

**OFFICE OF JUSTICE PROGRAMS OVERSIGHT:
EXAMINING THE OJP REORGANIZATION PLAN**

HEARING

BEFORE THE

SUBCOMMITTEE ON YOUTH VIOLENCE

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

ON

THE ACTIVITIES OF THE DEPARTMENT OF JUSTICE OFFICE OF JUSTICE
PROGRAMS AND EXAMINING A PROPOSED REORGANIZATION PLAN

SEPTEMBER 16, 1999

Serial No. J-106-47

Printed for the use of the Committee on the Judiciary



U.S. GOVERNMENT PRINTING OFFICE

COMMITTEE ON THE JUDICIARY

ORRIN G. HATCH, Utah, *Chairman*

STROM THURMOND, South Carolina	PATRICK J. LEAHY, Vermont
CHARLES E. GRASSLEY, Iowa	EDWARD M. KENNEDY, Massachusetts
ARLEN SPECTER, Pennsylvania	JOSEPH R. BIDEN, JR., Delaware
JON KYL, Arizona	HERBERT KOHL, Wisconsin
MIKE DEWINE, Ohio	DIANNE FEINSTEIN, California
JOHN ASHCROFT, Missouri	RUSSELL D. FEINGOLD, Wisconsin
SPENCER ABRAHAM, Michigan	ROBERT G. TORRICELLI, New Jersey
JEFF SESSIONS, Alabama	CHARLES E. SCHUMER, New York
BOB SMITH, New Hampshire	

MANUS COONEY, *Chief Counsel and Staff Director*

BRUCE A. COHEN, *Minority Chief Counsel*

SUBCOMMITTEE ON YOUTH VIOLENCE

JEFF SESSIONS, Alabama, *Chairman*

BOB SMITH, New Hampshire	JOSEPH R. BIDEN, JR., Delaware
JON KYL, Arizona	DIANNE FEINSTEIN, California
JOHN ASHCROFT, Missouri	HERBERT KOHL, Wisconsin

KRISTI LEE, *Chief Counsel*

SHERYL WALTER, *Minority Chief Counsel*

(II)

CONTENTS

STATEMENTS OF COMMITTEE MEMBERS

	Page
Sessions, Hon. Jeff, U.S. Senator from the State of Alabama	1
Ashcroft, Hon. John, U.S. Senator from the State of Missouri	8

CHRONOLOGICAL LIST OF WITNESSES

Statement of Laurie Robinson, Assistant Attorney General, Office of Justice Programs, U.S. Department of Justice, Washington, DC	2
Panel consisting of Alfred Blumstein, professor, John Heinz III School of Public Policy and Management, Carnegie Mellon University, Pittsburgh, PA; Gene R. Voegtlin, legislative counsel, International Association of Chiefs of Police, Alexandria, VA; and Donna F. Edwards, executive director, National Network to End Domestic Violence, Washington, DC	24

ALPHABETICAL LIST AND MATERIAL SUBMITTED

Blumstein, Alfred:	
Testimony	24
Prepared statement	27
Edwards, Donna F.:	
Testimony	33
Prepared statement	36
Robinson, Laurie:	
Testimony	2
Prepared statement	11
Sessions, Hon. Jeff: Prepared statements of:	
Jimmy Gurule, professor of law, Notre Dame Law School	19
Mark Soler, president of the Youth Law Center	22
Voegtlin, Gene R.:	
Testimony	29
Prepared statement	32

APPENDIX

QUESTIONS AND ANSWERS

Responses of Laurie Robinson to questions from Senator Sessions	45
Chart of the Office of Justice Programs	49
Potential area for clarifications/compromises: Reflected on draft revised chart	50

**OFFICE OF JUSTICE PROGRAMS OVERSIGHT:
EXAMINING THE OJP REORGANIZATION PLAN**

THURSDAY, SEPTEMBER 16, 1999

U.S. SENATE,
SUBCOMMITTEE ON YOUTH VIOLENCE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:07 p.m., in room SD-226, Dirksen Senate Office Building, Hon. Jeff Sessions (chairman of the subcommittee) presiding.

Also present: Senator Ashcroft.

**OPENING STATEMENT OF HON. JEFF SESSIONS, A U.S.
SENATOR FROM THE STATE OF ALABAMA**

Senator SESSIONS. We will come to order, and I apologize for being caught in another hearing and I couldn't quite get out of there at the time.

I would like to welcome each of you to this hearing of the Senate Judiciary Subcommittee on Youth Violence. The Youth Violence Subcommittee oversees the Department of Justice's Office of Justice Programs. The Office of Justice Programs is the Federal Government's primary point of contact for State and local law enforcement grants. In the last 6 years, OJP has experienced tremendous growth in the number of programs it administers. Appropriations for the Office have increased from \$800 million in 1993 to \$4 billion in the current fiscal year, a 500-percent increase in funding.

Now, this \$4 billion represents 55 different funding streams that must be effectively and efficiently made available to State and local law enforcement agencies. Unfortunately, as Congress has added new programs piecemeal for OJP to administer, OJP has been faced with, and has not, developed a coherent overall plan as to that administration.

An examination of the chart to my right illustrates this point. OJP has five budget bureaus, the offices bordered in red, headed by presidentially-appointed, Senate-confirmed directors, in addition to eight other offices, ranging in focus from the Violence Against Women Office, to the Drug Courts Program Office, to the American Indian and Alaskan Native Desk. The result is duplication and overlap in many areas.

Let me illustrate the point. If the chief of police of Mobile, AL, contacted OJP to request Federal grant assistance in combating drug abuse, he would be required to contact at least four different offices within OJP—BJA, NIJ, the Corrections Program Office, the

Drug Courts Program Office—to determine what grants might be available.

Needless to say, this results in frustration on the part of our local law enforcement agencies. Moreover, it renders many worthy programs inaccessible to local law enforcement who do not have Federal grant experts on their staffs to help them work through these regulations.

In addition, OJP has an unparalleled number—six—of presidential appointees. While the Assistant Attorney General is the head of OJP, there are five presidential appointees who do not necessarily answer to her. This could result in a lack of coordination among the programs that OJP is charged to administer.

In summary, the current administration of OJP is, it appears to me, in need of reform. This means that the taxpayers' money is not being spent as wisely as it ought to be spent. The current Assistant Attorney General has been charged by Congress to evaluate the situation and propose a solution. I have had the opportunity to work with Ms. Robinson and I know she has taken this very seriously.

Our forum here today primarily is to review her suggestions for change and make sure that the public and the Congress have access to it so that we can make any input and suggestions for improvement that might be appropriate. So I appreciate Ms. Robinson's hard work in this area and I look forward to working with her to resolve this problem.

Would you, Ms. Robinson, please step forward and take that chair? It won't be a hot seat today, I am sure.

Laurie Robinson was appointed by the President and confirmed by the Senate as Assistant Attorney General for the Office of Justice Programs in 1994. During her tenure, the OJP budget has grown significantly. Before joining the Justice Department, she served 14 years as Director of the American Bar Association's Criminal Justice Section, where she founded the ABA Juvenile Justice Center and worked to implement the ABA criminal justice standards. She is a Phi Beta Kappa graduate of Brown University.

I have appreciated your professionalism, Ms. Robinson, as you have served in this office since I have been in the Senate. We have worked together, and I would love to hear your comments and views concerning reorganization at OJP.

STATEMENT OF LAURIE ROBINSON, ASSISTANT ATTORNEY GENERAL, OFFICE OF JUSTICE PROGRAMS, U.S. DEPARTMENT OF JUSTICE, WASHINGTON, DC

Ms. ROBINSON. Mr. Chairman, thank you so much for the opportunity in the midst of Hurricane Floyd this afternoon to appear before the Congress, and I appreciate very much the chance to talk about ways to strengthen the operations of OJP and, in fact, to better serve our State and local constituents. And I also very much want to thank you, Mr. Chairman, as well as the other subcommittee members, for the bipartisan support that has really been shown to OJP.

Before discussing the specific recommendations, I think it might be helpful to look at some history here. The Federal criminal justice assistance program is now some three decades old, and as you noted in your opening statement, it has seen tremendous growth in

recent years. I think, more importantly, the mission has grown as well.

From the early days of LEAA, when there was essentially just one program, we now have, as you noted, 55 separate funding streams coming into OJP, and under many of those there are, in fact, multiple programs. And while all of us are certainly encouraged that crime rates continue to fall, it seems to me that the problems of crime that are facing this country obviously remain very daunting—issues of gangs, of youth crime, family violence, sophisticated cyber crime, and certainly the potential for chemical and biological terrorism, as you, Mr. Chairman, know from your leadership with the Fort McClellan Center.

These challenges to public safety are, I would contend, really greater than ever in our history. So, clearly, one of our goals as we move into the next century has got to be to ensure that the Federal Government, and specifically here OJP, can fulfill its core mission of working as a partner with State and local jurisdictions. And as part of that, I think we have got to be relentless in pushing to make our programs user-friendly and easier to access for State and local jurisdictions, not just for the Washington and interest group insiders.

While I think we have made great strides toward this over recent years, OJP's complicated structure and internal redundancies, as you have pointed out, inhibit our ability, in the words of the U.S. Army poster, to be all that we can be. Our fragmented structure undercuts the ability to advance a comprehensive, integrated program that can help State and local communities address crime and address juvenile delinquency. And with the potential that future budgets may not be as great as they are today, I think this challenge for good government becomes, in my view, all the more critical.

As you know, OJP is composed of five bureaus and six program offices right now, and my statement for the record describes these more fully. Our unusual structure, with the five bureaus in one small agency each headed by a presidential appointee confirmed by the Senate—and that is a situation that is apparently unique across the executive branch—this structure has really evolved over our 30-year history as new laws led to the creation of new organizational components. And I think it is important to emphasize here that this evolution has not been political or partisan. It has simply been the consequence of a series of actions that have been taken over time by both the legislative and the executive branches.

But in today's world, with the renewed attention to customer service, renewed attention to efficient delivery of products and services, and certainly to accountability, OJP, with its decentralized and overlapping components, runs counter to sound management principles. We are the size of many Fortune 200 companies, and we need to ensure that we are managing those resources in the most effective manner possible, particularly thinking of ourselves, as we should, as stewards of taxpayer money.

Equally critical, we need to ensure that our complex program is understandable and usable, as you point out, Mr. Chairman, to the practitioners out there, to local elected officials and the like who

don't know one OJP bureau or office from another, and frankly should not be expected to.

As you know, Congress triggered this examination of OJP's structure in the 1998 appropriations conference report, where it directed us to report back information on overlap and duplication. The resulting report documented a number of steps that we have taken to promote coordination, but noted that fundamental problems remain.

For example, because the statutes creating OJP components themselves contain substantial overlap, staff across our offices and bureaus frequently field programs addressing the same topics, and I want to give you a few illustrations. Four of our bureaus and one office work on corrections, four bureaus and one office address domestic violence, five bureaus and one office work on child abuse, and gang issues are addressed by four bureaus. And that list could go on.

Senator SESSIONS. Could I interrupt you?

Ms. ROBINSON. Certainly.

Senator SESSIONS. What is the difference between a bureau and an office?

Ms. ROBINSON. The bureaus were statutorily created and the offices were set up by and large when different, new funding streams were created by Congress.

In response to the overlap report, Congress, in our 1999 appropriations law, directed the Department to develop a plan for a new structure with, "streamlined, consolidated authorities which will ensure centralized management."

We had a short period of time to prepare that report, only four months, but we thought it was critical that there be outreach to the field. So during that time, we interviewed about 50 constituent group representatives and criminal and juvenile justice practitioners, as well as 50 Justice Department and OJP officials. And in addition, both NIJ and OJJDP convened special groups to provide input on the issue of research and statistics.

Based on this outreach, a plan was prepared and sent to the Hill in March. The new structure proposed in the report does not recommend changing the underlying funding stream. It does recommend ways to more effectively manage the existing programs. It would, for example, eliminate duplication and overlap by consolidating grant programs by subject, organize grant administration around State desks, consolidate all the research in NIJ and all the statistics in BJS—

Senator SESSIONS. Ms. Robinson, that light is getting yellow, but don't worry about it. Take your time and tell us how you see this thing. We want to hear that.

Ms. ROBINSON. Great. Thank you, Mr. Chairman.

And it would also create one information central point for people seeking help. My formal statement describes all of this in more detail, but there are two aspects of it I would like to touch on this afternoon. The first of those is this proposed information central point, the point that could really help our customers locate the wide array of resources, which could be training, technical assistance, publications, grants, and information about best practices.

And like you, here I often think about a local official, a local elected mayor, for example, recently elected who may not know a BJA from an NIJ from a drug court program office from an OSLDPS. And what he or she does know is that their town has a growing number of gangs, they have rising school violence; meth problems are arising. And my goal for that mayor is that he or she can easily reach a knowledgeable person to help them sort through the issues, almost like triage in an emergency room, someone who can point him the available technical assistance, the grant opportunities, best practices, or even link him up with other communities that have successfully tackled that kind of problem.

Right now, as you pointed out, Mr. Chairman, that mayor would have to go to four or five different sources, each addressing only a piece of the problem. And it is common sense, but I would point out here that in communities of this country and in human behavior there are not these neat little compartments and divides. When we look at juvenile gang problems, for example, they may be very intertwined with adult drug trafficking. When we find domestic violence in a home, there may be child abuse as well.

Turning to a second facet of the plan, the report calls for, as I mentioned, consolidating the research in NIJ and the statistical work in BJS. And while there has been much support for this, I want to point out that many juvenile justice advocates have expressed deep concern about OJJDP losing these functions, so I want to talk for a minute about that.

First, and most fundamentally, OJP currently houses two research centers whose work is too often compartmentalized and disconnected. But more fundamentally, issues relating to human development and antisocial behavior cannot be neatly divided into an under-18 category and an adult category. In fact, I would contend that knowledge about early childhood development and about adolescent behavior is critical to our understanding adult criminality. Knowledge-building has got to be a unified enterprise, not one divided by artificial barriers or by bureaucratic territoriality.

Second, evaluation and research need to be independent if it is going to be credible. An arm's length relationship from those with a stake in the outcome is critical. That is the reason, for example, we don't have the Drug Court Office evaluating its own programs, and I think if we did, the results would not be viewed as credible.

But several of the points raised by the critics here I think are important. We do want to ensure a close feedback connection between research and programs, and the reorganization proposal, in fact, embraces and provides for such an approach—a research and development cycle with research findings informing program development and program staff who are experts in their areas helping shape research agendas.

And to help prevent the possibility that juvenile issues would get lost within NIJ's broader portfolio, we call for creation of an Institute on Juvenile Justice Research within NIJ to ensure that these issues receive attention. And I would point out that that is similar to the legislation, Mr. Chairman, that you all passed here, S. 254.

As I conclude, three final thoughts. First, I want to stress that our goals here are not simply about efficiency. They are about setting out a vision for what the Federal criminal and juvenile justice

assistance, research, statistics program should look like to be most effective in helping State and local communities.

Second, we are very aware of the concerns being expressed by dedicated people in the juvenile justice, crime victims, and violence against women communities about the potential impact of the proposal in these areas. Over a number of months, we have had the opportunity to have conversations with many of them, including meetings with the Associate Attorney General, and we plan to continue these dialogs.

Certainly, our goal in coming forward with the plan was not in any way to diminish the importance of these areas—violence against women, victims, or juvenile justice. In fact, I think it is important that we retain an organization where these important voices are not only heard, but heard loudly.

And in appearing here today, I also want to stress that every detail of our proposal is not from our vantage point cast in stone. Clearly, we are at the beginning of this process and, as I indicated earlier, the timeframe for putting the report together was itself constricted. So I think the dialog now ongoing is a very healthy one. But I would say, too, that as changes are being considered by Congress that the gravest mistake, in my view, would be to side-step the issue altogether and to leave as is a Federal agency structure that is, in fact, unwieldy.

Finally, an observation. Pressure to just preserve the status quo is very, very strong, both from without and from within Federal agencies. But from my 27 years working in this field, I do see how far we are from being what we should be and could be without the decentralized, balkanized structure. And I also want to underscore one other thing here about the report's recommendations. They are not about me, they are not about any of OJP's current leadership; we will all be gone next year. But I think they are about striving for changes to help make good government.

So, Mr. Chairman, I appreciate very much the opportunity to be here this afternoon and I am very happy to answer any questions.

Senator SESSIONS. Thank you. Those are direct and I think remarks worthy of great consideration. We are talking about \$4 billion. As you said, that is a Fortune 200 sized company. Management is important. We simply have got to reach the highest degree of productivity and efficiency, but it is not just efficiency to save money. It is productivity and efficiency to get the service to more people quicker and more effectively. Is that what you mean by that?

Ms. ROBINSON. Very much. I think that we should never lose touch in Washington with the fact that it is the State and local officials out there, the criminal and juvenile justice practitioners who are our customers. And I think that while customer service has become something of a cliché these days that it is the touchstone for where we should be here.

And when I find even within my own agency, within OJP, that there are, in fact, people who don't know what is happening maybe in a bureau or office on another floor, how we can expect elected officials and practitioners in Idaho, Alabama, Oklahoma or California to know the difference? We need to make it easy for them to access.

Senator SESSIONS. It seems to me I have learned one thing in my tenure in law enforcement and that is you have to have teamwork, and a plan to deal with an area can't be finite. As you just noted, there is so much overlap. Drugs are not contrary to prosecuting people for burglaries. As a matter of fact, you ought to prosecute burglaries and if you find out they are on drugs, drugs ought to be confronted. If they have a mental illness, as we were just in a recent panel on the health committee—if they have got a brain injury, discovering that can help perhaps reduce criminality. So it is all the combination of the various programs.

You need to have as much cooperation and coordination, and when a person asks for a grant or for money for their city, I believe—and I will ask you if you would tend to agree—that it is often suggested to them that they narrow their focus and focus on this program or that program that has a rather discreet benefit for them. Is that true?

Ms. ROBINSON. Yes, Mr. Chairman, I think that is exactly the case. Many of the existing funding streams are very narrow, and therefore when a jurisdiction is, for example, approaching OJP for help, let's say, on juvenile drug use, they may not look at the fact that they need to address the adult drug trafficking along with that, but that would be handled out of a different part of OJP.

