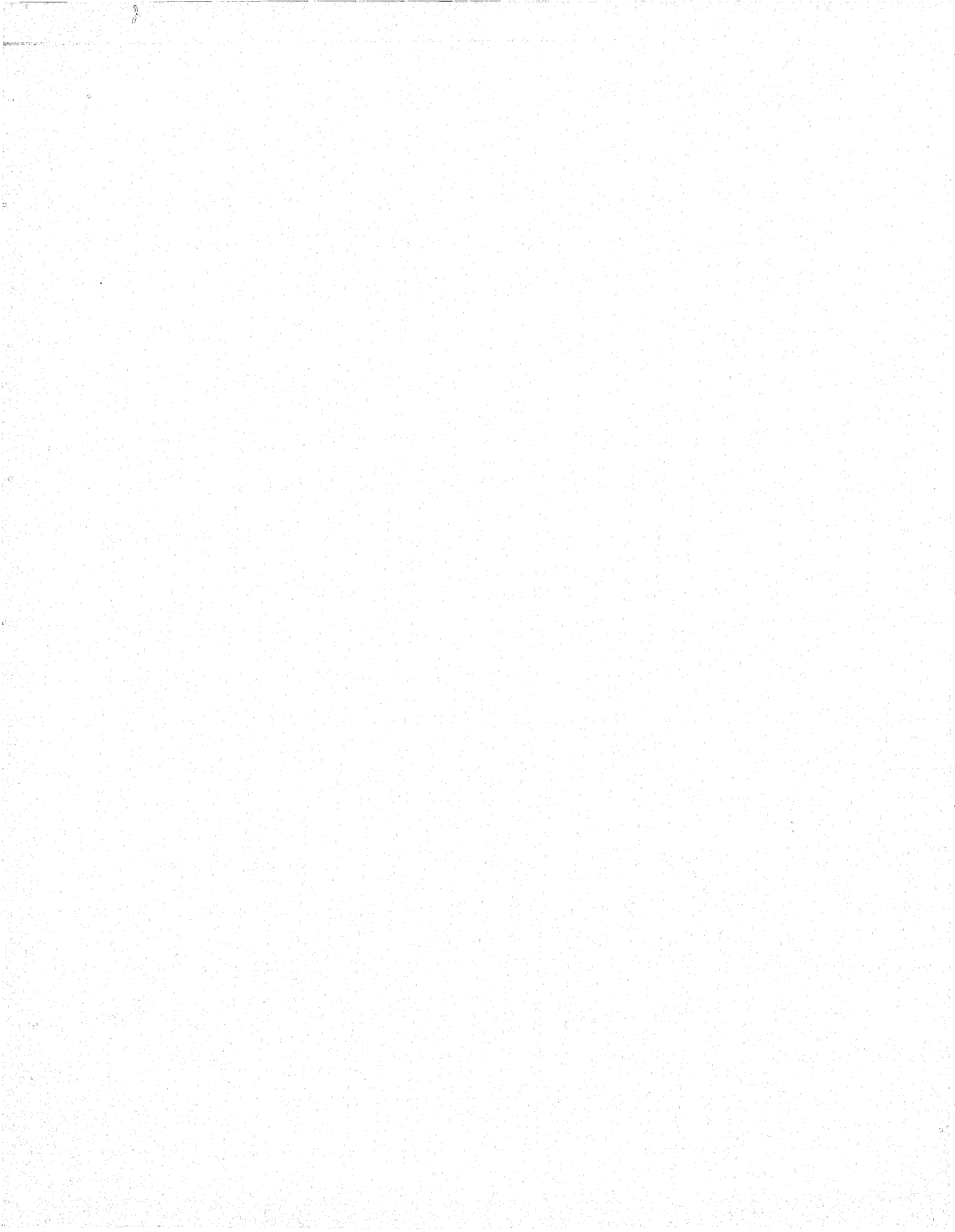
(weight - 50%)

Policies (cont.)

Policy

211
(cont.)

- (2) All heads of local government agencies having major law enforcement functions and chief executive officers of local governments (weight - 25%)
- (3) Adults (Adopted June 25, 1976) (weight - 25%)
- b. When the appointing authority of a local planning board member officially designates an alternate for that member, such alternate shall be entitled to vote on matters presented to the local planning board and shall be counted in determining whether a quorum is present in a meeting; providing that such representation is permitted by said board, and further provided that said designated alternate represents the same group interest and position represented by the member upon appointment. The representation must be by peer alternate except in those regions where no peer exists, and in those cases, representation must be by the member's immediate subordinate. (Adopted June 24, 1977)



END