

094610

United States General Accounting Office  
Washington, D.C. 20548

FOR RELEASE ON DELIVERY  
Expected at 9:30 a.m. EDT  
Tuesday, April 29, 1975

STATEMENT OF  
ELMER B. STAATS, COMPTROLLER GENERAL OF THE UNITED STATES  
BEFORE THE  
SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY  
SENATE COMMITTEE ON THE JUDICIARY  
ON  
COORDINATION OF JUVENILE DELINQUENCY PROGRAMS

Mr. Chairman and Members of the Subcommittee:

We are pleased to be here today to discuss our observations on the Federal Government's attempt to coordinate its juvenile delinquency programs.

Our views are presented in detail in our April 21, 1975, report to the Congress entitled, "How Federal Efforts to Coordinate Programs to Mitigate Juvenile Delinquency Proved Ineffective." We will today highlight the issues addressed in that report.

Reducing crime is a many-sided problem, but it is one which people of all socioeconomic levels and political persuasions agree must be addressed more effectively.

As this Subcommittee knows--and has noted for several years--to prevent or reduce crime, juvenile delinquency

1187  
3 61  
3 1038  
3 1131  
3 1131  
3 1131

~~709791~~

094610

must be curbed. An analysis of crime statistics shows that one way to more effectively address the crime problem is to concentrate on preventing and controlling juvenile delinquency. In 1973 juveniles under 18 accounted for 45 percent of arrests for all serious crimes. Total arrests of juveniles rose 144 percent between 1960 and 1973 compared to only a 17 percent increase for others.

Despite the significance of the problem and the evidence of this huge increase in juvenile crime, there apparently has not been a widespread realization of this within our Government.

Prior to passage of the Juvenile Justice and Delinquency Prevention Act of 1974, there was no adequate national program to focus the nation's resources in a concerted attack on the prevention and control of juvenile delinquency. We believe the 1974 act provides a sufficient framework for executive agencies to improve coordination of their efforts. The issue now facing the Federal Government is how effectively and efficiently the new act will be implemented.

Improving coordination of such efforts will not necessarily lead immediately to reducing juvenile delinquency, but it will at least mobilize the Federal Government's resources so they can begin addressing the issue more effectively. The causes of juvenile delinquency are complex and involve a multitude of psychological, sociological,

and economic factors. At a minimum, the Federal Government should begin to marshal its resources to develop a coordinated strategy to study those factors and develop efforts to test solutions.

Today, the Law Enforcement Assistance Administration (LEAA) of the Department of Justice is the primary Federal agency spending funds for juvenile delinquency prevention and control. The Department of Health, Education, and Welfare's (HEW) Office of Youth Development also provides funds directly to the effort.

The Special Analysis section of the President's fiscal year 1976 budget indicates that the Federal Government will spend an estimated \$177.5 million on juvenile delinquency prevention and control efforts. A breakdown of the amount indicates that about 80 percent of the monies are for programs already being administered by LEAA.

To emphasize the need for prompt and proper implementation of the 1974 act, I would like to briefly discuss problems we noted in the past efforts to coordinate juvenile delinquency programs.

#### PRIOR ACTIVITIES

No Federal agency has identified the significant causes of juvenile delinquency, determined the resources available for combating them, or developed a plan to implement a strategy to address one or more aspects.

The Federal Government's major strategy to prevent juvenile delinquency apparently has been to rely on the myriad of anti-poverty and social welfare programs in hopes that a significant impact would be made.

We cannot say how much greater the increase in juvenile delinquency might have been had those programs not existed, but the strategy, whatever positive impact it has had, has not been too effective because juvenile delinquency continues to be a serious problem.

#### NO EFFECTIVE COORDINATION

Despite efforts dating back to 1948, there has been no effective coordination of Federal juvenile delinquency efforts.

The Juvenile Delinquency Prevention and Control Act of 1968 gave the Secretary of HEW responsibility for coordinating all Federal activities in juvenile delinquency, youth development, and related fields and for providing national leadership in developing new approaches to the problems of juvenile crime. However, these responsibilities were not adequately fulfilled. The 1971 annual report of HEW stated:

"(There was) little coherent national planning or established priority structure among major programs dealing with the problems of youth development and juvenile delinquency. \* \* \* The present array of programs demonstrates the lack of priorities, emphasis, and direction in the Federal Government's efforts to combat delinquency."

