

The Myth of “Doing More with Less”: The Effect of Continuous Cuts to Federal Funds for Law Enforcement, RSAT and Victim Services

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As of March 1, 2013 the Budget Control Act of 2011 became law and a series of draconian budget cuts will take effect that will reduce the appropriations for grants to states funded in discretionary budget categories by 5% and those in mandatory budget categories by 5.1%.ⁱ This cut in the appropriation will likely have varying effects on the actual formula grants states receive via funding streams such as the Edward-Byrne Justice Assistance Grants (Byrne-JAG), Victims of Crime Act (VOCA), and Violence Against Women Act (VAWA), among others.

These, and cuts to other formula awards, will have an impairing, and in some cases crippling, effect on Georgia’s law enforcement, residential substance abuse treatment programs in jails and prison, and victim services providers. According George Mason University study, Georgia is among the top ten states that may suffer job cuts due to the non-defense related cuts in the sequester (approximately 26,903 jobs lost).ⁱⁱ Most of the funding streams supporting these activities have already been reduced over the past several years – especially after adjusting for inflation. This is analysis of the reductions certain of CJCC’s major funding streams have already sustained and what those have meant in terms of activity levels.

Edward Byrne Justice Assistance Grants (Byrne-JAG)

The Edward Byrne Justice Assistance Grants are distributed to states by formula based on crime rates and support state or local programs in seven broad purpose areas: law enforcement, prosecution, crime prevention and education, corrections, drug treatment or enforcement, planning, evaluation or technology, and crime victim witness assistance.

For over 20 years, Byrne-JAG funds have supported drug enforcement activities in Georgia via multi-jurisdictional drug task forces (MJDTF). Since 2005, Byrne allocations to states have fluctuated and the local law enforcement block grants have been eliminated. While Georgia’s award was over \$13 million per year prior to 2005, since then awards have remained between \$9 million and \$5 million.ⁱⁱⁱ In the past three years these funds have steadily declined, directly affecting the ability for law enforcement agencies to continue their drug enforcement efforts. In many counties, CJCC-funded MJDTFs are the only law enforcement entities focusing on drug crime – this is particularly true in rural counties.

Over the past three years, Georgia’s Byrne-JAG award has been consistently reduced. Since 2009, Georgia’s award has been cut by almost 40%. These cuts have had dramatic effects on law enforcement activity. The charts below provide a snapshot of these effects in the last three years. These data are based on subgrantee reports via the Bureau of Justice Assistance Performance Measurement Tool (PMT), where indicated; otherwise, statistics are based on CJCC’s drug task force annual report.

