

CRS Report for Congress

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Federal Crime Control Assistance to State and Local Governments

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Summary

Congress has authorized and funded several programs administered by the Department of Justice (DOJ) to assist state and local governments in combating crime. Major DOJ programs with FY2004 funding are (1) Juvenile Justice Formula Grants, \$83.1 million; (2) Byrne programs, \$652.2 million; (3) Weed and Seed program, \$57.9 million; (4) Community Oriented Policing Services (COPS) program, \$481.9 billion; (5) Violence Against Women Act (VAWA) grants, \$387.6 million for DOJ programs; (6) Drug Courts grants, \$38.1 million; (7) Local Law Enforcement Block Grants (LLEBG) program, \$213.3 million; and (8) Juvenile Accountability Incentive Block Grants (JAIBG) program, \$59.3 million. This report provides profiles of those eight major programs. It will be updated as new data become available.

Introduction

Although states and localities traditionally have held the major responsibility for prevention and control of crime in the United States, the federal government, especially the Department of Justice, has played an increasingly central role since the late 1960s because of a notable increase in crime and unrest in the nation. One significant aspect of DOJ's role has been providing financial assistance to state and local governments to combat crime. Beginning with the Law Enforcement Assistance Administration (LEAA), established by the Omnibus Crime Control and Safe Streets Act of 1968, Title I (P.L. 90-351), Congress approved a series of programs administered by DOJ and other federal agencies to provide crime control funding to state and local governments. Since 1974, when Congress established a formula grant program under the Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 93-415), as amended, eight major DOJ programs were created or expanded to assist such government groups.

Although LEAA funding was discontinued in the early 1980s, Congress established a new primary source of federal financial assistance for state and local drug law enforcement efforts, the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs. Byrne funding includes both formula and discretionary grants for the reduction of drug demand, assistance of law enforcement, support for the court and corrections systems, and promotion of crime prevention.

In the wake of the Los Angeles riots in April and May 1992, President George H. W. Bush proposed to expand a demonstration program called “Weed and Seed.” In July 1992, the Attorney General created the Executive Office for Weed and Seed within DOJ, and since FY1993, Congress has provided funding.

Under the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), the 103rd Congress established additional programs to assist state and local jurisdictions in combating crime. Those programs were the COPS program (Title I), VAWA grants (Title IV), and Drug Courts grants (Title V). The 104th Congress reconsidered programs authorized by the 1994 Crime Act, and under the Omnibus Consolidated Appropriations Act of 1996 (P.L. 104-134), it established the Local Law Enforcement Block Grants (LLEBG). The 105th Congress created the Juvenile Accountability Incentive Block Grants (JAIBG) program under the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (P.L. 105-119). Reauthorization of juvenile justice assistance programs is included in the Department of Justice Authorization Appropriations (P.L. 107-273), which was enacted in the 107th Congress.

Funding trends for major DOJ programs that are profiled below include (1) Juvenile Justice Formula Grants; (2) Byrne programs; (3) Weed and Seed program; (4) COPS program; (5) Violence Against Women Act (VAWA) grants; (6) Drug Courts grants; (7) Local Law Enforcement Block Grants (LLEBG) program; and (8) Juvenile Accountability Incentive Block Grants (JAIBG) program.

Juvenile Justice Formula Grants

Authority. Juvenile Justice and Delinquency Prevention Act of 1974, as amended, Title II, Part B (P.L. 93-415). Authorization for the act expired on September 30, 1996, but Congress has provided funding through annual appropriations.

Description of Programs. Provides funding to state and local governments to assist in planning, establishing, operating, coordinating, and evaluating projects involving the improvement of the juvenile justice system or the provision of education, crime prevention, diversion, treatment, and rehabilitation programs for juveniles. For additional information, see CRS Report RS20576, *Juvenile Justice: Legislative Activity and Funding Trends for Selected Programs*.