And the thought with this information center is not a clearinghouse with an 800 number that has a computerized list. The thought here is that there would, in fact, be expert, knowledgeable people who could help the jurisdiction sort through the issues before them, to say maybe you need technical assistance with law enforcement from here, maybe you need a prevention program in your schools from over there, maybe you need to be looking at the array of training programs that are available here, to pull it all together for them, to have a comprehensive approach which all of us know is the way to successfully address these issues.

Senator SESSIONS. Well, I certainly agree with that. There is no one factor that causes crime or delinquency. It is a multiplicity of factors, and to take it piecemeal, as we have done in the past, is unwise, in my view. And when you get people together, as I have in the city of Mobile—we had the mayor, the chief of police, the sheriff, the district attorney personally, and we spent a year meeting to discuss things.

The education system, the probation officers, the mental health people—when all of those get together and you look at juvenile crime, for example, as a comprehensive whole, you can begin to develop how to fix it. And so I would encourage, however you do it—and I know it would not be easy because a lot of the money you get comes from Congress with specific requirements on it. But the extent to which you could encourage them to have multidisciplinary approaches to these things, and somebody when they talk with them about a grant can say I believe we can get some more from this account for your education wing, or this for your mental health, this for drug treatment, this for incarceration, and help develop a comprehensive program, I believe, is better.

Do you think, in your view, this new organization that you have proposed would move us in that direction?

Ms. ROBINSON. Yes, Mr. Chairman, I think it would, and I would like to reiterate we are not wedded to every detail of this plan. I think we have gotten some very helpful feedback from a number of the organizations in the field, but there are some central tenets, some central principles to it, and one of those is this information center point, the ability to access all of the resources that the Federal Government makes available, a critical piece of which is technical assistance. It may not be big money, but we can give them some help.

Senator SESSIONS. Thank you. I am glad to see Senator John Ashcroft, of Missouri, is here. John served as attorney general of the State and as Governor of Missouri before coming here, and served on the Judiciary Committee and has played a key role in the development of juvenile justice policies and all criminal justice policies of the Judiciary Committee.

Senator Ashcroft.

**STATEMENT OF HON. JOHN ASHCROFT, A U.S. SENATOR FROM
THE STATE OF MISSOURI**

Senator ASHCROFT. Let me just thank you, Mr. Chairman, and thank the distinguished Assistant Attorney General for her participation in the event.

I don't think there is any problem that is quite as distressing as the problem of juvenile violence and youth crime, and I don't think there is any one that calls us more compellingly to try and do what we can to solve it than this one. So I commend you, and I would hope that we can all work together to learn how we best deploy the resources we have and make those resources available on the ground, not just to satisfy interest groups, but to try and find ways to actually meet the challenge of juvenile violence which sort of mars the future in ways that are totally unacceptable.

Thank you for holding the hearing.

Senator SESSIONS. Thank you. Would you like to ask any questions at this point?

Senator ASHCROFT. No. Thank you, Mr. Chairman.

Senator SESSIONS. Some have suggested, and I know my experience with governmental agencies is that once you get to know somebody in a bureau or something, you are nervous about change. There are groups that have supported some of the legislation that has created programs and created funding, and they care deeply about those issues. And some might say, well, you are trying to build a power play here to consolidate power in your office and are going to diminish my number one concern.

How would you answer that?

Ms. ROBINSON. I think that is actually a very legitimate question to be asking, Mr. Chairman. First of all, as I indicated earlier, this is not about power for me. I intend to leave next year, and I will tell you if I could get this effected, I would probably walk out the next day and leave the implementation then to someone else.

But it is very much an issue of needing to balance the recognition of very real and very important interests within the broad array of criminal and juvenile justice. And I don't in any way diminish the issues that have been raised. I think crime victims are a very important area. I think the area of juvenile crime, as Sen-

ator Ashcroft indicated, is very important, and that there are issues in those areas where advocacy groups, where practitioners in those areas need to be raising concerns directly to Federal agencies and have open dialog on a continuing basis.

Maybe there are issues that we are overlooking in our research agenda or in the technical assistance and training that we are putting together. And it is, in fact, important to have those voices heard. At the same time, I think having an overly decentralized organization runs so counter to sound management and to effectively getting the job done, to spending the money in a wise way, to really being responsive to the field, that to do nothing here is what would really be the mistake.

Senator SESSIONS. Well, it seems to me that it does raise some internal conflicts. I know Mr. Gurule—I don't believe he was able to make it here today, but expressed some similar concerns—he served in a previous administration—that it does cause some real difficulties in management. And if you are committed to your goal, that is important.

It seems to me that many of these agencies are mature now than they were. You have got the Office of Justice Programs, Juvenile Justice and Prevention, BJA. Maybe in their initial startup, somebody wanted somebody who really wanted to drive those issues and move them, and that may be less important today than it was when it started. Would you comment on that?

Ms. ROBINSON. Yes; I think your observation is a good one that historically when particular programs and then the offices to work on those issues were set up, there may not have been the recognition that you referenced a few minutes ago about multidisciplinary approaches, about thinking collectively across the system, about bringing all of the resources to bear.

We know that very compartmentalized and segmented and narrow approaches are not going to solve these problems. So we need to think creatively about the best way to both listen to and hear the individual voices, but go forward with an integrated and comprehensive approach.

Senator SESSIONS. Well, I think you are on the right track, and how we get there I am not sure, but I congratulate you for stepping up to the plate and proposing some changes.

How long has this agency basically been unchanged?

Ms. ROBINSON. 1984 was our last statutory overhaul.

Senator SESSIONS. And I know government officials get irritated when you say that wouldn't happen in private business, but many private businesses are in constant change everyday. Every week, they are refining and reevaluating how they can produce more services or better quality products at less cost. And you are handicapped by laws passed by the Congress. You are handicapped by institutional inertia, special interest groups who don't want to see any change. And every now and then—this has been about the appropriate time, I think, to come forward and see if we can't make some change.

Now, there was a concern expressed about consolidating all research in the Office of Justice Programs into the National Institute of Justice. First, let me say Senator Fred Thompson, who chaired this subcommittee before I came here, came to the basic conclusion

that the most important thing the Federal Government can do is to figure out what works in crime, what works in juvenile justice, and help the States achieve it, but not to try to run those programs. So he thought before anything else was done, we ought to have enhanced research, the things we just didn't know about crime.

Do you think this will strengthen good research and help us achieve that goal, or how would you defend this proposed change?

Ms. ROBINSON. I think it would very much strengthen our knowledge development and research and evaluation if we were to proceed with the reorganization and consolidate it. Right now, as I mentioned in my statement, we have two separate areas within OJP where research is being done. Both of them are very well-intentioned, but they are too often fragmented and not coordinating sufficiently.

But I think more fundamentally and more importantly, we need to as a kind of intellectual exercise think collectively about these very difficult problems relating to human behavior, and there are not very easy demarcations at age 18, the problems of a 16- versus an 18-year-old, of a 17- versus a 20-year-old. We need to think of this in a continuum and pull all of the best thinking together to find the answers. Senator Thompson is absolutely correct that we need that as a basis for moving forward in programming. We are spending a tremendous amount of money through OJP, \$4 billion a year in money out to States and localities, and we need to help them in knowing the things that really can make a difference in addressing delinquency and addressing crime.

Senator SESSIONS. Well, I am going to give you a tough challenge, and it is going to be briefly because we do have a vote now. Can you just look at that proposed chart there? Maybe somebody could get it a little closer to you, maybe even point it out.

Ms. ROBINSON. No; that is fine.

Senator SESSIONS. Can you tell us the purpose and vision that you have that is shown in that chart?

Ms. ROBINSON. Certainly; the research would all be in the National Institute of Justice, on the upper left, all of the statistical work in the agency in the Bureau of Justice Statistics, on the upper right. The offices down on the left would be consolidation of program work by subject area. The Juvenile Justice Office then is next to that.

The third box over on the second line is the information central point, the triage point, and over on the right the State desks that could help with the grants management, that could be responsive so that one person knows all of the grants going to Alabama, going to Iowa, going to Missouri.

Senator SESSIONS. And if I were a mayor or a chief of police and I wanted to talk to somebody about how I can strengthen my effort against drugs, is there any doubt who you should call under this chart?

Ms. ROBINSON. You could go right into the information central point, that third box, and find out everything available from across OJP.

Senator SESSIONS. And then there would be individual desks, so over the years people would get to know their State counterparts or people they are working with?

Ms. ROBINSON. That is correct. Right now, we have a situation where there would be 11 or 12 people who would work on Missouri. We need one area that can be responsive.

Senator SESSIONS. All right, and you would still have areas such as violence against women or substance abuse, those kinds of departments and groups within the OJP?

Ms. ROBINSON. Yes, we certainly would, and the violence against women is certainly one of high priority to the administration and to OJP, and would continue to be an important leadership point for that work.

Senator SESSIONS. Let me just say this. I think it would be best for us to vote now, and so maybe we can take a 10-minute recess. It will take us that long to go and cast our vote and get back, and then we can take the second panel.

I really appreciate your testimony and leadership. I know you have taken this very seriously. I believe you consulted with quite a large number of interested parties both within the Department and outside the Department. It is not going to be easy to make changes. Change scares people; it is a frightening experience. Sometimes, we can do wrong making change, but I think it is about time for this agency to review itself, to ask itself quite clearly, can we do a better job of utilizing the \$4 billion and get it down to people who are going to be using it in the most effective and efficient and fair way so that the most possible benefit to the largest number of people can occur. I do think it is time for us to ask that, and just because Congress did something 20 years ago doesn't mean it can't be changed today.

Thank you. We will temporarily recess and we will be back in maybe 10 minutes. Thank you.

[The prepared statement of Ms. Robinson follows:]

PREPARED STATEMENT OF LAURIE ROBINSON

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE: I appreciate this opportunity to talk about the efforts underway at the Department of Justice to improve the operations of the Office of Justice Programs and to enhance our ability to serve the needs of state and local law enforcement in this country. I also want to thank you, Mr. Chairman, and the other Members of this Subcommittee for the bipartisan support you have given OJP in working toward this mission.

Before discussing our specific recommendations for helping OJP better serve its state and local constituents, it may be helpful to step back and look at the broader picture: The federal criminal justice assistance program, now some three decades old, has seen tremendous growth in recent years thanks to support from the Congress and the Administration. For example, when I began my tenure with the Department in 1993, OJP's budget was around \$800 million. Now, we are managing a nearly \$4 billion budget.

More importantly, our mission has grown, as well. From the early days of the agency 30 years ago, when there was basically one program, there are now 55 separate funding streams coming into OJP, and multiple programs under many of these. And while we are encouraged that crime rates continue to fall in virtually all categories, the problems of crime which we face in the country—gangs, family violence, youth violence, and even the potential for chemical or biological terrorist attacks—make the challenges of public safety today greater than ever in our history.

One of our greatest challenges, as we move into the next century, is to ensure that the federal government—and specifically OJP—fulfills its core mission of helping communities prevent and control crime, and serves as a true partner to the state

and local communities whom it serves. In my view, we have to be relentless in pushing to make our programs more “user friendly” and easier for state and local jurisdiction’s to access. While we have, I believe, made enormous strides in working with communities on issues ranging from juvenile gun violence and prevention to violence against women and offender drug addiction, the complicated structure of OJP inhibits our ability to—in the words of the Army recruitment posters—“be all that we can be.” The current fragmented structure of the agency undercuts our ability to advance a comprehensive and integrated program to address crime and juvenile delinquency. And as budgets for future years are likely to face greater constraints, this challenge for “good government” becomes more critical.

OJP’S BUREAUS AND OFFICES

As you know, Mr. Chairman, OJP is currently comprised of five program bureaus and six program offices. The OJP program bureaus are:

- The *Bureau of Justice Assistance (BJA)* provides funding, training, and technical assistance to state and local governments to combat violent and drug-related crime and to help improve the criminal justice system. Its programs include the Edward Byrne Memorial State and Local Law Enforcement Assistance formula and discretionary grant programs and the Local Law Enforcement Block Grants (LLEBG) program. BJA also administers the new Bulletproof Vest Grant Partnership Program, the State Criminal Alien Assistance Program, and the Regional Information Sharing System (RISS) Program.
- The *Bureau of Justice Statistics (BJS)* collects and analyzes statistical data on crime, criminal offenders, crime victims, and the operations of justice systems at all levels of government. It also provides financial and technical support to state statistical agencies and administers special programs that aid state and local governments in improving their criminal history records and information systems.
- The *National Institute of Justice (NIJ)* supports research and development programs, conducts demonstrations of innovative approaches to improve criminal justice, develops new criminal justice technologies, and evaluates the effectiveness of OJP-supported and other justice programs. NIJ also provides major support for the National Criminal Justice Reference Service (NCJRS), a clearinghouse of information on justice issues.
- The *Office of Juvenile Justice and Delinquency Prevention (OJJDP)* provides grants and contracts to states to help them improve their juvenile justice systems and sponsors innovative research, demonstration, evaluation, statistics, replication, technical assistance, and training programs to help improve the nation’s understanding of and response to juvenile violence and delinquency.
- The *Office for Victims of Crime (OVC)* administers victim compensation and assistance grant programs created by the Victims of Crime Act of 1984 (VOCA). OVC also provides funding, training, and technical assistance to victim service organizations, criminal justice agencies, and other professionals to improve the nation’s response to crime victims. OVCs programs are funded through the Crime Victims Fund, which is derived from fines and penalties collected from federal criminal offenders, not taxpayers. OJP’s six Program Offices are:
- The *Violence Against Women Office (VAWO)* coordinates the Department of Justice’s policy and other initiatives relating to violence against women and administers grant programs to help prevent, detect, and stop violence against women, including domestic violence, sexual assault, and stalking.
- The *Corrections Program Office (CPO)* provides financial and technical assistance to state and local governments to implement corrections-related programs, including correctional facility construction and corrections-based drug treatment programs. The Drug Courts Program Office (DCPO) supports the development, implementation, and improvement of drug courts through grants to local or state governments, courts, and tribal governments, as well as through technical assistance and training.
- The *Executive Office for Weed and Seed (EOWS)* helps communities build stronger, safer neighborhoods by implementing the Weed and Seed strategy, a community-based, multi-disciplinary approach to combating crime. Weed and Seed involves both law enforcement and community-building activities, including economic development and support services. United States Attorneys are essential partners in the implementation of Operation Weed and Seed in communities throughout the country.

- The *Office of the Police Corps and Law Enforcement Education (OPCLEE)*, which in November 1998 was moved by the Attorney General to OJP from the Justice Department's Office of Community Oriented Policing Services (COPS), provides college educational assistance to students who commit to public service in law enforcement, and scholarships—with no service commitment—for dependents of law enforcement officers who died in the line of duty.
- The *Proposed Office of State and Local Domestic Preparedness Support (OSLDPS)* is responsible for enhancing the capacity and capability of state and local jurisdictions to prepare for and respond to incidents of domestic terrorism involving chemical and biological agents, radiological and explosive devices, and other weapons of mass destruction (WMD). It awards grants for equipment and provides training and technical assistance for state and local first responders.

In addition, OJP's American Indian and Alaskan Native Office (AI/AN) improves outreach to tribal communities. AVAN works to enhance OJP's response to tribes by coordinating funding, training, and technical assistance and providing information about available OJP resources.

This unusual structure with five bureaus each headed by a Presidential appointee confirmed by the Senate and six offices managed by the Assistant Attorney General has evolved over our 30-year history, with various statutes and Administration programs leading to the establishment of one new "box" or organizational component or another to address that specific issue. I think it important to emphasize that this evolution has not been political or partisan. In fact, it is simply the consequence of various actions by both the legislative and executive branches.

NEED FOR CUSTOMER ORIENTATION

However, in today's world, with a renewed attention to customer service, efficient delivery of products and services, and accountability to stakeholders, today's OR with its many agencies and offices acts in opposition to the mantra of modern management, which is, to first be responsive to one's "customers." We must bring our "business" of criminal justice and juvenile justice leadership and change into line with modern management practices and greet the new millennium with forward vision.

As you can see from this "alphabet soup" of agencies, not only are there opportunities for overlap and duplication, but for our "customers"—government leaders, state and local criminal and juvenile justice practitioners and researchers, and you, the Congress—it is a difficult organization to navigate—even with "maps," such as our program plans, reports, and dynamic Website.

In recognition of this increasingly complex situation, in Fiscal Year 1998 the Congress asked me to report on the extent of coordination within the agency and the steps overtaken to reduce duplication of effort. Noting that OJP had made substantial progress in its coordinating efforts, the Congress still evidenced its concern about the stewardship of the funds they were appropriating and so, in the Fiscal Year 1999 Appropriations Act the Congress directed the OJP Assistant Attorney General and the Justice Department to develop a plan for "a new organizational structure with streamlined, consolidated authorities, which will ensure centralized management" of OJP programs and submit the plan to the Congress by March 1, 1999.

DEVELOPING A REORGANIZATION PLAN

In response to this Congressional directive, the Department developed a plan for a new OJP organizational structure that would enhance OJP's stewardship of criminal and juvenile justice grant-in-aid initiatives.

The Department undertook a concerted, four-month long effort to seek out and consider the ideas and observations of as large and as representative a group of officials, both within and outside the Justice Department, as time and resources would permit. This outreach effort involved telephone interviews and in-person meetings with some 50 Justice Department officials and dozens of public and special interest group representatives and criminal and juvenile justice practitioners. In addition, both the NIJ director and the OJJDP administrator convened special focus groups to discuss research and statistics issues.

Based on the thoughtful comments and recommendations of these various groups and individuals, as well as direction from Congressional conferees, the Justice Department devised a reorganization plan for OJP and submitted the plan to the Congress on March 10, 1999. Mr. Chairman, I have provided the Subcommittee with a copy of the Report to Congress and ask that it be submitted for the record.

ELEMENTS OF THE REORGANIZATION PROPOSAL

The plan would streamline and consolidate functions within the OJP infrastructure and eliminate duplication and overlap of agency functions by integrating similar and related responsibilities into coherent organizational components. This represents a move away from the historical practice of creating separate, and virtually independent, agency bureaus and program offices to administer specific federal funding streams authorized by the Congress.

In line with that, the plan sets forth a new OJP organizational structure under which the overall authority for the management and administration of OJP programs and activities would be vested with the OJP Assistant Attorney General (OJP/AAG). As under current law, the OJP/AAG would carry out the duties and responsibilities of that office under the general authority of the Attorney General. Further, to meet the objective of centralizing administrative authority within OJP, and in the interest of sound management, the plan would eliminate the Senate-confirmed presidentially appointed directorships of the existing five OJP bureaus, yet retain political appointments for these key positions, which I will describe in a moment.

