



NCJA National Criminal Justice Association

NCJA CRIMINAL JUSTICE PRIORITIES RECOMMENDATIONS TO THE OBAMA-BIDEN DOJ TRANSITION TEAM

BACKGROUND

The National Criminal Justice Association's members are practitioners from all parts of the criminal justice system. Our core members are policy makers who run the criminal justice programs in the states, territories, and tribal nations, primarily the Edward Byrne Justice Assistance Grant Program, but also juvenile delinquency prevention, violence against women, and crime victims' assistance programs.

Because the investigation and prosecution of crime is largely performed at the local level, crime is most often viewed as only a local problem. Crime, however, has significant national implications. Crime patterns and trends generally are reflected across state lines, international boundaries and in cyber space. The availability of illegal drugs and guns flowing across state borders is at the root of much of the violent crime. The Internet has facilitated the operation of criminal enterprises and provided opportunities that are not restricted by local, state and national boundaries, as well as producing countless victims of exploitation, human trafficking and identity theft. Crime is a drain on the nation's economy, well being and international competitiveness. For these reasons, crime should be viewed as a national issue and the availability of federal funds to combat it should be a national priority.

Crime prevention and enforcement strategies, and the policies and the innovations that support the local cop on the beat, are the result of decades of collaboration between local, state and federal partners. It is a collaboration that has been under increasing pressure the last several years as federal support for criminal justice practices has been withdrawn. And yet this partnership is more important than ever before. If we are to meet the challenges that lie ahead, we will need to reinvigorate the federal, state and local partnership that has survived for over 60 years. The federal role should be to support the states' "laboratories of democracy," by funding and supporting innovation and sharing best practices. The federal government should offer incentives, provide structure and support, but then step back and let the states experiment and tailor solutions to local problems.

While total federal spending on local law enforcement is believed to be less than 5 percent of the overall spending by states, cities and counties, the federal role is critical in spurring innovation, coordinating policy, and providing resources to incubate new strategies for fighting crime.

As the state officials responsible for planning across the criminal justice system, NCJA members' federal priorities cross a number of policy areas and DOJ agencies to include:

FUNDING PRIORITIES

- Full funding for the **Byrne Justice Assistance Grant** program;
- Increased funding for **in-prison drug treatment**, particularly the Residential Substance Abuse Treatment (RSAT) program;
- Full funding for the **Second Chance Act and other offender reentry programs**;
- Significant expansion of **drug and other specialty courts**;
- Restarting the **COPS hiring** program and reinvigorate community policing;
- Expanding juvenile **delinquency prevention and early intervention** programs;
- Raising the cap on the **crime victims' fund**; and
- Funding **implementation of sex offender registration**, including on tribal lands.



LEGISLATIVE PRIORITIES

- Include Byrne JAG and COPS funding in a broad economic stimulus bill. Research has shown that crime rises when economic security falls. Funding crime-fighting programs today will blunt expected increases in crime tomorrow.
- Improve the effectiveness of the Byrne JAG program by:
 - **Coordinating between the state (Byrne) and local (LLEBG) grants** that were merged into the Byrne JAG program in 2005, but with no requirement for coordinating planning;
 - Restoring and strengthening the **statewide planning process** that existed under the original Byrne program, but that has been allowed to lapse. Statewide planning should employ an evidence-based community engagement model to ensure broad, local input and support;
 - Enacting **performance measures** so programs can be evaluated and replicated;
 - Prioritizing **technical assistance and training** to ensure effective management of taxpayer dollars, replicate best practices, and find innovative solutions for common problems;
 - **Returning unobligated balances** to the program; and
 - **Raising the threshold for the JAG direct awards** from \$10,000 to \$100,000 to relieve DOJ's Bureau of Justice Assistance from managing thousands of very small grant awards.
- Enact **anti-gang legislation** that prioritizes juvenile delinquency prevention and early intervention.
- Provide **funding and support for broad corrections reform** at the state and local level.
- **Amend the Adam Walsh Act** to eliminate the Byrne JAG penalty, fund training/technical assistance to facilitate implementation on tribal lands, and more appropriately address juvenile sex offenders by allowing judicial review and relief from reporting requirements in certain cases.

POLICY PRIORITIES

- Advance **statewide coordination** by integrating federal funding through the criminal justice planning agencies, helping to ensure coordination, transparency and accountability across the entire criminal justice system.
- Require **coordinated planning between the justice and homeland security** grant programs. Longer-term, Congress and the Administration should reconcile how the federal homeland security and criminal justice programs should work in concert to protect the public.
- Clarify how the Office of Justice Programs (OJP) may fund its **management and administration** activities, and require greater transparency in how program dollars are spent.
- Prioritize **criminal justice technology solutions** by funding research and development, infrastructure, and implementation.
- **Sponsor an executive session** to examine the role and method for delivering federal assistance to state and local justice operations, and chart to strategies for delivering even more effective crime control and prevention in the future.
- Require **greater transparency and accountability for grant awards** made outside the competitive process using funds retained from program accounts.
- Design implementation of the **Government Transparency Act** so smaller subgrantees may be able to comply with the financial reporting requirements.
- **Halt the withholding of Byrne JAG program funds as penalty for noncompliance** with new legislative initiatives.
- **Restore competition to the Byrne discretionary program** by setting aside funds for discretionary, competitively awarded initiatives, based on criteria developed by BJA.