Authorization and Funding. A joint authorization for Title II, Parts A, B, and C,¹ of \$150 million was provided from FY1993 through FY1996. Although authorization has expired, Congress continues to fund the program through the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies appropriations. Appropriations for grants under Part B were \$70 million for both FY1995 and FY1996, \$86.5 million for FY1997, \$96.5 million for FY1998, and \$89 million from FY1999 through FY2002; for FY2003, \$83.8 million; for FY2004, \$83.1 million.

¹ Part A provides funding for the Office of Juvenile Justice and Delinquency Prevention. Part C provides funding for the National Institute of Juvenile Justice and Delinquency Prevention.

Byrne Programs

Authority. Omnibus Crime Control and Safe Streets Act of 1968, as amended (P.L. 90-351), Title I. The Byrne programs were first authorized in the Anti-Drug Abuse Act of 1986 (P.L. 99-570) and named for a slain New York City police officer in the Anti-Drug Abuse Act of 1988 (P.L. 100-690).

Description of Programs. The Byrne programs consist of two discretionary programs and a formula grant program. Formula grant program funds must be used to improve criminal justice systems in order to reduce violent crime, the demand for illegal drugs, or the availability of such drugs. The discretionary funds are used to enhance anti-drug educational and training programs, to establish demonstration projects, and to fund correctional options programs. Most Byrne funds are awarded to states under the formula grant program. Each state must pass through a specified portion of the formula grant monies to localities. For additional information, see CRS Report 97-265, *Crime Control Assistance Through the Byrne Programs*; also see the Byrne website at [<http://www.ojp.usdoj.gov/BJA/grant/byrne.html>].

Authorization and Funding. Under the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), Section 210101, the Byrne programs were authorized for \$580 million in FY1995; \$130 million in FY1996; \$100 million in FY1997; \$75 million in FY1998; \$70 million in FY1999; and \$45 million in FY2000. Authorization has expired. Appropriations for Byrne programs were \$535 million in FY1996 (\$475 million for formula grants and \$60 million for discretionary grants), \$560 million in FY1997 (\$500 million for formula grants and \$60 million for discretionary grants), \$551.5 million in FY1998 (\$505 million for formula grants and \$46.5 million for discretionary grants), \$552 million in both FY1999 and FY2000 (\$505 million for formula grants and \$47 million for discretionary grants in FY1999 and \$500 million for formula grants and \$52 million for discretionary grants in FY2000), and \$569 million in FY2001 (\$500 million for formula grants and \$69 million for discretionary grants). Funding for FY2002 was \$594.4 million (\$500 million for formula grants and \$94.4 million for discretionary grants); for FY2003, \$650.9 million; for FY2004, \$652.2 million.

Weed and Seed Program

Authority. Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1995 (P.L. 103-317) and succeeding appropriations acts.

Description of Program. Under the new Community Capacity Development Office in DOJ, Operation Weed and Seed is a two-part, community-based, multi-agency initiative. Funds are used first to “weed out” crime from selected neighborhoods, and second to coordinate crime prevention and human service programs to “seed” these areas to encourage the growth of safer neighborhoods. For additional information about Weed and Seed see website [<http://www.ojp.usdoj.gov/ccdo>].

Authorization and Funding. The Weed and Seed Program has no formal authorization. In July 1992, the Attorney General established the Executive Office for Weed and Seed within the DOJ. Appropriations for Weed and Seed were \$28.5 million

in both FY1996 and FY1997, derived as earmarks each year from Byrne discretionary grants. Weed and Seed funding was \$33.5 million in direct appropriations for FY1998, FY1999, and FY2000. In FY2001, funding slightly increased to \$34 million for the program, plus \$6.5 million from the Assets Forfeiture Super Surplus Fund. Funding for FY2002 was 58.9 million; for FY2003, \$58.9 million; and for FY2004, \$57.9.

COPS Program

Authority. Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), Title I, Public Safety Partnership and Community Policing Act of 1994.