The new organizational structure would preserve the integrity of the more than 50 congressionally mandated funding streams currently managed by OJP, while enhancing the efficiency, effectiveness, and accountability of its program and administrative functions. The plan proposes a new OJP structure comprised of a research institute, a statistical office, two programmatic offices, two program support offices, and six administrative offices.

The six substantive offices of the new OJP structure would be: the National Institute of Justice; the Bureau of Justice Statistics; the Office of Criminal Justice Programs Development; the Office of Juvenile Justice and Delinquency Prevention Programs; the Office of State and Local Information Transfer; and the Office of Formula Grants/State Desks.

The *National Institute of Justice (NIJ)* would assume responsibility for all OJP research and evaluation activities, including those currently administered by OJJDP's National Institute of Juvenile Justice and Delinquency Prevention. Juvenile justice and delinquency prevention-related research and evaluation would be managed by a new Institute for Juvenile Justice Research (IJJR) within NIJ. IJJR would engage in regular consultation with the new Office of Juvenile Justice and Delinquency Prevention Programs to develop juvenile justice research and evaluation plans and programs. Similarly, NIJ would consult with the various OJP program offices in developing research and evaluation plans, programs, and strategies, and the OJP program offices would consult with NIJ in developing grant, technical assistance, and training programs.

The goal of the Department's proposal is not to take away from the research effort in any one area, but rather to work towards the knowledge-based program testing, evaluation, and replication cycle envisioned in the Safe Streets Act of 1968, the original authorizing legislation. In addition, the proposal would continue the central and independent role of federally supported research and ensure that federally supported criminal and juvenile justice research and evaluation continue to be a high priority for the Justice Department.

The *Bureau of Justice Statistics (BJS)* would have responsibility for all OJP statistical collection and analysis-related plans, programs, and strategies. The development of these plans, programs, and strategies would be carried out in consultation with the various OJP program offices. Likewise, the various OJP program offices would consult with BJS in developing grant-funded initiatives to ensure that statistical knowledge informs the programmatic work of the agency.

To ensure that juvenile justice continues to be a prominent and visible focus for OJP and the Justice Department, the new organizational structure proposes to retain a separate juvenile justice office. The *Office of Juvenile Justice and Delinquency Prevention Programs* would have lead responsibility, and leadership role, within OJP for developing juvenile justice and delinquency prevention plans, programs, and strategies. The new Juvenile Justice Office would retain responsibility for monitoring state formula grant recipients' compliance with Congressional mandates under the Juvenile Justice and Delinquency Prevention (JJDP) Act, although the ministerial paperwork functions associated with awarding of these grants would take place under the Office of Formula Grants/State Desks. In addition, because of its subject area expertise, the new Juvenile Justice Office would work closely with NIJ's Institute of Juvenile Justice Research and BJS in formulating those offices' juvenile justice-related research and statistical work.

The *Office of Criminal Justice Programs Development* would be comprised of offices, each of which would be responsible for program development-related activities

in a general substantive subject area: crime victims; violence against women; community-based programs; law enforcement; adjudication; technology and information systems; corrections; counter terrorism; and substance abuse. Our goal with this structure is to be flexible enough to accommodate new issue areas if and as they arise.

This proposal specifically responds to practitioner concerns that the existing OJP administrative structure fosters a fragmented approach to topical criminal justice issues and creates duplication, overlap—and sometimes conflict—among related OJP program initiatives. The proposed restructure would help to build substantive knowledge and expertise in each respective section and would facilitate the formulation of comprehensive, cohesive, cross-disciplinary strategies for addressing crime.

In addition to policy, planning, and program development, the Office of Criminal Justice Program Development would also develop, implement, and manage technical assistance and training programs.

The *Office of Formula Grants/State Desks* would assume all routine grants management, administration, and program and project monitoring functions for all congressionally authorized formula and block grant programs currently administered by OJP. The state desks would be organized geographically and comprised of five sections, each of which would cover one geographical region: Northeast, Southeast, North Central, South Central, and West. Each state would be assigned to one of these regions. Our state and local customers will be able to contact a specific individual who is responsible for overseeing management, administration, and monitoring of all formula and block grants within that state. In addition, state desk staff would be responsible for transmitting knowledge and assistance to the states, not simply for processing grants, and my expectation is that each state desk officer would be intimately familiar with that state, and its special needs and issues, and serve as a “broker” in its accessing help from OJP.

The *Office of State and Local Information Transfer* would provide a “one stop shopping” capacity for information concerning the organization, grant programs, technical assistance, training, and other resources of OJP. In virtually every OJP constituency focus group conducted in recent years, as well as in interviews conducted during the development of the reorganization proposal, criminal and juvenile justice practitioners have described problems encountered in accessing information about OJP-administered technical assistance and training resources.

The Office of State and Local Information Transfer would serve as a de facto “traffic cop” in directing OJP constituents to available training and technical assistance and information on “what works” and grant opportunities. In addition, the new office would be charged with the primary responsibility within OJP to convey knowledge and information to state and local constituencies and others, including the printing and dissemination of OJP publications.

In thinking about customer service, I’ve often thought about the newly elected official of Smalltown, USA. This new mayor doesn’t know a BJA from an OJJDP from a DCPO or an OSLDPS. What he or she does know is that their town has a gang problem, or a methamphetamine problem, or a rising crime rate. My goal for this mayor is that he only has to make one phone call to our Information Transfer Office, where a knowledgeable staffer-like triage—can sort through the problems that jurisdiction faces, point to available grant programs, technical assistance and training opportunities, printed or Internet materials, *and* to other similarly situated communities that have successfully attacked the specific problem. In many respects, this new office is one of the most essentially needed functions we must implement to ensure that those who are most affected by crime and issues of public safety in the country have an easy way to access the many resources, and the knowledge and help, we can bring to bear.

CONCERNS EXPRESSED ABOUT ELEMENTS OF THE REORGANIZATION

Concerns have been expressed by a number of organizations and practitioners about some recommendations contained in the OJP reorganization proposal, particularly as they affect juvenile justice, crime victims, and violence against women. Let me address each of these:

- *Juvenile Justice*: Juvenile justice practitioners and advocates have opposed the proposed changes to OJJDP on the basis that they would diminish needed attention and visibility to juvenile issues within the Department of Justice and OJP, as well, they argue, as undercutting OJJDP’s ability to deliver services and information to the field. Let me state at the beginning that the Administration—and Attorney General Janet Reno—remain *strongly* committed to ensuring priority attention to juvenile justice, youth violence, and children’s issues in general.

Many observers may be unaware that, at this time—with the focused national attention on juvenile crime over recent years—virtually *all* of OJP’s 11 program offices and bureaus are now addressing juvenile justice in some fashion. For that reason, the restructure proposal calls for all OJP-related program work on juvenile justice to be overseen by the Juvenile Justice Office, whether or not it is supported under the funding streams currently administered by OJJDP. This could ensure more coordinated, focused, and effective attention to the issues surrounding juvenile delinquency and prevention.

Underscoring its leadership role, the Juvenile Justice Office would continue, under the plan, to have responsibility for all discretionary grants, technical assistance, training, and publications development relating to juvenile delinquency, youth violence, and prevention. In addition, the Juvenile Justice Office would continue to have all responsibility for policy, conceptualization, and oversight of the juvenile-related formula grants, with routine grant management support from the proposed state desks.

The plan also calls for consolidation of all research across OJP into NIJ and all statistics into BJS; this has triggered much concern in the juvenile justice community. The Department’s goals in making this recommendation are several. First, while acknowledging the excellence of work in this area by OJJDP, especially in recent years, the Department made the judgment, after much consideration, that consolidation can help ensure a higher quality of product and value to the field by pulling together the knowledge and expertise of both adult and juvenile researchers. Issues of human development and anti-social behavior cannot be neatly divided into an “under 18” category and an adult category. In fact, knowledge about early childhood development and problems that develop early in life and influence later behavior can greatly illuminate our understanding of adult criminality.

If we are to successfully advance our understanding of these critical issues, we must be pulling all of this “knowledge building” together, not be supporting separate and frequently disconnected efforts. This becomes even more critical should future OJP budgets, as seems likely, not remain at the high levels they are today. It is important however, to ensure that juvenile justice issues—and the special and different challenges of the juvenile justice system—are not lost within the broader agenda of the National Institute of Justice. To address that, the plan calls for creation of an Institute for Juvenile Justice Research within NIJ to ensure, not only that juvenile issues receive focused, priority attention, but also that they receive a specific and separate funding allocation. Under the restructure plan, the new Institute for Juvenile Justice Research would be required to work closely with the Juvenile Justice Office in developing the research agenda. Similarly, the Juvenile Justice Office would be deeply engaged with BJS in the development of an agenda for statistical work. This advances the important goal of ensuring that knowledge gained from research informs the development (and funding) of programs, and, concomitantly, that practitioner feedback from the “front lines” helps shape research agendas.

Second, the Department, in making this consolidation recommendation, was very cognizant of the need for the independence of research and evaluation in order to ensure credibility of resulting findings. Nowhere else in OJP, and rarely across the entire Executive Branch, does a program office evaluate its own work. The credibility of research and evaluation rests, not only on its scientific validity, but also on the independence—and the perception of independence—of those performing the work. If it appears the evaluations are being undertaken by those with a stake in their outcome, credibility obviously is diminished. OJP’s Drug Court Program Office, for example, does not evaluate its own programs. If it did, those results would be less persuasive—and viewed as less objective—than if a separate, independent agency undertook the evaluation. For all these reasons, the OJP reorganization plan assigns to the National Institute of Justice all research and evaluation responsibilities across OJP to provide that needed “arms length” relationship from those conceptualizing and running programs.

- *Victims of Crime*: Victim advocates have raised concerns that the reorganization plan can undercut or diminish the important accomplishments—and future work—of the Office for Victims of Crime. The proposed restructure plan reflects the belief that the needs and problems of crime victims must be principal focuses of the activities of *every* component of the criminal justice system. Accordingly, the development of programs, plans, and strategies to address these needs and problems must be an *agency-wide* priority for the Office of Justice Programs, something that does not in reality occur today. Too frequently in OJP, victim-related issues are shunted off to OVC; they are not “owned” by the other bureaus and offices. This compartmentalization has not benefited the move to ensure broad support for crime victims issues.

Under the plan, the Victims Office would continue to have responsibility for all discretionary grants, technical assistance, training, and publications development relating to crime victims. It would also have full responsibility for policy, conceptualization, and oversight of the victims-related formula grants, with assistance on routine grant management from the proposed state desks. In summary, the Victims Office would remain the central “leadership point” for addressing crime victim issues within the Department of Justice.

- *Violence Against Women*: Concerns have also been raised about whether the proposed OJP reorganization would adversely affect the Violence Against Women Office (VAWO). It should be noted that the OJP restructure plan was completed prior to the decision by the Department’s leadership to move the Violence Against Women Office into OJP. Prior to March of this year, the Violence Against Women Grants Office was part of OJP, but the broader VAWO, headed by Bonnie Campbell, was housed in the Office of the Associate Attorney General.

Nonetheless, the purpose and visibility of this issue will not be diluted by the proposed OJP restructure because VAWO has a unique status within OJP: First, its Director also serves as a Counselor to the Attorney General. Second, it works with a National Advisory Council on Violence Against Women made up of a high-level group of experts and advocates who provide guidance to the office’s effort. Third—as an indication of the high level of attention to the office within the Department—the Associate Attorney General personally chairs, at the direction of the Attorney General, a Coordinating Committee on Violence Against Women comprised of the heads of all pertinent components in DOJ (including the Criminal Division, FBI, INS, the Civil Rights Division, and OJP) to focus on these issues and to develop strategic plans for advancing work across the litigation, prosecution, and programmatic components of the Department.

In addition, under the plan, VAWO would continue to have full responsibility for all violence against women discretionary grants, technical assistance, training, and publications development, and would continue to be responsible for policy, conceptualization, and oversight of the formula grant STOP Violence Against Women program, with assistance on routine grant management from the proposed state desks.

In summary, the leadership of both the Department and OJP remain fully supportive of—and strongly committed to—the vision embodied in the historic Violence Against Women Act.

- *PAS Issue*: Finally, concern has been expressed about the appointment level proposed for office directors under the plan. Right now, OJP has six presidentially-appointed, Senate confirmed (PAS) positions within a small agency, virtually unique across the Executive Branch. The report calls for the bureau head positions to remain political appointees, but not confirmed by the Senate. This was not intended to diminish the importance of these areas, but to reflect the organizational structure of other components within the Department of Justice and the federal government as a whole. It further reflects an effort to address what has too frequently in OJP’s history been a situation where individual “fiefdoms” operated independently, were uncoordinated and duplicative, and frequently competitive—or even in “open warfare” with one another. The need for effective responses to public safety problems facing this country today is too serious to be hindered by bureaucratic competition, and even “wars,” among federal agencies. To continue with a structure that compartmentalizes important work in frequently isolated components does not further this nation’s collective vision of what is needed for the future of America’s youth and the safety of America’s communities.

CONCLUSION

The organizing principle at the heart of this plan is to move OJP, as the Congress directed, from a confusing, complex, decentralized administrative structure to a more cohesive centralized administrative structure comprised of coherent components with distinct functions and competencies that share a common mission.

In conclusion, Mr. Chairman, the reorganization plan submitted to the Congress recommends creation of an OJP structure that would centralize administrative authority to a greater degree, streamline an agency that has grown from managing \$800 million in 1993 to nearly \$4 billion today with 55 funding streams, and integrate many currently overlapping agency functions. Our plan is focused on the more effective *management* of our current programs and funding streams. We are not seeking to change the essence of those underlying statutes.

We are the size of many Fortune 200 companies. We need to apply the rules of good management and good government to steer this organization and to ensure that our resources are used to their best advantage, in the most effective manner possible.

However, the goals of the proposal are not simply about efficiency. The proposal sets forth a vision for what the federal criminal and juvenile justice assistance program should look like and how it should operate. We seek to ensure fully integrated program development, with research and knowledge driving decisions about policy and programs. This plan's objectives are also to improve responsiveness to the field, to focus resources more effectively, and to eliminate confusion, duplication, and overlap in programmatic activities. The Justice Department strongly believes this restructure proposal would result in better service to OJP constituents at the state and local levels by reducing red tape, by making information on all available grant funds, technical assistance, and training more accessible, and by streamlining grant management processes to help ensure existing funding streams reach state and local jurisdictions more expeditiously.

Further, we strongly believe that this restructure proposal would provide for better stewardship of our considerable resources and provide for a better means of accountability to the Congress and the American people.

While there have been some concerns, as noted earlier, about individual recommendations of the OJP reorganization proposal, virtually every official interviewed in developing the Report to Congress emphasized the need to improve coordination and collaboration and eliminate duplication and overlap among OJP bureaus and offices, and to eliminate what one interest group representative called "silly distinctions" in the alignment of program-related responsibilities.

As you may know, Mr. Chairman, the Justice Department is continuing to meet with concerned constituent groups and individuals to farther discuss the reorganization plan and its impact on funding and other assistance to the field. Every detail of our proposal is not "cast in stone;" clearly we are at the beginning of this process. But as changes are being considered by Congress, I think the gravest mistake would be to sidestep the need for change altogether.

I appreciate your personal interest in and support for OJP, Mr. Chairman, and the support of the other Members of this Subcommittee. I look forward to continuing to work with you to ensure we are meeting the needs of state and local criminal and juvenile justice practitioners, and I would be happy now to respond to any questions you or the Subcommittee Members may have.

[The subcommittee stood in recess from 2:45 p.m. to 3:04 p.m.]

Senator SESSIONS. Sorry to be interrupted. It has been one of those weeks, a lot going on, and I guess it will continue that way until we get out of here this October or November.

This panel will have some individuals with particular expertise on it who will share their insights about this reorganization. It is our Government; it is appropriate that things not be done until people have had a chance to digest it, all interest groups. Sometimes, that slows us down and makes us feel inefficient, but I think that is what democracy is all about.

Mr. Alfred Blumstein is a Johnson Professor of Urban Systems and Operations Research at the Heinz School of Public Policy and Management of Carnegie Mellon University. His degrees from Cornell University include a bachelor's in engineering and physics, and a Ph.D. in operations research. His public service dates back to the Johnson administration when he served as a member of the President's Commission on Law Enforcement and Administration of Justice.

Professor Blumstein has researched many aspects of criminal justice policy. He has researched crime measurement, criminal careers, sentencing, deterrence and incapacitation, prison populations, demographic trends, juvenile violence, and drug enforcement policy. And that is quite a number and there are some critical issues within those. He has served as both a member and leader of many professional organizations. Most notably for the purposes

of this hearing, Professor Blumstein served as chair of the committee to design the structure of a justice research and statistics program in the Department of Justice, part of the group that produced the report we are receiving today.

Mr. Gene Voegtlin is legislative counsel for the International Association of Chiefs of Police. He is a graduate of the Catholic University of America and holds a master's in legislative affairs from George Washington University, as well as a law degree from Georgetown University Law Center. Mr. Voegtlin directs the implementation of the IACP's legislative and governmental agenda.

Donna Edwards is executive director of the National Network to End Domestic Violence, a national membership organization of State and domestic violence coalitions representing more than 2,000 local domestic violence programs across the Nation, and is the author of several journal articles on the subject.

Besides her work on domestic violence issues, Ms. Edwards has worked with Public Citizen on campaign finance issues. Before changing careers to public interest law, she was a project engineer on space shuttle programs at NASA for Lockheed Corporation. That is wonderful. Ms. Edwards is a graduate of Wake Forest University and earned her J.D. at the Franklin Pierce Law Center in New Hampshire.

So we are delighted to have this panel. I would note that the hurricane has prevented Prof. Jimmy Gurule from joining us this afternoon. His written testimony will be made a part of the record, and I look forward to receiving and reviewing that.

[The prepared statement of Mr. Gurule follows:]

PREPARED STATEMENT OF JIMMY GURULE, PROFESSOR OF LAW,
NOTRE DAME LAW SCHOOL

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE: I would like to thank you for the opportunity to testify on the proposal under consideration for the reorganization of the Office of Justice Programs ("OJP"), an office that I had the honor and privilege of supervising from 1990-1992 as Assistant Attorney General ("AAG") in the Bush Administration.

