

Department Employment

| Agency: Department of Justice | Functional Code: 751,752 | | | Budget Reform Criterion: 8 | | |
|---------------------------------------|-----------------------------|-------|-------|-------------------------------|-------|-------|
| Funding | (\$ in millions) | | | | | |
| | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 |
| CARTER BUDGET: | | | | | | |
| <i>Budget Authority</i> | 2,175 | 2,317 | 2,377 | 2,473 | 2,570 | 2,672 |
| <i>Outlays</i> | 2,170 | 2,294 | 2,341 | 2,437 | 2,533 | 2,624 |
| REESTIMATES & ADJUSTMENTS: | | | | | | |
| <i>Budget Authority</i> | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- |
| <i>Outlays</i> | -- -- | -- -- | -- -- | -- -- | -- -- | -- -- |
| PROGRAM CHANGES: | | | | | | |
| <i>Budget Authority</i> | -35 | -68 | -156 | -283 | -411 | -544 |
| <i>Outlays</i> | -32 | -70 | -146 | -272 | -399 | -547 |
| REAGAN BUDGET: | | | | | | |
| <i>Budget Authority</i> | 2,140 | 2,249 | 2,221 | 2,190 | 2,159 | 2,128 |
| <i>Outlays</i> | 2,138 | 2,224 | 2,195 | 2,165 | 2,134 | 2,077 |

Program Description

The Department provides basic government services of law enforcement and litigation support for the Federal government. Of the 54,173 employees in the 1981 Carter budget, 78% are in law enforcement functions while 18% provide legal services.

Proposed Change

The Reagan budget proposes employment levels which are 2.0% and 3.9% below the respective 1981 and 1982 proposed Carter end-of-year employment levels. The major reductions were distributed among the following bureaus:

| | Full-time end-of-year employment | |
|--|----------------------------------|------------|
| | 1981 | 1982 |
| Federal Bureau of Investigation | -- -- | -- -- |
| Drug Enforcement Administration | 173 | 174 |
| Bureau of Prisons | 117 | 249 |
| United States Attorneys and Marshals | 334 | 520 |
| Immigration and Naturalization Service | 350 | 750 |
| Other | <u>152</u> | <u>471</u> |
| Total | 1,126 | 2,164 |

Rationale

Full-time permanent staffing under these recommendations for the entire Department would be only 2% below the actual end of 1980 levels and 15% above the staffing levels of a decade ago, in 1972.

Employment reductions in the Department of Justice are targeted at lower priority programs of state and local assistance, programs with insignificant impact, and programs that can be carried out by other public or private bodies.

Drug Enforcement Administration (DEA). Since 1974, DEA employment has remained essentially stable at 4,000. Within that staffing level the agency has shifted its resource allocation in response to the changing nature of drug traffic.

The State and local task force program, now operating in 20 cities, would be substantially reduced. Task forces do not play a significant role in Federal drug priorities, accounting for only 18% of the arrests of high level violators. The drug enforcement capacity of local governments has benefitted from several years of DEA training, lab analyses, and joint investigations.

Special funding for both DEA and selected northeastern cities in 1981 and 1982 to deal with Southwest Asian heroin is eliminated. Although the supply of Southwest Asian heroin in the United States is increasing, the total supply of heroin continues to decrease. The Compliance program was also reduced to focus further targeting of investigation to the most egregious cases of drug diversion.

Bureau of Prisons. Federal prison staff grew 72% from a level of 5,640 in 1970 to 9,742 in 1980 owing primarily to the opening of new prison facilities which were built to address overcrowded conditions. However, with the 25% decrease in the prison population from 30,000 in 1977 to 24,000 in 1980, the closing of McNeil Island Penitentiary, and the phasing down of Leavenworth and Atlanta, the Federal Prison System can sustain personnel reductions without threatening the health and safety of inmates.

U.S. Attorneys, Marshals and Trustees. The Reagan budget continues the transfer of responsibility to local authorities for prosecution in, and court support of, the District of Columbia's Superior Court and also to parties other than the U.S. Marshals for the service of process in private lawsuits.

The U.S. Trustee program of bankruptcy administration is eliminated since the Judiciary's performance is ongoing in this area and the Department's involvement in administration is inappropriate since the Attorney General is one of the most frequent parties to bankruptcy cases.

Further employment reductions are gained by reducing the security provided to judges during non-dangerous civil proceedings. Deputy Marshals are now required to attend all trials in 78 of the 94 judicial districts.

Immigration and Naturalization Service (INS). Full-time permanent employment in INS grew 45% between 1971 and 1980 from a level of 6,819 to 9,948, while employment in the rest of the Department grew 21%. The Administration realizes that the immigration law is difficult to enforce and that immigration policy needs to be reassessed, but the Administration also believes that INS has failed to optimize the use of its resources within the current policy and legal framework. Therefore, the employment reduction was targeted to programs that appear to have either low pay-off or a disproportionate allocation of resources given the level of risk involved. The reductions were targeted to the following areas: airport inspections where .1% of alien border crossers are denied entry; investigations and status verification; and several application procedures in the adjudication program.

Key Facts About the Program

Department of Justice staffing grew 25% from 1971 to 1980. The law enforcement component of the Department has increased in staff by 8.3% since 1975. Since Federal law enforcement resources should not be viewed as a substitute for local efforts, these resources have been targeted increasingly to Federal law enforcement priorities that by their nature exceed the capability and jurisdiction of local forces.