Description of Program. Funds may be used to hire new police officers (including former members of the Armed Services), rehire officers who have been laid off, provide officer training to improve interactions with communities, obtain equipment or support systems, or provide overtime pay. Also, funds may be used for other purposes, such as to train law enforcement officers in crime prevention and community police training techniques; develop technologies that emphasize crime prevention; link community organizations and residents with the police; develop innovative programs; and support the purchase of no more than one service weapon per officer hired or redeployed. For additional information, see CRS Report 97-196, *The Community Oriented Policing Services (COPS) Program: An Overview*; also see DOJ's COPS website at [<http://www.cops.usdoj.gov/>].

Authorization and Funding. Under the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), Section 10003, the COPS program was authorized at \$1.332 billion in FY1995; \$1.85 billion in FY1996; \$1.95 billion in FY1997; \$1.7 billion for both FY1998 and FY1999, and \$268 million for FY2000. Authorization has expired. Appropriations for the COPS program were \$1.4 billion for each year, FY1996 through FY1999, and \$595 million for FY2000. In FY2001 and FY2002, funding increased to over \$1.0 billion for the program. Funding for FY2003 is \$928.9 million; and for FY2004, \$481.9 million.

Violence Against Women Act (VAWA) Grants

Authority. Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), Title IV, Violence Against Women Act.

Description of Program. VAWA grant programs provide funding to address the problem of violence against women. Programs within DOJ include law enforcement and prosecution grants for use by states, units of local government, Indian tribal governments, or nonprofit nongovernmental victims' services programs. Also, VAWA monies awarded by DOJ are provided for National Stalker and Domestic Violence Reduction Grants; Rural Domestic Violence and Child Abuse Enforcement Grants; Grants to Encourage Arrest Policies; and other programs. Title IV programs are located not only within DOJ, but also include the Department of Health and Human Services. For additional information, see CRS Report RS20195, *Violence Against Women Act: Reauthorization, Federal Funding and Recent Developments*. For more information on the Violence Against Women Office (VAWO) within DOJ, see [<http://www.ojp.usdoj.gov/vawo/>].

Authorization and Funding. The minimum authorizations each year for VAWA were \$27 million for FY1995, \$273 million for FY1996, \$307 million for FY1997, \$378 million for FY1998, \$295 million for FY1999, \$305 million for FY2000, and \$667.5 million for FY2001. Up to an additional \$35 million was authorized in general, with no reference to a specific fiscal year. VAWA appropriations totaled \$228.5 million in FY1996 (\$174.5 million for DOJ programs), \$258.5 million in FY1997 (\$197.5 million for DOJ programs), \$415.6 million in FY1998 (\$271.6 million for DOJ programs), \$438.7 million in FY1999 (\$282.7 million for DOJ programs), \$453.2 million in FY2000 (\$283.7 million for DOJ programs), \$407.8 million for FY2001 (\$288.7 million for DOJ programs), and \$571.2 million for FY2002 (\$390.6 million for DOJ programs). VAWA grants in FY2003 total \$390.1 million; and for FY2004, \$387.6 million.

Drug Courts Grants

Authority. Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), Title V, Drug Courts. Though authorization for these grants was repealed under the Omnibus Consolidated Rescissions and Appropriations Act, FY1996 (P.L. 104-134, Section 114), the program has continued to receive appropriations.

Description of Program. DOJ makes Drug Courts grants to state and local governments and to court entities for programs involving continuing judicial supervision of non-violent offenders with substance abuse problems. Also, Drug Courts grants may be used for the integrated administration of other sanctions and services, ranging from drug testing and drug treatment for program participants, to aftercare services for offenders in compliance, or possible imprisonment for those not in compliance. For more information on the Drug Courts Program, see the Office of Justice Programs website at [<http://www.ncjrs.org/html/bja/decade98.htm>].