While I do not agree with every aspect of the OJP proposal, the plan has much merit and represents a substantial improvement over the current organizational structure. If implemented, the effectiveness and accountability of OJP programs, as well as the overall administrative management and efficiency of OJP would be greatly enhanced. Furthermore, the OJP plan would result in increased coordination and reduced duplication and overlap of agency functions by consolidating similar and related responsibilities within specific OJP bureaus. Historically, coordination at OJP in program development and research efforts has been rare. In short, at OJP coordination has been the exception, rather than the rule. Moreover, this lack of inter-bureau coordination, communication and cooperation has hampered the effectiveness of OJP programs. The OJP restructuring plan attempts to remedy this serious problem.

At the same time, while I applaud my successor, Assistant Attorney General Laurie Robinson, for her leadership in developing the OJP reorganization plan, and commitment to good government and efficient management reflected in the plan, I am not convinced that eliminating the Office for Victims of Crime as a separate office within OJP is justified.

The OJP plan has several major reorganization elements, which would significantly effect how OJP conducts its affairs. However, these proposed organizational and operational changes have not been without their critics. Three aspects of the proposal, in particular, appear to have generated the most controversy. They include:

- (1) eliminating the presidential appointee status ("PAS") of the directors of the five OJP bureaus and offices;

(2) consolidating the research, evaluation, and statistical programs currently conducted by the Office of Juvenile Justice and Delinquency Prevention (“OJJDP”) within the National Institute of Justice (“NIJ”) and Bureau of Justice Statistics (“BJS”); and

(3) eliminating the Office for Victims of Crime (“OVC”).

I limit my remarks to these three aspects of the OJP reorganization plan.

First, eliminating the presidential appointee status of the directors of the OJP bureaus, and vesting the overall authority for the management and administration of OJP programs and activities in the OJP Assistant Attorney General is simply good government. Over the past several years, including during my tenure as Assistant Attorney General, the current organizational structure has impeded the important work of OJP. With a budget of nearly \$4 billion in federally appropriated dollars, OJP can make a significant impact on important issues related to violent crime, youth gang violence, and graduated sanctions for youthful and young adult offenders, as well as develop successful gang and drug prevention programs. However, this requires that research and evaluation programs, and statistical studies by OJP advise and inform public policy decision-making. For example, crime trends identified by BJS should guide BJA priorities for funding demonstration programs. Likewise, the results of evaluations (what works and what doesn’t) and research programs conducted by NIJ should advise BJA and OJJDP program development. In other words, the activities of the OJP offices should complement one another, rather than co-exist in isolation. Of course, this requires communication and coordination across the OJP bureaus and offices. Unfortunately, The current organizational scheme discourages efforts towards coordination by authorizing six presidential appointees of equal status to administer OJP. Because of the equal status afforded each bureau head, everyone, and therefore no one, is in charge of OJP. In effect, coordinating efforts to establish priorities for program funding remains discretionary with each Bureau director.

This lack of coordination became immediately apparent upon assuming my position as Assistant Attorney General. One of my first tasks was to establish a comprehensive, coordinated annual program plan for OJP bureau-wide funding. Prior to my assuming office, each Bureau had published a separate annual program plan. Needless to say, there was little, if any, coordination between the OJP bureaus in developing these earlier annual plans. The idea of establishing OJP-wide priorities and publishing a comprehensive program plan was initially greeted with strong resistance. While a single, comprehensive annual program plan was finally published, it was only after the expenditure of countless hours attempting to convince the bureau directors and others of the value of a coordinated plan of action based on established priorities.

On the rare occasion when the OJP agencies have agreed to work together, the results have been impressive. “Operation Weed and Seed” is an excellent example of what can be accomplished when the OJP bureaus set aside their turf disputes and coordinate and concentrate resources. “Operation Weed and Seed” was launched by the Department of Justice in 1991. As Assistant Attorney General at the time, I was one of the principal architects of the program, “Operation Weed and Seed” is founded on the principle that reducing violent gang-related crime requires a comprehensive plan, involving the coordinated efforts of the OJP bureaus, Federal and State law enforcement, as well as community-based organizations, targeted at high crime areas plagued by serious gang-related crime. A recent national evaluation of the “Weed and Seed” program conducted by NIJ reveals significant reductions in crime in a substantial majority of the early weed and seed sites. In short, coordination and concentration of OJP resources is an effective strategy to combat gang-related violent crime.

A second controversial aspect of the OJP reorganization plan involves the consolidation of OJJDP research, evaluation and statistical programs within NIJ and BJS. While members of the juvenile justice community have advanced several arguments against the current proposal, none are particularly compelling reasons for maintaining the status quo. It is alleged that consolidating OJJDP’s “core functions” within NIJ and BJS will have a devastating effect on the juvenile justice field. This is mere hyperbole and simply not true. In fact, as a practical matter, it makes better sense to have NIJ evaluate OJJDP demonstration programs, rather than have OJJDP evaluate itself. Having OJJDP administer the evaluations of its own programs raises an appearance of impropriety, suggesting a possible absence of impartiality. On the other hand, the integrity of the evaluation process is enhanced by having an agency other than OJJDP evaluate the juvenile justice program. Furthermore, rigorous program evaluations are essential to determining whether a particular demonstration program has been successful and therefore justifies continued fund-

ing. More evaluation testing of programs is needed to ensure accountability and responsible expenditure of the federal taxpayers' dollars. On this point, the OJP proposal to transfer OJJDP evaluation functions to NIJ represents an important step in the right direction.

Consolidating juvenile justice research and statistics in NIJ and BJS is further justified by the fact that both offices have established and attractive track records in their respective fields. NIJ and BJS are certainly up to the task and capable of handling these additional responsibilities. Additionally, no good reason exists for maintaining two statistical research offices within an agency the size of OJP.

The critics of the OJP plan further maintain that consolidating juvenile justice research and statistical programs in NIJ and BJS would somehow impede the current system of "one stop shopping" where primary consumers of OJJDP's work have a single source of information for all juvenile justice matters. To the extent that this poses a problem, it is easily remedied. Under the OJP proposal, OJJDP would remain the primary contact point for persons seeking information on juvenile justice matters. If the information requested was located within either NIJ's Institute of Juvenile Justice Research ("IJJR") or BJS, the OJJDP staff person handling the request could forward it to the appropriate person in either NIJ or BJS, or personally retrieve the requested information and forward it to the practitioner. Thus, any inconvenience to the person requesting the information would be minimal and certainly outweighed by the benefits afforded under the OJP plan.

It is further asserted that transferring OJJDP functions to NIJ and BJS would have deleterious effects on juvenile justice research and demonstration programs by "blurring the line" between the juvenile justice and criminal justice systems. While there is some truth to the statement that the juvenile justice and criminal justice systems are different, and those differences should properly be preserved (e.g., separation of juvenile offenders from adult offenders, the juvenile justice system deals with youngsters not only as offenders but also as victim of abuse and neglect), it simply does not follow that transferring juvenile justice research to the newly created Institute for Juvenile Justice Research ("IJJR") would make the research less relevant to the juvenile justice community. There is no good reason to believe that OJJDP and IJJR, both offices being committed to improving the juvenile justice system, would not work closely and effectively together.

The real criticism voiced by members of the juvenile justice community is that the OJP proposal reduces the prominence and autonomy of the OJJDP by having its Administrator appointed by the Attorney General, rather than appointed by the President and confirmed by the Senate, and vests in the Assistant Attorney General overall authority for the management and administration of OJP programs, including OJJDP. In essence, the OJP plan offers a clear choice between the current system where the OJJDP Administrator is answerable to the President, and the reorganization plan where the Administrator is answerable to the Attorney General through the Assistant Attorney General. For reasons of administrative efficiency, accountability, and program effectiveness already discussed herein, good government prefers the OJP plan.

Finally, the OJP reorganization plan proposes the elimination of the Office for Victims of Crime ("OVC"). In its place, the plan would create a Crime Victims Section within the newly created Office of Criminal Justice Programs Development. While OVC would be reduced from an OJP bureau to a section, it is unclear whether the size of the OVC staff would be significantly reduced as well. The wisdom of diminishing OVC in this manner is highly questionable.

The rights of crime victims is an important issue often overlooked by the criminal justice system. As Assistant Attorney General, I made implementing policies and programs to improve services to crime victims an OJP priority. The 1991 OJP Program Plan targeted victims of Federal crimes, particularly on Indian reservations, and child victims of pornography, prostitution and sexual exploitation as well as other aspects of crime victimization. Once again, in 1992 the OJP Program Plan made crime victims a funding priority with specific focus placed on minority victims of crime to assure that the services are made accessible to them at the Federal, State, and local levels. For example, NIJ conducted important research on the underutilization of victim services in minority communities. In addition, emphasis was placed on ensuring that innocent crime victims are not revictimized by the criminal justice system by committing resources to train law enforcement officers, prosecutors and other criminal justice personnel who work with innocent victims of crime.

Services for crime victims remains an issue of paramount importance. Crime victims need an advocate for their cause. Created by the Victims of Crime Act of 1994, OVC has effectively served the role of the nation's crime victims advocate. To that end, OVC has done an outstanding job in—

- (1) Monitoring compliance with the Attorney General's Guidelines for the Fair Treatment of Crime Victims and Witnesses;
- (2) Consultation with heads of Federal law enforcement agencies regarding Federal crime victims; and
- (3) Coordination of crime victim services among Federal and other public and non-profit agencies.

Under the proposed reorganization plan, it remains unclear how these important responsibilities will be handled. Fearful that the emphasis placed on the rights of crime victims would be diminished under the OJP proposal, I cannot embrace that element of the plan.

Senator SESSIONS. Also, Mr. Mark Soler, president of the Youth Law Center, has submitted written testimony for today's hearing. If there is no objection, that will be made part of the record.

[The prepared statement of Mr. Soler follows:]

PREPARED STATEMENT OF MARK SOLER

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE: My name is Mark Soler and I am the president of the Youth Law Center, a national public interest law firm with offices in San Francisco and Washington, DC. For more than twenty years my colleagues and I have worked on juvenile justice reform issues with judges and other juvenile court personnel, juvenile detention and corrections administrators, police and other law enforcement, state and federal legislators, other public officials, parents and community groups, and other advocates for children in virtually every state in the nation. Our initial funding, in 1978, was from the Office of Juvenile Justice and Delinquency Prevention, and we have worked with the juvenile justice office regularly over the years, as well as with the Office of Justice Programs and the Bureau of Justice Assistance.

Since the Office of Justice Programs reorganization plan was released in April, I have discussed it with researchers and academics, juvenile detention and corrections officials (including heads of several state agencies), service providers, mental health and child welfare professionals, and children's advocates around the country. My statement is based on those discussions as well as my own review of the plan.

I believe that the plan contains many worthwhile ideas for streamlining operations under the Office of Justice Programs as they pertain to the adult criminal justice system. The Assistant Attorney General at OJP and her staff have made a concerted effort to look closely at issues of coordination of programs, duplication of effort, and information dissemination among the OJP agencies, and to suggest effective remedies.

With respect to the juvenile justice system, however, the reorganization plan raises several serious concerns. First, it transfers most of OJJDP's core functions—research, statistics, publications, distribution of formula and block grants, monitoring and evaluation—over to other new and existing agencies. It does this in the name of efficiency, but it is a curious kind of efficiency that it proposes. While these core functions now reside in a single agency which is able to manage them in a coordinated way, the reorganization plan would fragment OJJDP and distribute the functions to several new agencies, which would then be required to liaison back to OJJDP in order to achieve coordination of juvenile justice efforts.

Second, the plan removes control from OJJDP of nearly 75 percent of its current budget. Although the written plan often refers to a central role for OJJDP in developing national policy, in reality it strips the agency of most of its resources. In this city perhaps more than any other in the world, authority and influence generally depend on control of the purse, and the plan all but empties OJJDP's purse.

Third, in part as a result of the first two problems, the plan sends a message to the field, and to the country, that juvenile justice concerns no longer occupy as high a priority as they have in the past. Fragmenting the functions and drastically reducing the budget are clear indicators that the federal government no longer cares as much about studying, preventing, treating, and correcting juvenile crime. Indeed, by aligning OJJDP's core functions with those of the adult criminal justice system, the plan pushes the two systems together and substantially blurs the distinction between them.

For these reasons, there is significant opposition to the plan across the juvenile justice field. As but one indication of this, I have attached to my statement a letter sent last month to Attorney General Reno, stating these concerns and signed by the leaders of more than two dozen national, state, and local organizations, including

the national juvenile court judges association, mental health professionals, services providers, the faith community, and children's advocates.

Although many in the field have spoken about the proposal to have the OJJDP Administrator appointed by the Attorney General rather than the President, upon reflection I personally am less concerned with that change, *if OJJDP retains its core functions and control of its budget*. I don't believe that the OJJDP Administrator (or the heads of the other agencies under OJP, for that matter) have to be appointed by the President and confirmed by the Senate, as long that person truly retains authority to guide the nation's juvenile justice efforts. On the other hand, transferring the core functions, cutting the budget by three-fourths, and downgrading the appointment of the Administrator would have a devastating effect on the juvenile justice field.

Indeed, there may well be room for improvement in coordinating the activities of NIJ, BJA, OJJDP, and the other agencies under OJP. Every federal agency, indeed every agency of government, has room for improvement. OJP is right to want to improve coordination, eliminate duplication, and promote efficiency in the federal government's response to crime. But that does not justify virtually dismembering OJJDP. There are less drastic, less radical means of accomplishing worthwhile goals. For example, in the research area OJP could establish small coordination committees made up of one or two representatives from OJJDP, NIJ, and OR itself to monitor research proposals, assign them to the appropriate agency, and insure that there is no duplication of effort. That would accomplish the same goals without completely fragmenting OJJDP.

We should remember that there are two great strengths of OJJDP, one from the outside, the other on the inside. From the outside, public officials, citizen groups, and others seeking information from all over the country can contact one agency, OJJDP, and get access to virtually the whole panoply of activities of the federal government's juvenile justice efforts, as well as other research, interventions, and initiatives going on in the states. The OJP plans calls for "one-stop shopping," but one—stop shopping already exists at OJJDP. It's not perfect, it's not always a speedy and seamless system, but it works pretty darn well and it makes enormous resources available to our public officials and our communities. The irony is the OJP plan would actually bust up the one-stop shopping that currently exists.

The second great strength of OJJDP is on the inside: the presence of all the core functions in one agency allows a rational, coordinated, and effective cycle of activity. The cycle begins with research and proceeds to program development, testing, demonstration, and—if a program is evaluated and found to be successful—either replication nationally or dissemination through technical assistance, training, or both. At all of these steps, information resources are made available to the field through publications or electronic media. Again, it's not perfect, but having all the A-to-Z core functions in one agency allows coordination across disciplines, so that the whole can truly be greater than the sum of its parts.

One example of this kind of coordinated vision is the *Guide for Implementing the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*, published by OJJDP in 1995. Here is an effective marriage of research, statistics, program development, program evaluation, prevention, treatment and rehabilitation, graduated sanctions, secure corrections, and references to the leading publications in the field. It is an enormously useful resource. I have copied sections and chapters of the book hundreds of times over the past four years, for public officials, agency administrators and staff, legislators, reporters, and citizen groups, I even use it in the course I teach on Juvenile Law at the law school at American University. This kind of publication would not happen if the OJP plan went through, because the core functions that support the various sections of the book would be dispersed into other agencies.

The analogy I would draw is if the federal government had a single agency responsible for the prevention and treatment of cancer. It might be called the National Office for Cancer Prevention and Treatment. But research money would not be controlled by the National Office, but instead by a different agency. And statistics on the incidence of cancer and use of different treatments and the results of such treatments would be in still a different agency. And the federal government would give out millions of dollars to the states for cancer prevention efforts, but that money would be given out, and the impact monitored, by still a *different* agency. And new medications and treatments would be evaluated by still a *different* agency. Does anyone think that would be an effective way to fight cancer?

Finally, I want to point out that the national crime victimization study reported recently that crime dropped again in the past year, by 7 percent, continuing the reduction in crime that began in 1994. That is a remarkable record, one which can

give all of us hope that we are on the right track. In view of that record, is this the time to dismantle the federal juvenile justice agency?

Senator SESSIONS. Mr. Gurule's comments which have been received are in general support of reorganization and of the plan that has been outlined.

Professor Blumstein, we are delighted to have you and would be honored to have your comments at this time.

PANEL CONSISTING OF ALFRED BLUMSTEIN, PROFESSOR, JOHN HEINZ III SCHOOL OF PUBLIC POLICY AND MANAGEMENT, CARNEGIE MELLON UNIVERSITY, PITTSBURGH, PA; GENE R. VOEGTLIN, LEGISLATIVE COUNSEL, INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, ALEXANDRIA, VA; AND DONNA F. EDWARDS, EXECUTIVE DIRECTOR, NATIONAL NETWORK TO END DOMESTIC VIOLENCE, WASHINGTON, DC

STATEMENT OF ALFRED BLUMSTEIN

Mr. BLUMSTEIN. Thank you very much, Senator. I am honored to be here and pleased to have the opportunity, and so thank you for that. And I think US Air for getting me in here this morning from Pittsburgh so that I could be with you today.

Senator SESSIONS. Well, as Senator Trent Lott said—and I am from nearby Mobile and we have had some real hurricanes—we respect them, but this one didn't look like it was close enough to keep us from working today. I feel confident we will all be getting home, but I know you had difficulties and I thank you for taking the extra effort to be here.

Mr. BLUMSTEIN. I am pleased to do it.

I come to you with my 30 years of background and research on crime and criminal justice from a variety of perspectives, and also as a consumer of the research. Dick Thornburgh, when he became Governor of Pennsylvania, asked me to chair the Pennsylvania Commission on Crime and Delinquency, which was the group in Pennsylvania that did criminal justice planning and that managed the Federal grant programs there. So I view issues from both sides of that house.

I particularly want to focus on the issue of the report of this committee that I chaired, a committee that was convened by Jeremy Travis and by Laurie Robinson to try to figure out how best to bring research into a more effective means of developing knowledge. I was very pleased at your reference to Senator Thompson's comments earlier today because that highlights the fact that research is an inherently public good. It is the sort of thing that the Federal Government must do because it is not going to be done at a decentralized level.