A major problem in the administration of the 1968 act was the confusion of the roles of HEW and LEAA because the scope of their appropriate laws--the Juvenile Delinquency Prevention and Control Act of 1968 and the Omnibus Crime Control and Safe Streets Act--somewhat overlapped. HEW was to provide assistance to States in preparing and implementing comprehensive State juvenile delinquency plans, and LEAA was to make block grants to the States to address all criminal justice problems including juvenile delinquency.

In 1971 HEW and LEAA redefined their roles:

--Each State was to develop a single comprehensive criminal justice plan which would comply with the statutory requirements of both acts.

--HEW was to concentrate its efforts on prevention and rehabilitation programs outside of the traditional juvenile justice system.

--LEAA was to focus efforts on programs within the system.

To assist in the coordination of juvenile delinquency programs, the Congress, in 1971, authorized an Interdepartmental Council composed of representatives from HEW, Justice, Labor, Housing and Urban Development, Interior, Transportation, Agriculture, Office of Economic Opportunity, Office of Management and Budget, and the Special Action Office for Drug Abuse Prevention.

However, coordinating efforts were made more difficult by the lack of a definition for "juvenile delinquency

program." Neither legislation nor executive agencies developed a definition or criteria for use in selecting and designating Federal programs as juvenile delinquency programs. The Interdepartmental Council, in developing a directory of Federal programs in the juvenile delinquency and youth development areas, defined "juvenile" as persons between 1 day old and 24 years of age. Consequently, programs were included that impact on youth in some way and at various stages of their lives, but their significance to juvenile delinquency, if any, is not known.

Using the directory as a guide, we asked appropriate Federal officials about the relationship of their programs to juvenile delinquency. Most believed their programs did not significantly affect juvenile delinquency, although most did believe their programs helped youth, generally. Many of the officials were unaware of what their programs' roles could or should be in preventing or controlling juvenile delinquency.

#### INEFFECTIVENESS OF INTERDEPARTMENTAL COUNCIL

The Interdepartmental Council has not been effective in coordinating juvenile delinquency programs primarily because of the lack of adequate funds and staff and the uncertainty by the Council about the authority it had to coordinate Federal efforts in the juvenile delinquency area.

The Council had to rely on funds provided by the member agencies. Questions arose as to what each of the member

agencies could or could not fund with its contributed funds. Further, member agencies generally did not appoint people to the Council with the authority to speak for their agencies or commit funds for Council activities. It was difficult to maintain continuity of the chairman, members, or staff. For example, 8 of the 10 member agencies have changed their designated representatives at least once and some as many as three times. After the first year of operation, support staff donated by member agencies dissipated.

Although the 1971 amendment to the 1968 juvenile delinquency act stated that the Council was to coordinate all Federal juvenile delinquency programs and prepare an annual report, the act did not indicate what authority the Council was to have to coordinate activities by the agencies. After its first year of operation, the Council identified a number of major problems and policy issues which it believed required guidance from the White House. In a memorandum to the White House dated February 7, 1973, the Chairman of the Council (the LEAA Administrator) sought guidance regarding

- proposed national policy objectives and specific agency objectives for both short and long term impact on the juvenile crime problem;
- a proposed restructuring of the Council which would give it authority to implement the proposed objectives, insure the support of its constituent agencies, and provide it with permanent staff and funding support; and

--the drafting of major legislation in the juvenile delinquency area.

The White House did not act on this request.

#### NONINVOLVEMENT OF FEDERAL REGIONAL COUNCILS

The Federal Regional Councils, established in 1972 in the 10 standard regions to develop closer working relationships between Federal grant-making agencies and State and local governments and to improve coordination of the categorical grant-in-aid systems, are another mechanism available for coordinating juvenile delinquency efforts. However, they have not been significantly used in this area because of

- inadequate Washington leadership;
- an absence of national goals and standards;
- the overlap between various Federal agencies; and
- the lack of leadership by LEAA at the Regional level.

The two Federal Regional Councils we visited in Boston and Denver did not regard juvenile delinquency as a high priority problem.

#### STATE AND LOCAL EFFORTS

Circumstances at the State level in Colorado and Massachusetts and the local level in Boston and Denver were similar to those at the national level:

- Officials of agencies and organizations that had a mandate in the juvenile delinquency area or worked with delinquent or high-risk youth were most aware that their programs could play a role in the prevention and control of juvenile delinquency.



--No single agency was responsible for implementing a comprehensive strategy to provide a systematic approach to the juvenile delinquency problem and coordinate the efforts of agencies serving youth.

--Very little program evaluation had been done to determine the impact of programs on the problem.