Authorization and Funding. Authorizations for Drug Courts were \$100 million in FY1995; \$150 million for both FY1996 and FY1997; and \$200 million for each year in FY1998, FY1999, and FY2000. Authorization has expired. Appropriations for the program were \$11.9 million in FY1995, up to \$18 million in FY1996 (provided as an earmark of LLEBG appropriations), \$30 million in both FY1997 and FY1998, \$40 million in both FY1999 and FY2000, and \$50 million in FY2001 and FY2002. Funding in FY2003 total \$45 million; and for FY2004, \$38.5 million.

Local Law Enforcement Block Grants (LLEBG) Program

Authority. Omnibus Consolidated Rescissions and Appropriations Act of 1996 (P.L. 104-134) and succeeding appropriations acts.

Description of Program. The LLEBG program provides funding to states and units of local government to assist in efforts to reduce crime and improve public safety. Funds may be used for projects in one or more of seven “purpose areas,” ranging from hiring or training new police officers, to enhancing security measures in and around schools, to establishing crime prevention programs involving cooperation between community residents and police. For additional information, see the LLEBG website at [http://www.ojp.usdoj.gov/BJA/grant/llebg_app.html].

Authorization and Funding. The LLEBG Program has no formal authorization, though the DOJ awarded LLEBG grants for the first time in October 1996. Appropriations for the LLEBG program were \$503 million in FY1996 and \$523 million for each year in FY1997 through FY1999. For FY2000, the appropriation was reduced to \$497.9 million and funded in direct appropriations. In FY2001, program funding increased to \$523 million. In FY2002 and FY2003, the appropriation was decreased to \$400 million; for FY2004, \$222.6 million.

Juvenile Accountability Incentive Block Grants (JAIBG) Program

Authority. Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, FY1998 (P.L. 105-119).

Description of Program. The JAIBG program provides funding to states and units of local government to address the growing problem of juvenile crime by encouraging accountability-based reforms by states and localities. To be eligible to receive funds, states must have certified to the Attorney General that they are actively considering, or will consider within the next year, through laws, policies, or programs, accountability-based reforms, including graduated sanctions, adult prosecution of violent juveniles, and juvenile records reforms. Funds may be used for projects in 11 “purpose areas,” including hiring or training new juvenile judges, prosecutors, and other court officials; building, expanding or operating juvenile detention and corrections facilities; establishing drug court programs for juvenile offenders; and assisting prosecutors to address drug, gang, and youth violence more effectively. For additional information, see CRS Report RS21395, *Juvenile Justice: Reauthorization of Justice Assistance Programs*.

Authorization and Funding. The JAIBG Program has no formal authorization. Appropriations for the JAIBG program were \$250 million in both FY1998 and FY1999. In FY2000, \$238 million was appropriated for the program. In FY2001, funding increased to \$250 million for the program and remained the same for FY2002. Funding in FY2003 total \$190 million; \$59.3 million for FY2004.

Other Justice Grant Programs

The Violent Crime Control and Law Enforcement Act of 1994 (P.L. 104-322), Titles II and III, authorized several prison grant programs, ranging from the State Prison Grants (SPG) to the State Criminal Alien Assistance Program (SCAAP). In recent appropriations, the funding levels for SPG have been drastically reduced, because programs such as the Violent Offender Incarceration/Truth In Sentencing (VOITIS) program have been thought to have accomplished their goal. Funding in FY2003 for SCAAP total \$250 million; and \$80 million for SPG. In FY2004, SCAAP received \$296.8 million. FY2003 funding for SPG includes the Residential Substance Abuse Treatment (RSAT) program (\$65 million for FY2003) and offender reentry programs (\$15 million, FY2003; \$4.9 for FY2004). In addition, the 1994 crime act established the Violent Crime Reduction Trust Fund (VCRTF) with an authorization of \$30.2 billion in funding for FY1995 through FY2000 to include the programs discussed above and various other crime prevention programs under Title III. The authorization for VCRTF also expired at the end of FY2000. For more information, see CRS Report RL30471, *Violent Crime Reduction Trust Fund: An Overview*.