We have made lots of progress in understanding crime and the factors that contribute to it, and I am pleased that this National Consortium on Violence Research that I lead has been a participant in that. But our level of ignorance is just enormous and it is very tough to bring enough knowledge to bear to improve the practices, and I think the theme in the Senate of making sure that we build our knowledge capability is absolutely critical.

As one looks at the history of the research program within the structure that was initially LEAA, the history has been one that recognizes that we are currently in a golden age of management, with really excellent individuals managing research and statistics and an excellent individual managing the Office of Justice Programs, and we are seeing real coherence and integrity in that process.

I think it is fair to say that that has not always been the case, and the failure in that is by no means a partisan statement. I think whichever party had been in control of the Justice Department, there had always been various kinds of pressure to make the research results or the statistics conform to what was politically acceptable and appropriate either in the micro or the macro.

Therefore, a major theme in the committee I chaired was the essential need that the research function be independent, and in order to do that having credibility and integrity and independence was a necessary condition for making that happen. I think the need for that is inherent in an issue that is so inherently political as the issues of crime and criminal justice. And I think the recognition of that was made very clear in the distinctions made in the Robinson report between the two very different functions, one of giving out grants, supporting local activities, providing technical assistance to professionals. She has brought those together in an appropriate way to create some order out of the currently chaotic situation.

Research and statistics has to generate knowledge that is not intended to generate political goodwill, but is intended to generate improved knowledge, improved understanding, and more effective operation of the criminal justice system, as well as the other elements in the society that deal with juvenile delinquency, that deal with crime prevention, and that deal with the problem of crime.

There are three issues I want to address. First is some brief overall comments about the Robinson report, particularly from the perspective of research and statistics, and two aspects of it. One is the issue of consolidating research within NIJ and statistics within BJS, and the second a point of difference with the Robinson report, and that is a concern about the nature of appointment of the directors of NIJ and BJS.

I think the report is an excellent one, and it does bring considerable order out of chaos and provides appropriate assessment for the need for the integrity of research and statistics by making them report in different ways and giving their directors sign-off authority on grants, and particularly sign-off authority on publications. And it is the publications that provide the knowledge that will improve the operation of the system that should not be tainted by a need to address partisan interests or political concerns.

About 20 years ago, I was a member of a committee at the National Research Council that was asked to review the program of the National Institute of Law Enforcement and Criminal Justice, the predecessor agency of NIJ, and we found in that exploration that LEAA was making considerable efforts to distort the findings of research projects so that they would be supportive of the programs that were then the favored programs of LEAA. And our recommendation was one of generating a separation and independence, and we were all very pleased when the Congress also recog-

nized that distortion that diminished the value of the research findings, lost its credibility, and made it a necessary condition that there be independence and strength in that operation. And I think the Robinson report displays clear sensitivity on that by its structure.

Let me turn to the issue of the consolidation of the research and statistics programs. There is inherently a natural tension between dispersing research among the various functional operating agencies and putting it all into one agency. And our committee debated these issues and basically came to the conclusion that we would be much better served and the research and statistics programs would be strengthened if they were put together within NIJ for research and BJS for statistics. And we are pleased that that recommendation was incorporated in the Robinson report.

Clearly, when they come together, you get much more effective coordination and much more effective consolidation. I think Laurie Robinson's testimony highlighted the fact that there is continuity between juvenile developmental experiences and adult criminality, and I think that is just an absolutely important issue.

It is also the case that the criminogenic environment that juveniles, as well as adults face doesn't do any carding of the individual to decide whether they are juveniles or adults. Drug dealers, drug marketers, gun pushers, they don't make distinctions between juveniles and adults, and so much of the crime is associated with juvenile involvement in the criminal justice system and in criminogenic environments.

There has been a concern raised that there wouldn't be enough proximity between the action folks in the program agencies and the research, and therefore the research should be out there. But I think it is very important to keep that research separate and integrated, and keep its integrity. To the extent that OJJDP under a future administration is responsive to the political wishes of the director of OJP, their research program might have the same fate if it were in OJJDP. Their research program might have the same fate as the one I referred to earlier because they would not have the independence and the sign-off authority that the reorganization plan puts in NIJ and BJS, and that is an issue of some concern.

So I think it is important that the consolidation is a much more effective means, a much more efficient means of getting strong, solid and credible results. And I was certainly pleased that the Senate, in 254, put that National Juvenile Justice Institute within the National Institute of Justice.

The one further point I would like to raise is that the presidential appointee position of the current directors of NIJ and BJS has been one that enhanced their independence, that enhanced their stature, and has permitted them to recruit individuals like Jeremy Travis and Jan Chaikin. To the extent that there were no longer presidential appointments, that would diminish the stature; it would diminish their independence.

And I appreciate that in the Robinson report they want to eliminate all of the presidential appointments under the director of OJP. But I think these are two special cases, and it is represented by the fact that similar positions in other Federal departments are also presidential appointments. And my concern is that there is a

suspicion that the Justice Department doesn't care much about research and statistics, and demoting these positions would both establish a difference with other departments and confirm the suspicion that the Justice Department really doesn't want straight numbers.

So I would urge you to at least keep the two of those, and in the Robinson report they recognize an asymmetry between these two agencies and the other grant-giving agencies, so that one doesn't have to make them all the same with regard to presidential appointees.

Senator SESSIONS. So you referring there to the Bureau of Justice Statistics and the—

Mr. BLUMSTEIN. National Institute of Justice.

Senator SESSIONS. National Institute of Justice.

Mr. BLUMSTEIN. BJS being the statistics agency, NIJ being the research agency, and they clearly are important. And the Robinson reports recognizes—

Senator SESSIONS. And you are satisfied that they remain separate and not be merged?

Mr. BLUMSTEIN. I think the history throughout the Federal Government has been keeping the statistics agencies separate from the research agencies, for reasons that the statistics agency collects data. Research agencies inevitably have to be responsive to what are the critical issues today, whereas the statistics programs develop long time series and don't have to have even that much responsiveness to contemporary issues driven by Congress and the administration.

Thank you very much, Senator. Sorry I ran over a few minutes.

Senator SESSIONS. No; that was very worthwhile and we thank you.

[The prepared statement of Mr. Blumstein follows:]

PREPARED STATEMENT OF ALFRED BLUMSTEIN

SENATOR SESSIONS AND MEMBERS OF THE SUBCOMMITTEE: I am honored by the opportunity to appear before you today as you consider the various issues involved in the proposed reorganization of Office of Justice Programs in the Department of Justice.

As background information on my own involvement in this issue, I have engaged in a variety of criminological research since my involvement as Director of Science and Technology for the President's Commission on Law Enforcement and Administration of Justice in 1966. I have also been involved in practical policy matters as a member of the Pennsylvania Sentencing Commission since 1986, and I served as the chairman for over eleven years of the Pennsylvania Commission on Crime and Delinquency, the state's criminal justice planning agency, which manages Federal criminal justice funds in Pennsylvania. Attached to my testimony is a short biographical statement for your information.

My current position is as a University Professor at the H. John Heinz III School of Public Policy and Management of Carnegie Mellon University. I also serve as the director of the National Consortium on Violence Research (NCOVR), a program of research supported by the National Science Foundation on issues of violence—with particular emphasis on youth violence. If there is any way in which that project can be helpful to your Subcommittee, we would be most pleased to do so.

More directly relevant to the hearings today, at the invitation of Jeremy Travis, the Director of NIJ, and Laurie Robinson, the Assistant Attorney General in charge of OJP, I chaired a balanced committee of distinguished academic researchers that was asked to provide our views on the reorganization of the research and statistics functions currently within OJP. The members of that committee represented a broad diversity of perspectives on the issues involved, and the report represented

a strong consensus of their views. A copy of the committee's report, including a listing of the committee members, is attached to my prepared testimony.

In my discussion today, I would like to focus primarily on three issues:

- A brief overall appraisal of the Robinson report from the perspective of research and statistics, and two items emphasized in my committee's report:
- The importance of consolidating the research and statistics activities in OJP within NIJ and BJS, and
- The need to keep the directors of NIJ and BJS as Presidential appointees in order to ensure that they possess the ability, competence, and stature to execute their responsibilities effectively.

I. OVERALL ASSESSMENT OF THE REORGANIZATION PLAN FOR OJP

I have read the reorganization plan for the Office of Justice Programs proposed by Assistant Attorney General Laurie Robinson. I believe that her report is an excellent one, and one that will bring considerable order out of the chaos that now prevails with the variety of agencies that are intended to provide research and statistical knowledge, technical assistance and Federal funding to strengthen state and local crime control and criminal justice operations.

The report recognizes the important distinction between the allocation of Federal funds and the provision of technical assistance, on one hand, and the generation and presentation of research and statistical knowledge, on the other. The former category requires the development of favorite programs and an assessment of local needs; here, considerations of local need and self-justification of programs become an important part of the decision-making by the agencies serving a diversity of constituencies, and that is inevitable and not inherently inappropriate.

Those features would poison the integrity and the credibility of the research and statistics programs. Those areas must be and must be seen to be free of the bias that can often creep into management of a politically sensitive program—and we all know that almost any program related to crime and criminal justice has strong political sensitivities.

About twenty years ago, I was a member of a committee of the National Research Council that was asked to review the program of the then-current version of NIJ, which was under the control of LEAA (the Law Enforcement Assistance Administration), the grant-giving arm of the Justice Department at the time. The NRC committee found that the research organization was subjected to unreasonable pressure to justify the programs being funded by LEAA rather than providing objective and honest evaluations of those programs. In its report, *Understanding Crime*, the NRC committee addressed this incompatibility with a strong recommendation that a new National Institute of Justice be created independent of the grant-giving agency, and the Congress endorsed that recommendation with enthusiasm, and that is the structure that prevails today.

I believe that the Robinson report displays a clear sensitivity to those issues. It took special steps to ensure the credibility of the research and statistics functions by enhancing the independence of the NIJ and BJS directors by giving them—rather than the OJP Director—final sign-off authority on grants, contracts, and publications. I urge this Committee to endorse those recommendations.

II. CONSOLIDATION OF THE RESEARCH AND STATISTICS PROGRAMS WITHIN NIJ AND BJS

Our committee recognized the natural tension between a strategy of dispersing the research and statistics activity to the various program agencies within OJP and one of consolidating the research within a single research institute or statistics agency. After debating these issues at length, particularly with regard to matters of research on juvenile matters, the committee recommended that:

The entire [OJP] research program be consolidated within [NIJ], and similarly that the entire [OJP] statistics program be consolidated within [BJS].

We were very pleased that this recommendation was incorporated into the Robinson report.

We were convinced that a consolidated arrangement will assure greater coordination in the overall research program and avoid redundancy. Consolidation would enhance the quality of the research by using the combined expertise of the total research staff and would make it possible to recruit a stronger research staff because of the primary commitment of the organization to research. More generally, it would be able to capitalize on the economies of scale in having a single strong research organization.

Also, since program agencies such as OJJDP must be responsive to political concerns, it will diminish the risk that they will try to shape the research and statistics to be self-justifying. The independence provided for the NIJ and BJS programs will not be available to a research program located within a program agency, and so there will be greater concern about the quality and integrity of the research they produce.

With respect to research on juvenile offending in particular, bringing them together will enhance the ability of researchers to address the important continuity of offending between the teen and the adult years. Also, juveniles and adults operate in the same criminogenic environments, with adult drug dealers and gun pushers often targeting juveniles specifically. Similarly, statistics on juvenile offending and on the handling of juveniles within the criminal justice system will benefit from the economies of scale and of scope associated with the consolidation of the research and statistics programs. We recognize that there is a strong argument for courts to deal with juveniles differently from adults, but there can be no such argument for such a partition in structuring a research or statistics program targeted at understanding crime and finding effective means of prevention and intervention.

I understand that some of those who have argued against this consolidation have claimed that juvenile matters have not been a major part of the NIJ program. That, of course, is understandable in the presence of an OJJDP research program. Even in the face of that turf restraint, NIJ has made major investments from its meager budget on juvenile issues. The Project on Human Development in Chicago Neighborhoods, for example, recognized the importance of developmental experiences on future criminal activity. The juvenile component of the ADAM program monitoring drug abuse of arrestees recognized that drug traffickers do not card their customers. I am confident that introducing a Juvenile Institute into NIJ will make juvenile issues an increasingly important part of the NIJ program and reap the efficiency and effectiveness benefits of a consolidated program.

For all these reasons, I was pleased that the logic of the consolidation is reflected in the judgement of the Senate, which established (in Senate Bill 254) “ * * * *within the National Institute of Justice [emphasis added]* * * * a National Institute for Juvenile Crime.

III. PRESIDENTIAL APPOINTMENT OF NIJ AND BJS DIRECTORS

The one concern I would raise about the otherwise excellent Robinson report is the degree to which the stature of the directors of NIJ and BJS would be diminished by removing their status as presidential appointees. I am concerned that this will make it more difficult to recruit individuals who are as excellent as the ones that currently occupy those positions, and thereby diminish the quality of their operations. I think that it is important also to recognize that people in similar positions in virtually all other government departments are presidential appointees, and this downgrading could well be seen as reflecting less interest in those functions by the Justice Department, thereby seeming to confirm the widespread suspicion that these functions are not valued in the Justice Department.

I appreciate Ms. Robinson's desire to deal symmetrically with all of the current Presidential appointees within OJP. On the other hand, her report clearly recognized the fundamental differences between the research and statistics functions and the other program areas by the differences in the sign-off authority and in the appointing authority. Thus, it could certainly be reasonable to have those two positions retain their status as Presidential appointees, while discontinuing it for the others.

IV. SUMMARY

I hope these thoughts are helpful to you and to the Subcommittee on Crime in the development of the reorganization plan. I believe that adoption of the Robinson report, with particular attention to the issues I raised above, and with modification to retain Presidential appointment for the NIJ and BJS directors, could make a significant improvement in the structure and operation of OJP, and of its research and statistics programs in particular.

Senator SESSIONS. Mr. Voegtlin.

STATEMENT OF GENE R. VOEGTLIN

Mr. VOEGTLIN. Thank you, Senator. On behalf of the International Association of Chiefs of Police, I am pleased to be here today to offer our views on the proposed restructuring plan for OJP. IACP's president, Ronald Neubauer, had really wanted to be

here today to personally express his views on the plan, but unfortunately he, along with the rest of our leadership right now, is participating in IACP's Asian policing conference in Ulan Bator, Mongolia. So they weren't able to get here, hurricane or not.

As you know, the IACP, with more than 18,000 members in 112 countries, is the world's oldest and largest association of police executives. Our mission throughout the history of the Association has been to identify, address, and provide solutions to urgent law enforcement issues. It is in our effort to fulfill this mission that the IACP has had the opportunity to work with the Office of Justice Programs on many projects of vital importance to law enforcement. Just over the last 10 years, IACP has entered into a collaborative relationship, including grant and cooperative agreements, with every OJP component.

Given our experience and our understanding of the vital role that OJP plays in advancing the policing profession, and in assisting state and local law enforcement, you can understand why IACP was very interested in any proposal to restructure the office, and why we are paying close attention to this particular plan.

It is obvious that IACP would be concerned over any plan that, in our view, would impair OJP's ability to assist State and local law enforcement. However, I am pleased to say that that is not the case with this proposal. The IACP executive committee, in early August, met in New York City, and our committee consists of chief law enforcement executives from both large and small agencies at every level of Federal, State and local government. This executive committee examined the proposed reorganization plan and unanimously voted to endorse it.

The IACP believes that Attorney General Reno and Assistant Attorney General Robinson have done a tremendous job in crafting a reorganization plan for OJP that will both enhance the coordination in the office and reduce confusion and unnecessary competition. We applaud their efforts.

Time and time again, the IACP's experience with the Office of Justice Programs has demonstrated the high level of professionalism and expertise of its employees and their commitment to assisting State and local law enforcement agencies. However, at the same time we have seen how the duplication of effort and complicated administrative procedures have diminished the effectiveness of these same employees and limited the capabilities of OJP.

The IACP believes that the proposed restructuring plan, by streamlining current administrative procedures, eliminating the duplication of functions, and promoting greater integration and the sharing of critical information between programs, will assure that OJP is able to fulfill its mission in a more efficient and effective manner.

And while there are many important changes contained in this plan, the key to this restructuring program, in the IACP's view, is its focus on increasing the accessibility of OJP to State and local law enforcement agencies. Over the years, the ability of the local police chief to successfully navigate the intricacies of OJP's bureaucracy has been diminished because of the bewildering array of separate programs and contact persons that are in place at each of OJP's components or agencies.

I can tell you that nothing is more frustrating to a local law enforcement executive than knowing that assistance is available, yet being unable to procure it because they cannot connect with the proper official. This problem is especially acute in our Nation's smaller departments, which are often those that are most in need of assistance. These smaller departments simply do not have the personnel resources to spend the time that is currently necessary to decipher what one chief described as the inscrutable monolith of OJP.

As a result, some chiefs in smaller communities feel that the larger cities or State agencies have a better chance at receiving assistance, simply because they have full-time staff employees who have worked with the OJP for years and have developed an understanding of the intricacies of the OJP bureaucracies. Let me illustrate this point by a plan that we all hope will come into full funding in the near future.

Last year, Congress enacted the Criminal Identification Technology Act. Once this Act is funded, it should put in place more than \$1 billion that will be made available to State and local police agencies to modernize their criminal databases and improve their ability to communicate with each other.

However, as the IACP understands this Act, if this program were to be administered by OJP in its current structure, these funds will be split between, at a minimum, the National Institute of Justice, the Bureau of Justice Assistance, and the Bureau of Justice Statistics. If a local police agency wanted to take advantage of some aspect of this program, it would be necessary for them to independently identify and contact the appropriate office. Given the past experience of many of our chiefs, it is clear that this can be both a daunting and a disheartening process.

However, under the new structure, the same agency would have to place just one call to the Office of State and Local Information Transfer. This office would be able not only to provide information about the specific grant or assistance program that the local police chief was interested in, but would also have the ability to provide information on related training opportunities and the availability of other technical assistance.

This central contact is, in the opinion of the IACP, the critical component of this entire plan. By providing State and local police agencies with information about available assistance and training programs in a timely and, more importantly, understandable fashion, the proposed restructuring plan will allow these agencies to better serve the public they are sworn to protect.