The situation at the State and local levels was due in part to the fragmented way the Federal Government has handled the problem. To help fund their activities, the State and local agencies had to respond to the specific categorical grant programs of the Federal agencies. Each program had its own objectives, requirements, and restrictions. They could not look to one Federal agency to obtain information on funding and other Federal resources in the juvenile delinquency area. There was little incentive for the State and local agencies to coordinate their activities because of the lack of coordination at the Federal level.

## THE 1974 ACT

The Juvenile Delinquency and Prevention Act of 1974 should improve the Federal Government's coordination of juvenile delinquency efforts and thus alleviate many of the problems discussed in our report.

The law provides increased visibility to the problem and a focal point for juvenile delinquency activities in the Federal Government by creating an Office of Juvenile Justice and Delinquency Prevention within LEAA. For the first time, there will be an organizational unit that can identify existing and needed resources, identify and set priorities, and develop strategies to implement a comprehensive attack on juvenile delinquency. Also, for the first time, specific efforts to both prevent and control juvenile delinquency will be the responsibility of one agency. This should provide for innovative prevention programs.

It also establishes within the Office a National Institute for Juvenile Justice and Delinquency Prevention to provide ongoing research into new techniques for working with juveniles, to serve as a national clearinghouse for information on delinquency, and to offer training to personnel who will work with juveniles.

To make the executive agencies more accountable, the law requires executive agencies to submit several different types of annual reports to the Congress. These reports should help focus Federal efforts more precisely and increase Federal, State, and local officials' awareness of their roles in the prevention and control of juvenile delinquency.

Provisions have been made for improving the coordination of Federal juvenile delinquency programs, policies, and priorities. The law establishes a Coordinating Council on Juvenile Justice and Delinquency Prevention as an independent organization in the executive branch to be composed of persons who exercise significant decisionmaking authority in their respective Federal agencies. It authorizes staff and funds for adequately carrying out the functions of the Council.

It also establishes a National Advisory Committee for Juvenile Justice and Delinquency Prevention whose duties include making annual recommendations to the LEAA Administrator regarding planning, policy, priorities, operations, and management of all Federal juvenile delinquency programs. Membership includes both government and public representatives to help assure broad expertise as well as new views on methods to combat juvenile delinquency.

The law authorizes new programs of delinquency prevention, diversion from the juvenile justice system and community-based alternatives to traditional incarceration. It also requires LEAA's State Planning Agencies and Regional Planning Units to establish advisory groups to include representatives of citizen, professional, and community organizations related to delinquency prevention.

#### ISSUES FOR CONSIDERATION

The act, which was enacted in September 1974, has not as yet been funded. The Administration did not request any new funds to implement the act in either fiscal year 1975 or 1976. A request by LEAA to reprogram \$10 million of unspent funds under the Safe Streets Act for setting up the new juvenile effort was approved by the House and Senate Appropriations Committees but the Office of Management and Budget did not approve the implementation plan. Limited funding will almost preclude adequate implementation.

For example, some State criminal justice planning agencies, which apparently are not able to develop adequate, comprehensive plans for spending other LEAA funds, are also required to develop more plans to comply with the 1974 act. There is a question as to whether plans may be non-comprehensive because of inadequate funding of planning efforts or because of the way LEAA and the States have worked together in terms of common purpose and agreed objectives. But the

1974 act gives specific, more extensive emphasis to juvenile issues which may well require additional funds for adequate accomplishment.

Accordingly, Mr. Chairman, you and the Subcommittee may want to examine the extent to which the executive branch is willing to request funds to implement the act. Since juveniles account for almost half the arrests for serious crimes in the nation, it appears that adequate funding of the Juvenile Justice and Delinquency Prevention Act of 1974 would be an essential step in any strategy to reduce crime in the nation.

Section 544 of the 1974 act amends the Safe Streets Act of 1968, to require the maintenance of at least the same level of financial assistance for juvenile delinquency programs from law enforcement appropriations as was expended during fiscal year 1972. In view of the Administration's proposed budget cuts to LEAA's program, you may also want to look for the fulfillment of this requirement.

Assuming the act is funded, there are several inter-related issues the Subcommittee may wish to consider and discuss with the executive branch in carrying out your oversight responsibilities.

#### NATIONAL STRATEGY

The way LEAA is developing a national juvenile delinquency strategy is one such issue. There are many factors that should

be considered in developing such a strategy, but perhaps the most basic is the emphasis that the nation should give to delinquency prevention versus rehabilitation programs. Which definition of juvenile delinquency prevention programs should be used? Should emphasis be given to preventing children from committing delinquent acts or should the emphasis be on recidivism reduction?