FULL-TIME END-OF-YEAR EMPLOYMENT

| | <u>1972</u> <u>Actual</u> | <u>1980</u> <u>Actual</u> | <u>1981</u> | <u>1982</u> |
|--|------------------------------|------------------------------|-------------|-------------|
| U.S. Attorneys and Marshals | 4,599 | 6,272 | 6,215 | 5,820 |
| Federal Bureau of Investigation | 19,918 | 18,150 | 18,230 | 18,429 |
| Drug Enforcement Administration | 2,745 | 4,032 | 3,851 | 3,865 |
| Immigration and Naturalization Service | 7,374 | 9,948 | 9,739 | 9,471 |
| Bureau of Prisons | 6,824 | 9,742 | 9,732 | 9,663 |
| Other | 4,138 | 5,330 | 5,280 | 5,070 |
| TOTAL | 45,598 | 53,478 | 53,047 | 52,318 |

Juvenile Justice and Delinquency Prevention Program Termination

| Agency: Department of Justice | Functional Code: 754 | | | Budget Reform Criterion: 7 | | |
|---------------------------------------|-------------------------|------|------|-------------------------------|------|------|
| <i>Funding</i> | (\$ in millions) | | | | | |
| | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 |
| CARTER BUDGET: | | | | | | |
| <i>Budget Authority</i> | 103 | 141 | 135 | 146 | 156 | 167 |
| <i>Outlays</i> | 120 | 127 | 141 | 187 | 186 | 198 |
| REESTIMATES & ADJUSTMENTS: | | | | | | |
| <i>Budget Authority</i> | -- | -- | -- | -- | -- | -- |
| <i>Outlays</i> | -- | -- | -- | -- | -- | -- |
| PROGRAM CHANGES: | | | | | | |
| <i>Budget Authority</i> | -1 | -138 | -133 | -146 | -156 | -167 |
| <i>Outlays</i> | -1 | -19 | -98 | -187 | -186 | -198 |
| REAGAN BUDGET: | | | | | | |
| <i>Budget Authority</i> | 102 | 3 | 2 | 0 | 0 | 0 |
| <i>Outlays</i> | 119 | 108 | 43 | 0 | 0 | 0 |

Program Description

Juvenile Justice and Delinquency Programs (JJDP) provide formula and discretionary grants to State and local governments and to private non-profit corporations for the following primary objectives: 1) removal of status offenders (juveniles who commit acts that would not be offenses if committed by adults) and non-offenders from juvenile detention and correctional facilities; 2) removal of all juveniles from adult lock-ups and jails; and 3) prevention of delinquency and meeting the needs of the serious and violent offender.

Proposed Change

Services currently provided through JJDP programs would be provided under broader authorities of programs proposed for consolidation into a social services block grant. Thus, the Administration proposes that JJDP activities be carried out by the States in the context of the block grant. This shift in delivery mechanism would eliminate Federal bureaucratic red tape and unnecessary State and local administrative costs, and make relatively more funds available for real program needs.

Rationale

Merging JJDP activities into a social services block grant is part of the effort to return management of health and social service programs to States and localities. The goals of the JJDP programs are laudable, and the Administration recognizes the progress made by many States in achieving some of the most important program objectives. States and localities are best able to assess the needs of their juveniles and to determine what programs are needed to prevent delinquency and deal with serious and violent offenders. States and localities know best how to maintain the reforms and achievements they have accomplished. Federal direction and control of juvenile justice programs are not needed. Federal bureaucrats have no special knowledge of how juvenile delinquents can be deterred from further delinquent acts or where problem youth should be housed.

Allowing States and localities to provide JJDP services through a social services block grant will provide States with the flexibility they need and allow them to set their own program priorities. Unproductive administrative time spent preparing plans and shuffling paperwork to meet Federal regulations and guidelines will be eliminated. Because the responsibility for program goals and management will be shifted to States and localities, costs will be lower, response to the unique needs of specific communities will be greater, and communities and families will increase their involvement in planning and implementing programs which affect their youth.

Key Facts About the Program

Federal funding for this program has helped the States and local communities achieve many desirable institutional reforms and demonstrated more effective, and often less costly, alternatives for dealing with juvenile offenders. We anticipate that State and local governments will continue with these activities that are more effective and less costly than traditional approaches. Local communities, moreover, are best able to judge the most effective programs for their youth and to focus on juveniles with greatest needs. For example:

- Between 1975 and 1977, the rate of detention of status offenders has decreased by 50% and the number of juvenile court cases by 4% as more effective and often less costly alternatives were developed.
- Project New Pride, a successful project providing non-residential community-based treatment for juvenile delinquents with a history of serious offenses, is being replicated in ten locations. The program was started in Denver where more than 70% of Project New Pride youths have been placed in jobs; their rearrest rate is one-third the rate of the unemployed clients. The program costs about \$4,000 per youth per year compared to a cost to a local community of \$24,00 to \$43,000 for incarcerating a juvenile.
- The Restitution by Juvenile Offenders and Alternatives to Incarceration Programs, begun in 1978, has resulted in over 17,000 youth paying more than \$1 million in cash restitution, working more than 190,000 hours of community service, and performing more than 4,157 hours of direct service to crime victims. Over 85% of referred youth have no subsequent contact with juvenile courts.