Just one final thought as I conclude. Although the IACP strongly supports this plan and believes that it will establish an essential and practical framework for making the resources of OJP more accessible to State and local law enforcement, there is no guarantee that this new structure will be immediately successful.

Therefore, if this or any version of a restructuring plan is adopted, the IACP recommends that immediate and consistent evaluation of the new framework be performed in order to ensure that it is meeting its goal of streamlining the OJP's process and improving its ability to assist State and local law enforcement agencies.

This concludes my statement and I will be happy to answer any questions you may have.

Senator SESSIONS. Thank you very much.

[The prepared statement of Mr. Voegtlin follows:]

PREPARED STATEMENT OF GENE R. VOEGTLIN

Good Afternoon, Mr. Chairman and Members of the Subcommittee: On behalf of the International Association of Chiefs of Police, I am pleased to be here to share our views on the proposed restructuring of the Office of Justice Programs (OJP).

As you know, the IACP, with more than 18,000 members in 112 countries, is the world's oldest and largest association of police executives. IACP's mission, throughout the history of our association, has been to identify, address and provide solutions to urgent law enforcement issues.

In our efforts to fulfill this mission, the IACP has had the opportunity to work closely with the Office of Justice Programs on many projects that are of vital importance to the law enforcement community. Over the past decade, IACP has entered in collaborative relationships, including grant and cooperative agreement with every OJP component, BJS, BJA, OVC, OJJDP, VAWO and NIJ.

Given the IACP's experience and understanding of the role that the Office of Justice Programs plays in advancing the policing profession and in assisting state and local law enforcement agencies, it is easy to understand why the IACP would pay close attention to any proposed restructuring of the Office of Justice Programs. Obviously, the IACP would be very concerned with any proposal that, in our opinion, would impair the ability of the Office of Justice Programs to serve the interests of law enforcement. However, that is not the case here and I am pleased to inform you that the IACP Executive Committee, whose membership consists of law enforcement executives from both large and small agencies at every level of government, has examined the proposed reorganization plan and unanimously voted to endorse it.

The IACP believes that Attorney General Reno and Assistant Attorney General Robinson have done a tremendous job in crafting a reorganization plan for the Office of Justice Programs that will enhance coordination and reduce confusion and unnecessary competition. We applaud their efforts.

Time and time again, the IACP's experience with the Office of Justice Programs has demonstrated the high level of professionalism and expertise of its employees and their commitment to assisting state and local law enforcement agencies. However, at the same time, we have seen how the duplication of effort and complicated administrative procedures have diminished the effectiveness of these employees and limited the capabilities of the Office of Justice Programs. That is not to say however, that the OJP and its employees are not accomplishing their mission, only that their current structure is preventing them from operating at their full potential.

The IACP believes that the proposed restructuring plan, by streamlining current administrative procedures, eliminating the duplication of functions and promoting greater integration and the sharing of critical information between programs, will ensure that the Office of Justice Programs is able to fulfill its mission in a more efficient and effective manner.

For example, by keeping the National Institute of Justice and the Bureau of Justice Statistics separate from OJP's grant operations, this plan ensures that there will continue to be independent and aggressive research of programs in the field and also ensures the availability of independent statistical collection. In addition, the creation of an Office of Criminal Justice Program Development ensures that OJP will be able to provide a coordinated and consistent response to agencies in the field. This will be a welcome change from the current duplicative and often unnecessarily competitive relationships between many of OJP's current bureaus and programs of offices.

However, in IACP's view the key to this restructuring proposal is its focus on increasing the accessibility of the Office of Justice Programs to state and local law enforcement agencies. Over the years, the ability of a local police chief to successfully navigate the intricacies of the OJP bureaucracy has been diminished because of the bewildering array of separate programs and contact persons in place at each OJP component or agency.

Nothing is more frustrating for a local law enforcement executive than knowing that assistance is available, yet they are unable to procure it because they cannot connect with the proper official. This problem is especially acute in smaller departments which are often those most in need of assistance. These smaller departments

simply do not have the personnel resources to spend the time that is currently necessary to decipher what one Chief described as the "inscrutable monolith of OJP".

As a result, some chiefs from smaller communities feel that the larger cities or state agencies have a better chance at receiving assistance simply because they have full time staff employees who have worked with the OJP for years and have developed an understanding of the intricacies of the OJP bureaucracies.

Let me illustrate my point. Last year, Congress enacted the Criminal Identification Technology Act. Once this act is funded more than \$1 billion will be made available to state and local police agencies to modernize their criminal databases and improve their ability to communicate with each other. However, as the IACP understands the act, if this program were to be administered by OJP in its current structure, these funds would be split between the National Institute of Justice, the Bureau of Justice Assistance and the Bureau of Justice Statistics. If a local police agency wanted to take advantage of some aspect of this program, it would be necessary for them to independently identify and contact the appropriate office. Given the past experience of many chiefs, it is clear that this can be a daunting and disheartening process.

However, under the new structure, the same agency would have to place just one call to the Office of State and Local Information Transfer. This office would be able to not only provide information about the specific grant or assistance program that the local police chief was interested in, but would also have the ability to provide information on related training opportunities and the availability of technical assistance. This central contact point is, in the opinion of the IACP, the critical component of this entire restructuring proposal. By providing state and local police agencies with information about available assistance and training programs in a timely and understandable fashion, the proposed restructuring plan will allow these agencies to better serve the public they are sworn to protect.

In conclusion, I would like to offer one final thought. Although the IACP supports this plan and believes that it will establish an essential and practical framework for making the resources of the Office of Justice Programs more accessible to state and local law enforcement, there is no guarantee that this new structure will be immediately successful. Therefore if this, or any other restructuring plan, is adopted, the IACP recommends that immediate and consistent evaluation of the new framework be performed in order to ensure that it is meeting its goal of streamlining the OJP and improving its ability to assist state and local law enforcement agencies.

This concludes my statement. Thank you for the opportunity to appear before you today and I will be happy to answer any questions you may have.

GENE R. VOEGTLIN, LEGISLATIVE COUNSEL

Gene R. Voegtlin serves as the Legislative Counsel of the International Association of Chiefs of Police.

As the Legislative Counsel, Voegtlin is responsible for directing the day-to-day implementation of the IACP's legislative and governmental affairs program, meeting with Members of Congress, Capitol Hill staff, and various Clinton Administration Officials to advocate IACP policy positions, and providing legal analysis on legislative proposals, regulatory actions, and federal court filings. In addition, the Legislative Counsel provides strategic advice and counsel to IACP Executive Board as it formulate, plans and implements the association's biannual comprehensive, legislative agenda and strategy.

Prior to joining IACP, Voegtlin served as the Director of Legislative and Political Affairs for the National Federation of Federal Employees. His prior experience includes serving as the legislative representative of the Federal Managers Association and the American Chemical Society.

Voegtlin received his law degree from the Georgetown University Law Center. Additionally, he holds an M.A. in Legislative Affairs from the George Washington University and a B.A. from the Catholic University of America.

Senator SESSIONS. Ms. Edwards.

STATEMENT OF DONNA F. EDWARDS

Ms. EDWARDS. Thank you, Mr. Chairman. Would it be possible to have my entire statement submitted for the record?

Senator SESSIONS. We certainly will be glad to receive that.

Ms. EDWARDS. Thank you.

Senator SESSIONS. Thank you.

Ms. EDWARDS. Mr. Chairman, on behalf of the National Network to End Domestic Violence, I really do thank you for the opportunity to comment about the proposed restructuring plan at the Office of Justice Programs.

Let me begin by saying that we have been really grateful for the commitment both of this administration and certainly those at the Department of Justice and the Congress for the support that you have shown for violence against women programs, for funding of those programs, and to the tremendous amount of work that has gone in over the last 6 years since the passage of the Violence Against Women Act in 1994 in support of those programs.

When I had a chance to, over the last several months, both digest the proposal and also get it out to many of our member programs across the country, we received tremendous response. And I think on one level, one could question whether that was a response because it is such a detailed administrative kind of issue. But I think that the reason that our programs at the State and local level responded to the proposal is because we have been able to see the change that has been brought about, one, with the passage of the Violence Against Women Act in 1994, but with the plan that the Department of Justice put into place to implement the Violence Against Women Act, and that is what I would like to talk to you about today.

I had an opportunity before the testimony today, before the hearing today, to speak with programs in Alabama and one of the program persons I spoke with is a woman named Kathy Wells, who runs the Shelter and Crisis Services of Northern Alabama. They run two shelters, Hope House and a legal assistance program, a really comprehensive domestic violence program.

And she has been doing this work in Alabama for about 25 years, and one thing that she told me was that she has been able to see the tremendous change in the 25 years of her work on the local level that has been to the benefit of victims in her community. And she points very strongly to the role that the Violence Against Women Office and the current structure of really—and I would use this term—centralized operations that both do grant-making and deal with policy issues and technical assistance, and provide guidance to the States about implementing these critical programs. And she has had a tremendous relationship in her State that has been brought about precisely because of the structure of the Violence Against Women Office here in Washington.

What she says is this, that before 1994 programming in her State was very uncoordinated. No one talked to each other. The police were going one direction, prosecutors going another direction, domestic violence programs in yet another direction, and the judiciary someplace over on the side. And today that is not true because the Violence Against Women Office provided guidance about the implementation. They stressed, both in their work with the States and encouraged work at the State level, coordination, collaboration, and communication to really enhance resources and implementation in the local community.

She told me about a program that they run that is called a first responder program in the Huntsville area, and Decatur and Madison. In that program, they have recruited about 35 volunteers who

have responded to about 340 crisis calls with law enforcement officers in that wide area. She said that she approached the Violence Against Women Office, along with their prosecutor and their local police chiefs in the various jurisdictions, about this project. They were just trying to figure out how to do it.

It turns out that the way that the Violence Against Women Office helped is that they knew what was going on in other jurisdictions around the country. They knew what was working and what wasn't working, and they were able to provide the kind of guidance that the folks in Huntsville really needed to fully implement their first responder program.

And today all of these sort of various folks—the police officers, the prosecutors, and others who are in the implementation process in their community around the Violence Against Women Office—not only work together, but they share space together. And this has been a tremendous difference from the way things were 10 years ago or 20 years ago, and in large measure that has been brought about because of their very sort of centralized approach that the Violence Against Women Office has taken toward implementation of what Congress wanted them to do.

And I think that this is very instructive for us; it is a local lesson that is very instructive. It is a lesson from what the Assistant Attorney General would call the consumer. And what we as consumers are saying to the Department is that while there may be a sort of 20-year history of the way that these programs have been structured through the Office of Justice Programs over the years, that indeed what the Violence Against Women Act did was create an environment in which the Violence Against Women Office actually could do all of those functions that we are talking about in this reorganization plan. And they do that from an issue perspective and not from a function perspective.

What I see here, in fact, is something that I think we wouldn't want consumers to face, and that is at the Crisis Services of Northern Alabama, in their area they have got a STOP grant, so that is a State formula grant. They also have a legal assistance grant, which is a discretionary grant program, and they have a program that comes out of the Grants to Encourage Arrest Program.

Even if they called that information central desk to find out really what is going on with their discretionary programs and with their formula programs and with any technical assistance and with any research that might be going on in their area, they would still have to make five telephone calls. And right now, today, they can call the Violence Against Women Office and find out all of those things.

So at least with respect to the functions that are implementing the Violence Against Women Act, I really do not see that this plan at all would centralize operations. In fact, it would take what is already a very centralized function and decentralize that greatly.

The role of the Violence Against Women Office is not a role of simply giving out Federal grants. It is really making sure that implementation takes place in a responsible way, so that policies are guided by the best practices in the field, so that people who are making those grants and overseeing those grants have a substantive knowledge of what is going on in the broader field of vio-

lence against women so that the Federal dollars are used in the most efficient way.

And I do want to conclude by saying that I think that you had asked a question earlier about the desire for a multidisciplinary approach to so many issues so that we really do see the overlap and can deal with issues more holistically and serve the American public in a more holistic fashion. And I would argue to you that indeed the last 6 years of implementation through the Violence Against Women Office is doing exactly that.

And I suggest that if there are some very small functions that deal with violence against women in some of the other bureaus, as the Assistant Attorney General indicated, those are very sort of smaller function areas and they could be brought in the house of the Violence Against Women Office and a number of areas could be better served by having issue-specific focus with all of the grant-making and administrative functions within those issues. That would both elevate the issues in the way that Congress intends and gets out the message that some of these issues do enjoy high Federal priority.

At the same time, it would ensure that those who are out in the field don't spend all of their time making telephone calls and figuring out the maze of Federal programs, but really do get to spend their time implementing those laws and implementing the important grant programs that go along with them.

Thank you very much.

[The prepared statement of Ms. Edwards follows:]

PREPARED STATEMENT OF DONNA F. EDWARDS

Mr. Chairman and members of the Subcommittee, on behalf of the National Network to End Domestic Violence, thank you for providing the opportunity for me to share with you our thoughts about the U.S. Department of Justice proposal to reorganize the Office of Justice Programs. The National Network is a network of state-wide domestic violence coalitions around the country—through our members, we represent nearly 2,000 domestic violence shelters and programs. Our member coalitions and the various justice system components within their states, including the state administrators who administer violence against women funding, are in the unique position of working directly and closely with the existing Violence Against Women Office.¹ Our day-to-day working relationship with the VAWO since its inception is a critical lens from which to view the Department's proposed reorganization plan.

Let me begin by saying that we are grateful for the commitment of this Administration and this President to ending domestic violence and all violence against women. The Administration, and particularly the Department of Justice, has been incredible in their work implementing the numerous programs, policy changes, and system advancements that are the vision of the Violence Against Women Act of 1994. Moreover, the decisive leadership of Congress has given much needed support for the efforts of local communities and states to end violence against women. Congress has provided states with critical funds and policy direction through the state formula grants and discretionary programs such as the pro arrest grants, rural, tribal, civil legal assistance, research and training and technical assistance programs that collectively comprise the VAWA 1994. In the field, and throughout the states, we know that Congress—Republicans and Democrats—are committed to funding these important VAWA programs. The challenge, of course, is not just in

¹During this past spring, the grant making function of the Violence Against Women Grants Office and the policy making function of the Violence Against Women Office (VAWO) headed by Bonnie Campbell were brought together formally though they had functioned in harmony since the initial establishment of those functions in 1994. The NNEDV support strongly the natural merger of these two functions. For clarity, I refer to the grantmaking and policy making functions together as VAWO.

making the resources available, but in ensuring that implementation is coordinated, thoughtful, and informed by work and practice in the states.

We applaud the Administration's efforts to streamline the operations of the Office of Justice Programs. Nonetheless, the proposal at hand would deal a tragic blow to the now nearly six years of coordination, collaboration, and communication within and outside of the VAWO. The Department's proposal to create separate departmental functions to serve across divergent and unique programs would result in severely fragmenting and undermining the progress we've made in implementing violence against women programs. The single biggest reason that so much is going on so well and so swiftly in the states is in no small measure due to the guidance, leadership, and staff commitment of the VAWO. The VAWO has demonstrated what is required by statute of the states: coordination, collaboration and communication.

In retrospect, Congress conceived a brilliant formula for successful implementation. The very process by which VAWO began their work in 1994 continues today. VAWO reached out to experts in the field and talked with community and state-based stakeholders (law enforcement, victims services, prosecution, judiciary) to establish a grantmaking process that fully integrated formula and discretionary grantmaking, policy development, and training and technical assistance. Implementation of VAWA 1994 through a coordinated, focused function within VAWO has contributed mightily to accomplishments that we can point to today. The only thing lacking is that the VAWO should be a statutory office, with the highest level of access within the department, not subject to the designs of whatever Administration might be in place. Violence Against women, and particularly domestic violence, is a critical national concern—it merits national attention in the Department of Justice. The adage “if it ain't broke, don't fix it” is most applicable here.

The fact that Congress passed the Violence Against Women Act of 1994 and committed much needed resources to states and local communities for the purpose of addressing violence against women was a sea change in the nation's conception of violence against women and especially domestic violence. In effect, Congress said to the nation, “Violence against women is wrong and we intend to bring human and capital resources to bear to end this violence.” But, it would not have been enough simply to confine the role of the Department to that of a “money tree.” Instead, the Attorney General took on this work enthusiastically, appointing a high-level policy person to give vision and leadership to violence against women—Bonnie Campbell. The Attorney General separated, elevated, and consolidated the various grantmaking mandates of VAWA 1994 under one house. There are a number of reasons this structural concept has contributed to successful VAWA implementation. Among the most important is that the structure enabled the Department to move swiftly to implement this important legislation—Congress should have expected no less. And, yet here we are today, with a proposal before us that would again relegate domestic violence to the closet of government bureaucracy. On behalf of the millions of women who are battered each year and the many systems that are closer than ever before to “getting it,” please do not sacrifice *action* for administration.

Let me share with you why in the case of violence against women programs a coordinated, focused effort is appropriate and critical. On a policy level, the Congress passed a law that required states to honor and enforce other states' protection orders. This was a tremendous step forward for victims who continued to be victimized from one jurisdiction to another. The VAWO recognized that implementation would be easier said than done by the states. The states needed model implementing legislation, coordination among various components of state government, model protocols, practices and standardized forms, and guidance with data base design and development, to name just a few things. VAWO is helping states figure out how to implement the protection order law by facilitating meetings with regional and neighboring jurisdictions, training, and other more state specific assistance. This is coordinated implementation that comes from the leadership of the VAWO.

On the program level, the story of state VAWA administrator Barry Bryant in North Carolina is not unlike many states. Barry administers Victims of Crime Act funds and VAWA funds for his state. He first received word of the impending federal funds in 1994 from the director of the newly created grants office. Barry was so enthusiastic about this new federal program that he immediately called the VAWO to talk about all that he would like to do in North Carolina. Knowing the complexity of the Department of Justice, given his work administering Victims of Crime Act funds, Barry was surprised to actually speak with the grants director. Since that time Barry has had untold number of conversations, meetings, training, technical assistance and policy guidance from the VAWO. In Barry's words, VAWO has provided “guidance, coordination, opportunities for collaboration and learning from other states, and flexibility.” Barry directly attributes his state's ability to move forward in developing innovative programs, creating policy and systems

change, conducting training, and establishing collaboration among law enforcement, victim services, and prosecutors (to name a few) to the way in which VAWO has coordinated the formula and discretionary grantmaking, policy making, and technical assistance resources.