There has been considerable effort directed, in past years, at rehabilitation to reduce the amount of subsequent crimes committed by adults and youth. Recidivism among juveniles is extensive. Consequently, there is a real need to assess such past efforts to shape future planning and programming for significant impact in this area.

Also important is the consideration of how and when Government should intervene to prevent delinquency. Should primary efforts be focused in the schools or in the home or should special institutions and organizations be established to address the problem? At what age group should programs be directed? How should resources be mobilized?

In examining LEAA's actions to develop a national strategy, the Subcommittee may wish to discuss with LEAA questions similar to those noted above. We believe it is now appropriate to begin such an examination because LEAA has had over 6 months to implement the act. It is probably unrealistic to expect that such a strategy could be developed

to the point where fiscal year 1976 juvenile delinquency funding decisions by other Federal agencies and the States could be based on such a strategy, especially given the lack of such a plan prior to passage of the 1974 act. But we believe such a strategy should be developed during fiscal year 1976 and affect fiscal year 1977 funding decisions.

#### COMPREHENSIVE STATE PLANS

The State plans, which form the basis for how most of LEAA funds will be spent on juvenile delinquency, will have to be closely related to the national strategy for there to be a national coordinated effort to combat juvenile delinquency. Therefore, the extent to which the State plans reflect the national strategy will depend, in part, on the timeliness with which the national strategy is completed.

The State plans must be comprehensive to insure that all pertinent issues are addressed and that maximum benefits are obtained from available resources. The Omnibus Crime Control and Safe Streets Act, as amended, requires that a comprehensive program for the improvement of juvenile justice, including priorities, must be included in the State plan before the plan may be approved. However, LEAA did not provide the States with specific guidelines for the development of this portion of the State plan.

LEAA and the States are currently developing guidelines for improving juvenile delinquency planning which should

impact on how fiscal year 1976 funds will be spent. Accordingly, the Subcommittee may want to examine the adequacy of the States' fiscal year 1976 juvenile delinquency planning efforts in terms of meeting the requirements for planning noted in section 223 of the 1974 act and the extent to which they reflect the national strategy as it exists at that time. This would enable the Subcommittee to not only assess the adequacy of State planning and LEAA's ability to effectively review such plans, but would also permit implementation of any needed improvements before fiscal year 1977 plans were developed.

#### COORDINATION

Another issue the Subcommittee may want to examine is the extent to which LEAA is able to effectively implement certain provisions of section 204 of the act, such as those which basically give LEAA authority to coordinate and direct certain juvenile delinquency-related efforts of other Federal agencies. Effective use of such authority by LEAA and other agencies' acceptance of it is essential if Federal efforts are to be truly coordinated.

The State plans submitted to LEAA for approval must be comprehensive and address the need to coordinate State and local efforts. This should include providing for coordination of juvenile delinquency programs in areas such as education, health, and welfare. If not, most funds will



probably continue to be spent similarly to the way they were in Colorado and Massachusetts at the time of our review--in a relatively uncoordinated manner.

We believe such coordination should become a reality for fiscal year 1977, once LEAA has developed a national strategy and the States have made funding decisions based on comprehensive juvenile delinquency plans.

This concludes my prepared statement, Mr. Chairman. We will be pleased to respond to any questions you may have.

NOTICE OF HEARINGS

COMMITTEE: Committee on the Judiciary (Senate)  
Subcommittee to Investigate Juvenile Delinquency

SUBJECT : Federal Government's effort to prevent delinquency  
and to curb juvenile crime

DATE : April 29, 1975

TIME : 10 a.m.

ROOM : 318 Russell (Old) Senate Office Building

MEMBERSHIP: Senator Birch Bayh, Chairman

Majority: Senators Hart, Kennedy, Burdick, Tunney

Minority: Senators Hruska, Mathias, Fong

PRINCIPAL  
STAFF: John M. Rector, Chief Counsel

GAO WITNESS: Elmer B. Staats, Comptroller General

ACCOMPANIED  
BY: Daniel F. Stanton, Associate Director, GGD  
Richard Fogel, Supervisory Management Analyst, GGD  
T. Vincent Griffith, Legislative Attorney, OCR

CAR WILL LEAVE "G" STREET, FIRST BASEMENT AT 9:45 a.m.

T. Vincent Griffith  
Legislative Attorney  
Office of Congressional  
Relations

A PHOTOGRAPHER WILL BE PRESENT.