As an example of how he has worked with VAWO, Barry cites his desire early on to engage law enforcement officers in learning about domestic violence and strengthening policing and evidence collection. He talked about these challenges with the VAWO staff. They recommended that Barry attend a site visit to the model court and community coordinating program in Quincy, Massachusetts. It was there that Barry learned about developing a coordinated community response to domestic violence, facilitating communication among the justice system components, and the Polaroid project to teach the use of photographic techniques to police officers responding at the scene of a domestic violence call. Barry used this information and his new contacts to develop a training program in his state. He used VAWA resources to purchase Polaroid cameras for police officers, prosecutors and victim services providers. The “catch” was that if you attended the training (which covered multiple levels of domestic violence issues) you would get a camera for use at your community location. The result was that 38 of 39 jurisdictions sent multidisciplinary teams to the training. Today, these teams are not just taking evidence. They are actively engaged in coordinating efforts in their communities on an ongoing basis. Barry says that had it not been for VAWO facilitating training and technical assistance, providing guidance on policy and implementation, and coordinating grantmaking to North Carolina, they would not be where they are in implementation. From state administrators to nonprofit domestic violence programs to law enforcement units to prosecutors, the stories are numerous about ways in which this coordinated, focused effort we call VAWO has contributed directly and indirectly to six years of accomplishments throughout the states in VAWA implementation. The VAWO has encouraged replication, mentoring, state-to-state communication and collaboration for the people who are on the ground every day trying to make headway in ending violence against women.

Since 1994, millions upon millions of federal dollars have been sent purposefully and speedily to states to tackle the tremendous problems of violence against women. It is not an exaggeration to say that this maneuvering through the ordinary maze of federal grantmaking, policy making and technical assistance would not have been possible without the coordination and leadership provided through VAWO.

VAWO does not tell states what to do, rather it provides capacity to see the state's vision through. VAWO's attention to collaboration, communication and coordination has been replicated in amazing ways throughout the states. Their focus on mentoring among the states has encouraged states to focus on mentoring among communities within their own states. VAWO itself is a seamless web of resources for state administrators and justice system stakeholders—this seamless web concept is percolating throughout the states as well. Barriers to sharing information, resources, successes and failures are breaking down. The bureaucracy is becoming more transparent to victims—we are by no means there yet, but it's happening. We are enhancing law enforcement, prosecution of crimes, and safe and accessible services for victims. This is your vision of VAWA 1994, and it is one in which the VAWO is the wheelbearing that has enabled us to realize that vision. VAWA 1994 programs give life and breath to a policy of creating systems and institutional changes to end violence against women. Such an approach cannot be achieved in a centralized, one-size fits all approach that may satisfy administrative concerns but ultimately defeats the goal of successfully implementing the law.

The Department of Justice could have begun implementation of the VAWA 1994 like so many other federal programs—one element disbursing formula grants to states, another handling discretionary grants, another promoting policy in absence of direction from the field, and still another doling out technical assistance that's uninformed by existing need and practice. I'm pleased that the Attorney General had the foresight in 1994 to resist the urge of fragmentation. Mr. Chairman, for state administrators like Barry Bryant of North Carolina and for victims across the country, I urge this Subcommittee to do the same today. Thank you for your consideration.

Senator SESSIONS. Well, those are very good insights and factors that all of us ought to consider as we go through this, and I thank you very much for sharing those with us.

Ms. Edwards, on this proposed new structure, there would still be—I guess it looks a little small on that chart; it might make you nervous because it is just a little bit smaller, but it does maintain

these individual sections. I guess they are less autonomous, less independent, and on their own.

Right now, for example, I understand that programs to combat family violence are funded through OJJDP, the Violence Against Women Office, NIJ, BJA, and the OVC. Is it possible that we can streamline this in a way to make that more effective? Are you convinced personally that we just need a single quasi-independent Violence Against Women Office?

Ms. EDWARDS. I guess rather than talking about the independence of the office with respect to whether it is a presidential appointee or not, I think that we can get there. But if you look at the proposed restructuring plan, although there is a violence against women section, that section really is designated to handle the discretionary grant programs, things that are not the formula State grant programs. Those programs fall under the State desks, and then the research falls under NIJ and some smaller level of work falls under the Bureau of Justice Assistance and under the OVC currently.

Well, what I would suggest to you is that there is a great relationship between discretionary grant-making and the State formula grants. I know from my own experience doing those grants here—I have supervised the planning process here in the District of Columbia locally, and when we sit down at the table with all of the different folks—police, prosecutors, and all of us who need to figure out what grant programs to apply for—we really consider what the potential is under the various discretionary programs and then structure the formula program application based on what we might do with discretionary grants.

What I see here is a bifurcation of those functions so that one hand really could not know what the other is doing, so that you force competition. So as a local law enforcement agency, I might decide I would go and apply for a Grant to Encourage Arrest, and also include that same program in the formula grant plan that goes out. That then creates overlap, whereas if I am doing this in a coordinated fashion and the person who is responsible for that is all sort of in one house, they will know and I will know that we would be better served by actually coordinating those applications, applying for a first responder program under a STOP grant and applying for a legal assistance program that supported that under the discretionary grants and not overlapping.

I do see, however, that, for example, with the National Institutes of Justice providing a research and evaluation function, that function with respect to violence against women actually has worked in a very coordinated fashion and has really been informed by the sort of programmatic people in the Violence Against Women Office to construct that research agenda.

I actually don't see a problem with that as long as there really is, whether it is by statute or understanding, communication between the research function and the other grant-making function so that you make the research have validity with respect to what is going on in the field.

Senator SESSIONS. Very good.

Mr. Blumstein, do you have any comments about that, in general, that whole concept?

Mr. BLUMSTEIN. I really appreciate Ms. Edwards' comments about, first, the research having to be connected to programmatic activity, but having its own separate independence. I thought that comment was important and a good model in relationship to the potential juvenile justice programs downstream.

Another observation that her comments triggered was the inherent need for coordination at the State level and the local level, so that in developing their grant-applying and grant-making strategy they do the coordination so that in the Mobile case and in the Alabama case the discretionary grants they seek are coherent with their uses of the formula grants. And it is particularly important that that be done at the State level and at the local level, which is where I have had some grant-making and grant-getting experience. And I think that is important to do.

I like the reorganization plan because it brings a similarity in dealing with this diverse array of issues, whether they be corrections, whether they be violence against women, whether they be police operations. There is a similarity to the way they work, and because they all report to the OJP director, that director and his or her office should be very conscious of making sure that there is coordination across those offices, that they aren't merely letting issues fall in the cracks, because so many criminal justice issues will involve two or more pieces of this complex puzzle, as you pointed out in the earlier discussion.

Senator SESSIONS. Mr. Voegtlin.

Mr. VOEGTLIN. Well, I disagree. I mean, I do agree with what he was saying, and I think what we are talking about here is, yes, there is a need for coordination by the practitioners at the State and local level. But there is also a need—and I think this is what the plan is striving to do—to coordinate what is going on at the Federal level here.

I do not deal directly with OJP all that often myself, but our research folks do, and they would explain to me that looking at that chart over here to the left that those boxes would be better defined as walls; that the offices don't talk to each other, that they have similar programs running in each of the offices on many different types of activities and they are not talking. So the same kind of coordination that Ms. Edwards was just talking about between the police, the prosecutors, the advocates, and the State and local level would be taking place under the new structure at the Federal level, and I think that is what we are striving for.

Now, I understand her concerns with losing, or fearing to lose—and I can't speak to what the actual effect of it would be—a certain level of visibility and priority for certain programs, not just violence against women, but all important programs. So I understand there is a legitimate concern there and I think it needs to be addressed. But I think that what we can't lose sight of is the need for coordination at the Federal level more than anything, trying to get these folks talking to each other, because they have all got good programs and good ideas, but sometimes it is already being done. So instead of wasting the energy to do it twice, they could be working together to find a better solution for another problem.

Senator SESSIONS. In your experience of the Association of Chiefs of Police, have you found that some departments are frustrated

with dealing with the Government bureaucracy and have just given up making applications, or have heard it is so complex that they oftentimes don't make the effort, when they might benefit if they did?

Mr. VOEGTLIN. Well, I don't know if they have given up because of frustration. I think a lot of it is they have just given up because they don't have the time. They don't have the people in place. I spoke earlier about how there is a fear among small departments that the State and larger cities are getting more grants than they may otherwise get just because they know who to talk to.

We have some police departments in this Nation that are three people, you know, a chief and two officers, and maybe a part-time civilian. They just don't have the time, if they even know of a grant, to go through the process of finding it. So it may be not so much giving up, just saying it is not worth it, but just having to focus on other issues, you know, dealing with felons and other more actual policing matters.

Senator SESSIONS. In your opinion and the unanimous opinion of the Executive Committee, this would improve their ability to have access?

Mr. VOEGTLIN. Absolutely. If they can call one person and say, here is what I am trying to do, I have heard about this, who do I talk to, and getting an answer, getting some assistance, getting somebody to point the way would make it just—I can't tell you how much easier it would make it. When the Executive Committee debated this, I was in the room and we had chiefs from places like Jackson Hole, Wyoming, and even smaller departments than that just talking about how they hear about all these great programs, but they don't know what to do.

One program that came up was the Bullet-Proof Vest Partnership Grant Act, something that many chiefs want to participate in and is actually one of the easier programs to get in touch with at OJP. But still they were confused. They had talked to somebody on one program in the past. They tried to call the same person up and that person either no longer worked there or didn't know about this new program. So they thought, OK, I have got the wrong office. And then they tried to call Main Justice and they just got frustrated.

Senator SESSIONS. Better not try to call Main Justice. [Laughter.]

They call my briefcase the black hole, but a call to Main Justice is—it is hard to get through from there, it really is. I can understand that. I have at times tried to do that myself.

Well, I will say, Mr. Blumstein, that I think you are correct in insisting on the integrity of statistics and research. That is a very, very important issue. I remember when I was a U.S. attorney, I had done some research on it personally, on the boot camps. We thought that was going to cure juvenile crime. Do you remember that?

Mr. BLUMSTEIN. Certainly.

Senator SESSIONS. I mean, Newsweek and everybody, and the first numbers came out of Louisiana and it was stunning that it didn't seem to be quite as good as everybody had thought. Subsequent research has replicated that, I think, to the extent to which you have got to run them right and it is a very sophisticated pro-

gram. But just getting people up and making them say “yes, sir” and running them up and down the road doesn’t necessarily change their lifestyle.

Mr. BLUMSTEIN. And it is very hard for an organization that has initiated a program—

Senator SESSIONS. To admit that.

Mr. BLUMSTEIN [continuing]. To do the analysis that says, gee, it doesn’t work.

Senator SESSIONS. That is right. I remember the judges from Miami who started the first drug court. I hosted them to speak in Mobile, AL, and the numbers were something like a 95-percent cure rate. And I remember telling the judge, I said, judge, I do not believe those numbers, but if you could get 50-percent cure rates, we ought to adopt your program. And I don’t know where the progress rate is or what the latest data is, but it doesn’t get that high a level. But that was their program that they believed in, and they saw the good side maybe more than they saw the adverse side.

So I think an independent analysis and review, independent statistical data, is important. I don’t know that you have to have a presidential appointee to achieve that, but there needs to be something done to ensure it.

Mr. BLUMSTEIN. Well, the other Federal departments do seem to believe that is an important part of it, and I think that is an important model to use here. I might note that what you don’t want is a resolution from the 95 and the 50 by the judge saying, OK, it will be 50, rather than going out and doing an independent measurement.

Senator SESSIONS. Well said. You mentioned a phrase that we need to bring order out of chaos. How would you describe what you see as the chaos part of this problem?

Mr. BLUMSTEIN. I think Laurie Robinson in her testimony defined the chaos, and you in your introductory statement defined the chaos that one doesn’t know where to go. Activities that have a similar nature of grant-giving, of discretionary grant-giving, sometimes are at independent levels, sometimes at a subordinate level.

As much of the testimony has suggested, there is no place that somebody who has a good idea knows where to go. And so I think there is a chaos of lots of autonomous entities that are doing very similar things, and I think grant-giving, I think technical assistance, I think administration of discretionary programs have a similarity and there should be coordination across those so that they are not trying to do the same thing and so lots of things don’t fall into the cracks. That is where the order comes in terms of coming to understand where the needs are.

And those needs change with time and those needs are going to be very different in different jurisdictions. And so there has to be both a responsiveness to local requirements, as well as a recognition that what we have is a system that isn’t coordinated very well in its operations. But this plan moves it toward a system that is intended to achieve better effort at reducing crime and making the criminal justice system more effective, as seen at each locality and its distinctive needs.

Senator SESSIONS. Well, I think that is true. Would you agree that when you have an agency that goes from \$800 million to \$4 billion in funding, we have gone through a pretty significant change in its demands and it would be appropriate to review its organizational structure?

Mr. BLUMSTEIN. Absolutely. The timing is right, and if any Federal agency can be described as having grown like topsy, this one has because there are things all over the place. And it is clear that some order is necessary to make it more effective and to reduce the inconsistencies in the operations.

Senator SESSIONS. Mr. Voegtlin, on the State desk concept, is that what is most attractive to you? Do you think that is a key part of what you find attractive?

Mr. VOEGTLIN. Well, it is both the State desk and the State and local information transfer areas. As we understand it, the actual State desk is for the administration of grants. The information transfer office is kind of the place you call when you are just starting out, trying to find out where things are and where to go. So I think those two in tandem, one to help you get started, the other one to help you keep moving after things get in place, are the key components of this.

I don't remember who spoke earlier about—I think it might have been Ms. Robinson when she talked about how Missouri would have 12 separate folks that you would have to talk to, as opposed to one person who would be able to deal with all the comprehensive need to refer what is in your area. You know, anything that eases simplicity and makes it easier for a chief or a mayor or whoever is detailed from the department to call up and get an answer so they can get back to actually doing police work is vital in this plan and, in our opinion, the critical component.

Senator SESSIONS. It is just extraordinarily hard, and I have every now and then had a direct insight, a clear view of it, and it slips out of my brain at other times. But I really believe that the key to a major improvement in our effort against crime and a lot of social problems related with crime is bringing the agencies together in a coordinated whole.

A family which has spousal abuse may have child abuse, or a child who grows up to be a spouse abuser may have an alcohol problem that is exacerbating an anger problem or mental health problems. Financial problems cause those kinds of things. And you go from the pre-school to school, the truancy programs, the drug intervention testing programs. We are spending money on all of those, but they are not very well working together in a comprehensive program.

I think Jimmy Carter tried it with the Atlanta Project to see if he could make agencies work together. We tried it in Mobile and I think made some progress in having agencies agree on sort of a memorandum of understanding. The sheriff will designate somebody for juvenile cases, and judges will have this and that and the other. Anyway, it is just hard to accomplish. Why I am intrigued by this is I believe it moves us somewhat more in that direction than the stratified programs, the walls, maybe, that you suggested.

Let me ask you sincerely, is there anything you would like to add, any comments or overall views that you think this committee should be aware of before we adjourn this afternoon?

Mr. Blumstein, do you have anything?

Mr. BLUMSTEIN. No; I think we have covered much of it.

Senator SESSIONS. Mr. Voegtlin.

Mr. VOEGTLIN. We are good.

Senator SESSIONS. Ms. Edwards.

Ms. EDWARDS. Just one last comment. I am concerned that we haven't really gotten into a discussion about what other kinds of statutory changes might have to be made because of the statutory creation of these various bureaus and program areas which I think opens up a whole process that I am not sure any of us can quite have a vision of yet. And I would like to see some further discussion of that because it really directly impacts whether any changes at all would be able to be made to the organizational structure of the Office of Justice Programs.

Senator SESSIONS. Well, I think that is an important insight. We do need to consider what other creations have occurred over a period of years. It is sort of like we have added on to this big house room by room, not very well thought out. But we may have some statutory problems as we go forward that will have to be addressed and we will certainly have to look at that.

We will keep the record open for an additional 5 days if anybody would like to submit any information or any of the other Senators wish to submit questions to you. We would request if you receive written questions that you respond to those.

We will look at this. I am glad that OJP is wrestling with the problem. I think it is important that all agencies be involved. I know, like in violence against women, there was a group of people that worked their hearts out to get that legislation passed. It is probably like raising a child that somebody is messing with that child that you helped create. And, actually, it is true for each one of these; some are just older than others. Whether we can make the kind of changes that have been suggested here, I am not certain, but we are going to receive it positively and work at it and we are open to hear any questions and criticisms you may have.

If there is nothing further to come before the subcommittee, we will stand adjourned.

[Whereupon, at 3:58 p.m., the subcommittee was adjourned.]

A P P E N D I X

QUESTIONS AND ANSWERS

RESPONSES OF LAURIE ROBINSON TO QUESTIONS FROM SENATOR SESSIONS

Question 1. Has the Center for Domestic Preparedness met all its goals for training First Responders to this point? Have the consortium schools likewise met the annual goals you set out for them?

Answer 1. The Center for Domestic Preparedness (CDP) and the other Consortium sites have met the fiscal year 1999 training goals set for them by the Office of Justice Programs (OJP). The goal set for the CDP was to train 1,300 students in fiscal year 1999 they have met and exceeded that goal. The cumulative goal set by OJP for the other consortium members was for them to train a total of 1,300 students. They also have met and exceeded that goal.

Question 2. What other initiatives are you considering for Ft. McClellan next year that will strengthen this facility, and get us closer to the goal of training 10,000 resident students annually? How will the Department fulfill the guidance in the fiscal year 2000 CJS Appropriations Bill to work with the National Guard to develop a comprehensive distribution network for non-resident, distributed training?

Answer 2. OJP is currently working with numerous federal agencies to put agreements in place to train their responder personnel. OJP is working with the Public Health Service (PHS) to strengthen the CDP training curriculum and to fully integrate future PHS training at the Army Noble Hospital into the current CDP training courses. OJP is also working with the National Guard and the responder community to determine the types of courses that can be delivered through distance learning, such as via the Internet and CD-ROM, as well as teleconferencing, and the costs associated with delivering the courses.

Question 3. Is Ft. McClellan the Department's primary training location for first responders? What do you envision as its secondary training facilities around the country?

Answer 3. The Center for Domestic Preparedness at Fort McClellan, Alabama is a central component of OJP's overall training program for first responders. In addition to the CDP, OJP administers training programs through the other four sites in the National Domestic Preparedness Consortium (NDPC) (the New Mexico Institute of Mining and Technology, the National Exercise, Test and Training Center at the Nevada Test Site, Louisiana State University, and the Texas Engineering Extension Service at Texas A&M University). Further, based on authority received under the "Antiterrorism and Effective Death Penalty Act of 1996," OJP administers the metropolitan Firefighter and Emergency Medical Services (EMS) Program. This program, developed in partnership with the Federal Emergency Management Agency's (FEMA) National Fire Academy, provides direct training, train the trainer, and self-study training to firefighters and EMS personnel nationwide. Beginning in October 2000, OJP will also have responsibility for the administration of the Nunn-Lugar-Domenici Domestic Preparedness Program, following its anticipated transfer from the Department of Defense to the Department of Justice. These programs collectively comprise the major elements of OJP's first responder training effort, and are administered in a coordinated fashion by the proposed Office for State and Local Domestic Preparedness Support (OSLDPS).

Each program represents a unique and critical component of OJP's overall training effort, with no single program or location serving as the primary element. Rather, the various programs function as discrete points on a training continuum, with

the train-the-trainer program providing basic, awareness level training, and more specialized training provided in different areas at each of the NDPC sites.

Question 4. Has OJP and the Department made any budget concerns known to the CJS Appropriations Committee since the House and Senate mark up? If not, when do you expect to speak with Senator Gregg? What is the current out-year budget forecast for Ft. McClellan?

Answer 4. OJP understands that the Department of Justice, of which we are a part and which manages the Appropriations process on our behalf, has forwarded its formal fiscal year 2000 Appeal Package to both the House and Senate Appropriations Committees. OJP agrees that an appropriation of at least \$15 million is required to administer an effective training program at Fort McClellan in fiscal year 2000, and OJP has appealed for funding at the level requested in the President's Budget: \$17 million.

As for fiscal year 2001, the Department's request will be submitted formally to the Congress in February 2000, when final decisions have been made in the Executive branch. At this point, the Department's budget request has not yet been formally submitted to the Office of Management and Budget, and is not available for dissemination.

ADDITIONAL TRAINING OPPORTUNITIES

Question 1. It appears that the State Department's Antiterrorism program is requesting assistance in setting up a program for foreign law enforcement personnel training. This six week, 21 course training curriculum might be well suited for collocation with the Center for Domestic Preparedness, as both seem to have similar objectives. Have you personally looked into training in order to maximize the taxpayers' investment in Ft. McClellan?

Answer 1. OJP is open to a training partnership with the State Department, and has engaged the State Department on this issue. State Department officials have visited Fort McClellan to determine if the facilities there meet the State Department's training needs. OJP will continue to engage in training partnerships with other federal agencies, including the State Department, as long as those partnerships do not interfere with the CDP's primary mission: training the nation's state and local first responders.

Question 2. In light of recent events, many have noted the need to look at the necessity for training school officials and administrators in emergency and disaster preparedness. Is the Department of Education or the Department of Justice better suited to conduct this needed training? Where is the best place to do it, and how much funding do you think is necessary to carry out a week long workshop that would be both resident, and conducted by mobile training teams?

Answer 2. DOJ is working with the U.S. Department of Education and the U.S. Department of Health and Human Services to support coordinated school and community safety efforts. The Northwest Regional Educational Laboratory has been awarded a grant to operate the National Resource Center for Safe Schools. This center, funded by the Safe and Drug-Free Schools Program and the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, will offer training and technical assistance that will enable schools and communities to create safe school environments.

In addition, OJJDP offers the SAFE POLICY training course nationwide. School Administrators for Effective Police, Prosecution, Probation Operations Leading to Improved Children and Youth service (SAFE POLICY) trains law enforcement and school personnel on:

1. Effective use of school tiplines by schools and others and threat assessment.
2. Information sharing between schools, police and other agencies serving troubled, problem and delinquent youth.
3. Use of information by schools, police and other youth serving agencies to assist troubled, problem and delinquent youth and to enhance threat assessment and threat reduction.
4. Police, school, parent, social service partnerships to maximize collection and use of resources for the most troubled youth.
5. Media/police protocols to better manage live broadcast of hot situations.
6. Realtime surveillance of school property.
7. Early recognition of the signs of danger in the most troubled children and youth by schools, police, and other service agencies and a community case management process to deal with those cases.

Further, OJP is continuing to participate in interagency efforts with FEMA, Education, and HHS to develop a coordinated federal response to communities that experience crisis incidents in schools, such as the recent shootings. The interagency working group, which includes representatives from OJP, OJJDP, and OVC, is finalizing the School Emergency Response to Violence (Project SERV) proposal, using comments from constituency groups and school violence experts who reviewed an earlier draft. Guidance from the field was sought on such issues as the kind of crises the federal government should assist, services to be provided, and application procedures. A \$12 million request to support the project was included in the Department of Education's fiscal year 2000 budget request. The working group is now developing program guidelines and an accelerated application process, similar to FEMA's emergency response grant procedures. It is anticipated that the program will be ready for operation when Congress takes final action on Education's fiscal year 2000 appropriation. President Clinton first announced plans to propose Project SERV at the October 1998 White House Conference on School Safety.

CONSOLIDATION AND STANDARDIZATION OF FEDERAL DOMESTIC PREPAREDNESS
TRAINING

Question 1. How and when will the Department create a standardized training program?

Answer 1. The Office of Justice Programs' (OJP) proposed Office for State and Local Domestic Preparedness Support (OSLDPS) is currently working on the development of a strategy and plan for its training programs. This strategy, anticipated to be completed in the first quarter of fiscal year 2000, will lay out plans for curriculum development, student selection, and the matching of available training with jurisdictional needs identified both through past and ongoing needs assessments. Focus will also be given to protocols for training execution, forecasting of future training needs, and identification of existing training shortfalls. A critical element of the strategy will be the standardization and tiering of OJP's existing and forthcoming training programs. This will ensure that a standardized level of training is provided through all of OJP's delivery mechanisms.

Question 2. When will the Committee see a comprehensive national training strategy that provides the type of guidance that all our national, state and local training sites need to eliminate any potentially wasteful duplication of effort, resources, and funding?

Answer 2. The proposed National Domestic Preparedness Office (NDPO) has been directed under the Attorney General's Five Year Interagency Counterterrorism and Technology Crime Plan to develop a comprehensive national domestic preparedness strategy for the federal government. This strategy is anticipated to focus on planning, training, equipment and exercise initiatives, with the specific objectives of eliminating duplication of effort, identifying gaps in existing efforts, and proposing solutions to meet those shortfalls. When completed, this strategy will provide guidance to all federal agencies involved in domestic preparedness, and will serve to streamline and integrate their programs into a coherent and focused federal effort.

As a participating agency in the proposed NDPO, OJP will be actively involved in the development of the national domestic preparedness strategy, as well as in its implementation. Additionally, OJP will ensure that the work conducted under OJP's own internal domestic preparedness training strategy dovetails with, and does not duplicate, work conducted at the NDPO. OJP's internal strategy is focused on the implementation of OJP's training programs, and their delivery nation-wide. The national strategy to be developed at NDPO maintains a macro-level focus, looking at domestic preparedness efforts across all federal agencies and how they fit together to form a complete program effort. The two strategies, therefore, are complementary in nature, and not duplicative.

Question 3. What is OJP's plan to implement the Nunn-Lugar II training program once it is transferred from the Department of Defense, and who within OJP will manage it? How will OJP manage the transfer of the program? Has OJP considered delegating the management of the program to the Center for Domestic Preparedness Director and his staff?

Answer 3. In accordance with an anticipated designation by the President, and a Memorandum of Understanding (MOU) signed by the Department of Defense and Justice, the Department of Justice (DOJ) will assume programmatic and funding responsibilities for several elements of the Nunn-Lugar-Domenici (NLD) Domestic Preparedness Program beginning in fiscal year 2001—specifically, the City Training program and portions of the Improved Response Program and the Expert Assistance Program. Following the transfer, it is anticipated that the Attorney General will delegate responsibility for the City Training Program and the Improved Re-

sponse Program to OJP, and responsibility for the Expert Assistance Program to the Federal Bureau of Investigation (FBI).

Within OJP, OSLDPS will administer the NLD Program. After considerable thought about the management of this program, OJP believes it is best to base it in Washington, DC. The rationale for this decision is four-fold. First, the NLD program will only be a part of OJP's overall national training effort, and must be closely coordinated with other OJP programs administered by OSLDPS. Second, as only some portions of the NLD program will be transferred to OJP, it is essential for program continuity that the administration of these portions be closely coordinated with the administration of other program elements by DOD and the FBI. Moving the program's nerve center outside of Washington, DC would make both of these coordination efforts more difficult. Third, state and local officials are accustomed to working directly with OSLDPS to meet their equipment and training needs. The administration of the NLD program will require extensive contact with state and local communities, locating the program away from OSLDPS' main offices will create a second point of contact within the organization, complicating communication efforts for the end users. Finally, the CDP has a specific mission to provide on-site, specialized training for emergency responders. By contrast, the NLD program provides more basic, awareness, and operations level training delivered locally to each city. This is a very different program orientation, and falls outside the mission of the CDP.

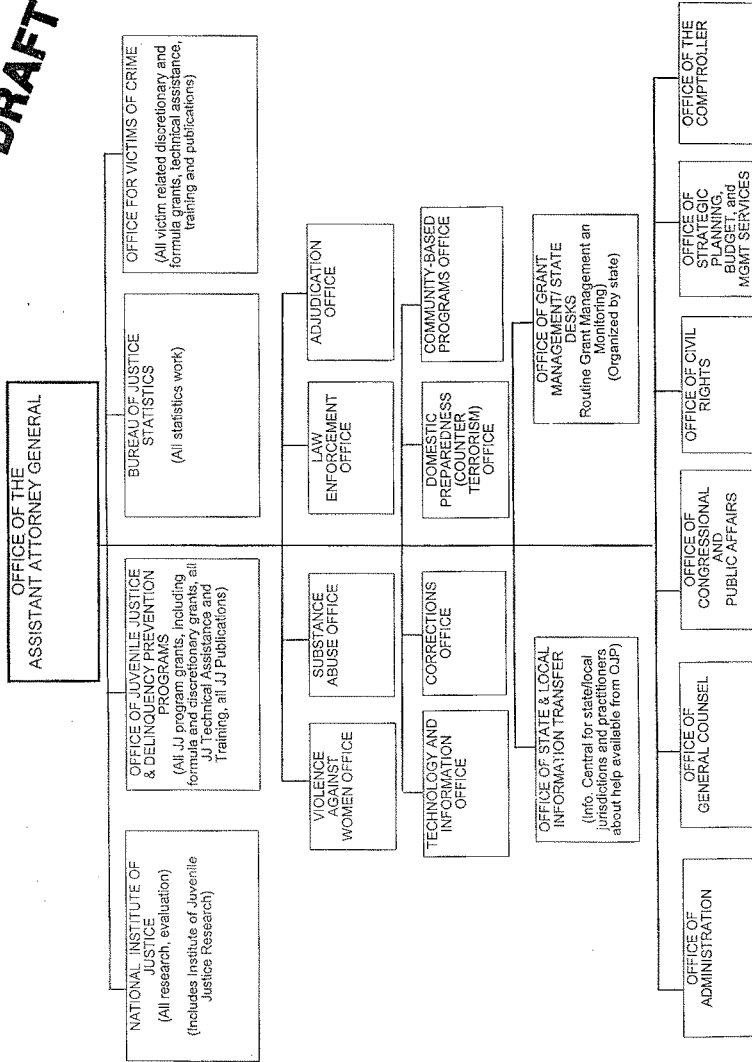
To ensure the smooth transition of the City Training Program and the IRP from the Department of Defense (DOD) to OJP, OSLDPS plans to begin working on the administration of the program through active participation with DOD in program activities during fiscal year 2000. Active involvement in the program during fiscal year 2000, the transition year, will enable OJP to navigate its learning curve with respect to the administration of the program before the formal transfer, allowing the transition to appear seamless to the end user. Additionally, this plan will place OJP in a position to fully engage in the program's administration with no disruption in programmatic activities once the official transfer takes place on October 1, 2000. Finally, the time line of the City Training program is such that many cities initiating the training process in fiscal year 2000 will not complete their training until sometime in fiscal year 2001. By actively participating in all elements of the training conducted for these cities in fiscal year 2000, OJP can maintain continuity in the program for these cities through the transition.

Question 4. During your presentation on OJP's reorganization last week it was obvious you spent a great deal of time working out the details. It seemed, however, that you may have placed first responder training into part of your organization which has an overwhelming number of key issues assigned to it. Is it possible that in doing so the need to focus on the training and development of first responders will be limited and lost? Have you considered any other management options within your restructuring initiative which would enhance, rather than limit, the development of the first responder training initiative at Fort McClellan and elsewhere?

Answer 4. Yes, I have looked again at the placement of the Office of State and Local Domestic Preparedness Support (OSLDPS) in the proposed reorganization, and looked at the following management option: As described in the restructure report sent to Capitol Hill in March 1999, OSLDPS would be one of nine program offices reporting to the Assistant Attorney General through an Office of Criminal Justice Program Development. Because of concerns expressed by constituents in several other areas contained in the proposed Office of Criminal Justice Program Development, I have, with the concurrence of the Associate Attorney General, suggested as an alternative that these offices—including OSLDPS—retain their current status in reporting directly to the Assistant Attorney General. The benefit of this revision is that the issues of first responder training and domestic preparedness would remain "front and center" for the Assistant Attorney General, with its head reporting directly to the AAG. The Department and the Office of Justice Programs share your commitment to the issues of first responder training and domestic preparedness, and I believe the revised proposal can meet any concerns you may have. (A proposed revision organization chart is attached.)

OFFICE OF JUSTICE PROGRAMS

DRAFT



POTENTIAL AREAS FOR CLARIFICATIONS/COMPROMISES: REFLECTED ON DRAFT REVISED CHART

Potential areas of change/clarification from 3/99 reorganization plan

- *Formula grants:* Retain formula grants in their “home” bureau or program office. Under this change, the JJ formula grants would still go to the Juvenile Justice Office, victim formula grants to the Victims Office, the STOP Violence Against Women grants to the VAWO office, etc. These offices would thus—as now—have all responsibility for conceptualization, planning and oversight (including the creation of application kits and guidance) for these funding streams. The state desks, through the Office of Grants Management (renamed from the Office of Formula Grants), would play a support role, handling the routine processing and administration of OJP grants once grant decisions were made by the program office—in the same way that OJP’s Comptroller’s Office provides a support role on financial matters to every program office and bureau in OJP today. This has the benefit of relieving program staff of mundane day-to-day grant management chores, and also, importantly, protects OJP and the Department from criticism for failure to handle, in a timely fashion, needed grant management tasks like filing of monitoring reports, close-outs, etc.—an issue on which the Inspector General and other auditors have consistently criticized the Department. Right now, for example, program office bureau staff across OJP are burdened with close-outs on the first cycle of the early Crime Bill grants—this is nearly 4,000 grants across OJP. Under this proposal, the state desks could efficiently handle tasks like close-outs, grant adjustment notices, food & beverage approvals, etc. These tasks are ministerial, but critical for the Department’s ensuring sound grant management, particularly when OJP is managing such large sums of money. These mundane, and often unexciting, tasks far too frequently get pushed to the side by program/policy staff, and OJP is, right now, vulnerable in this area. Moreover, monitoring through the state desks—something many state and local agencies have told us they heartily endorse—is a more efficient and cost-effective means of handling this area of responsibility. Staff on the state desks would regularly share with program staff feedback from the field. This would in no way preclude program staff from getting out into the field, observing projects underway, and interacting regularly with grantees.
- *Office of State and Local Information Transfer:* The revised chart clarifies that this “information central” office would act as a pointer system about technical assistance, training, publications, grants and other help available across OJP. This office would not itself write the publications, perform the field TA, administer the TA grants and contracts, or perform the training. The program offices and bureaus would continue to handle and control these areas.
- *Office of Juvenile Justice & Delinquency Prevention Programs:* Retain the juvenile justice formula grants in the Juvenile Justice Office, while providing routine grant management support from the state desks. The chart clarifies that the JJ Office would also continue to handle all juvenile justice-related program grants, TA, training, and publications (except for mechanics of printing).
- *Office for Victims of Crime:* Re-elevate OVC to a “higher level” on the chart. Retain its present name. OVC would be responsible for all crime victim TA, discretionary grants, publications and formula grants (with routine support on the latter from the state desks).
- *Office of Criminal Justice Program Development:* Eliminate the “intermediary” Office of Criminal Justice Program Development between the Assistant Attorney General and the various program offices. All would report directly to the AAG’s office. This responds to a concern, primarily from the violence against women community, about “downgrading” these offices. The chart also reflects a change in the use of the name “sections” to “offices.”

* * * * *

Areas where there would be no change from the Administration’s 3/99 proposal

- *PAS’s:* This proposal continues to provide for only one PAS in the Office of Justice Programs (the Assistant Attorney General).
- *Final grant authority:* This proposal would continue to carry forward current law providing for final grant authority in the AAG (except in the areas of research, evaluation and statistics). This, and other streamlining features of the restructure plan, result in clearer lines of authority within OJP and the opportunity that a more unified agency can work toward a common mission, rather than a collection of largely independent components pursuing separate agendas.

- *Research and statistics consolidation:* This proposal would continue to provide for the consolidation of all research and evaluation in NIJ, and all statistical work in BJS.
- *Subject area consolidation:* This proposal continues to provide for offices which consolidate programmatic work in topical areas, eliminating much of the overlap and duplication which exists under OJP's current structure.
- *Geographically-based grant administration:* This proposal continues to provide for place-based routine grant administration. This concept, which grew out of the Attorney General's notion of "city desks" early in the Administration, has received broad support from many state and local practitioners.
- *"Information central" concept:* This proposal continues the recommendation for one central point of information for interested state and local jurisdictions, elected officials and practitioners about the wealth of assistance available from OJP. This Office would provide more sophisticated and more comprehensive "triage" help for the field than do the plethora of current OJP bureau and office clearinghouses. Practitioners with established contacts within OJP would, of course, be free to continue to communicate with those offices and bureaus directly.