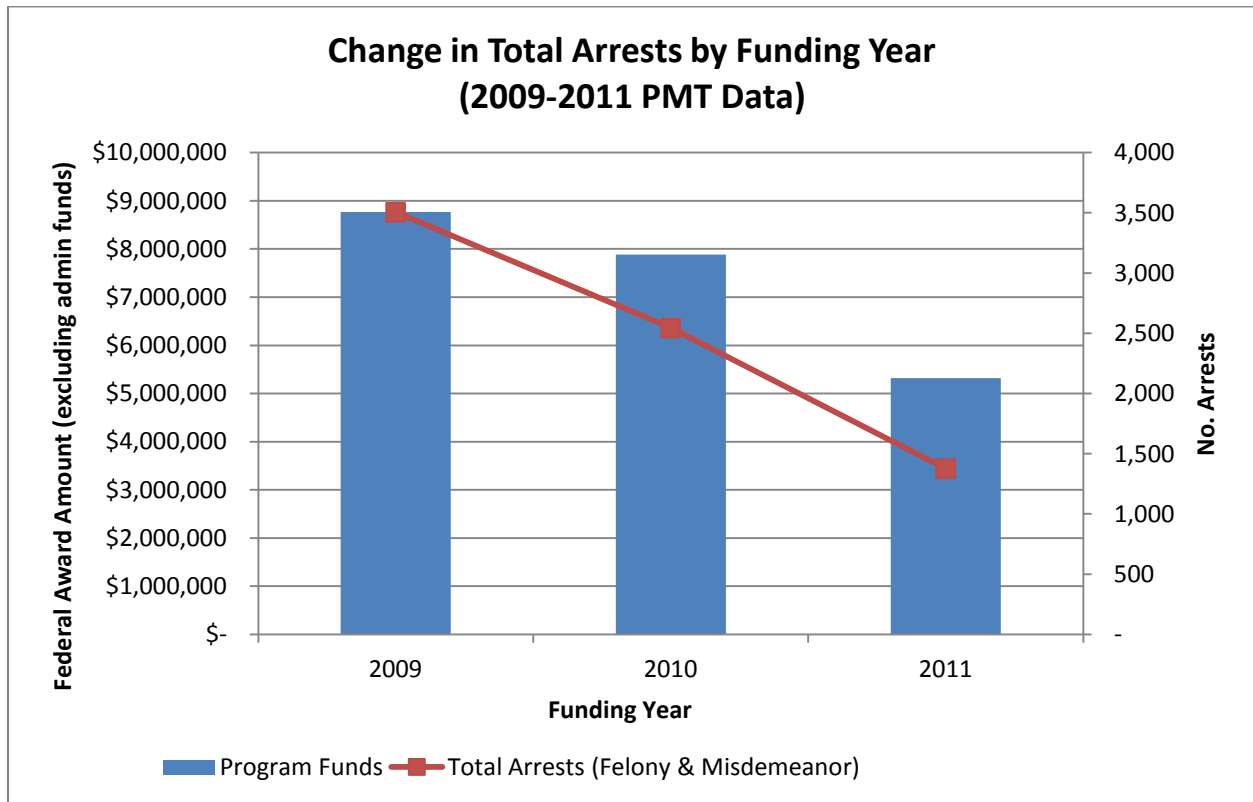


Figure 1: Change in Total Arrest Rates by Funding Year.

CJCC’s award has been reduced by almost 40%. Correspondingly, MJDTF arrests have decreased by 61%. When CJCC’s award was cut by 10% from 2009 to 2010, preliminary data show arrests for felony and misdemeanor drug crime fell by 27%.^{iv}

Felony arrests have decreased at a greater rate than misdemeanors. The number of people arrested for a felony drug charge decreased by 24% in 2010 and another 64% in 2011. By comparison misdemeanor arrests decreased by 37% from 2009 to 2010 but have already shown a 7% increase in 2011.

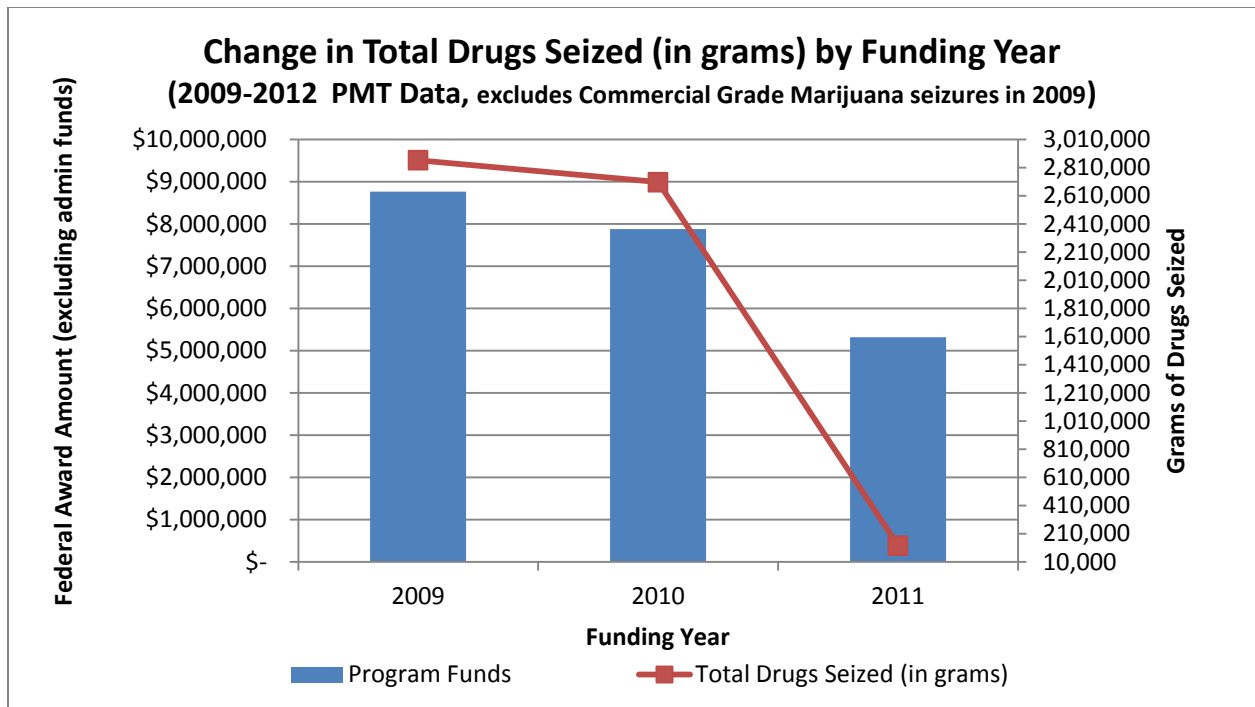
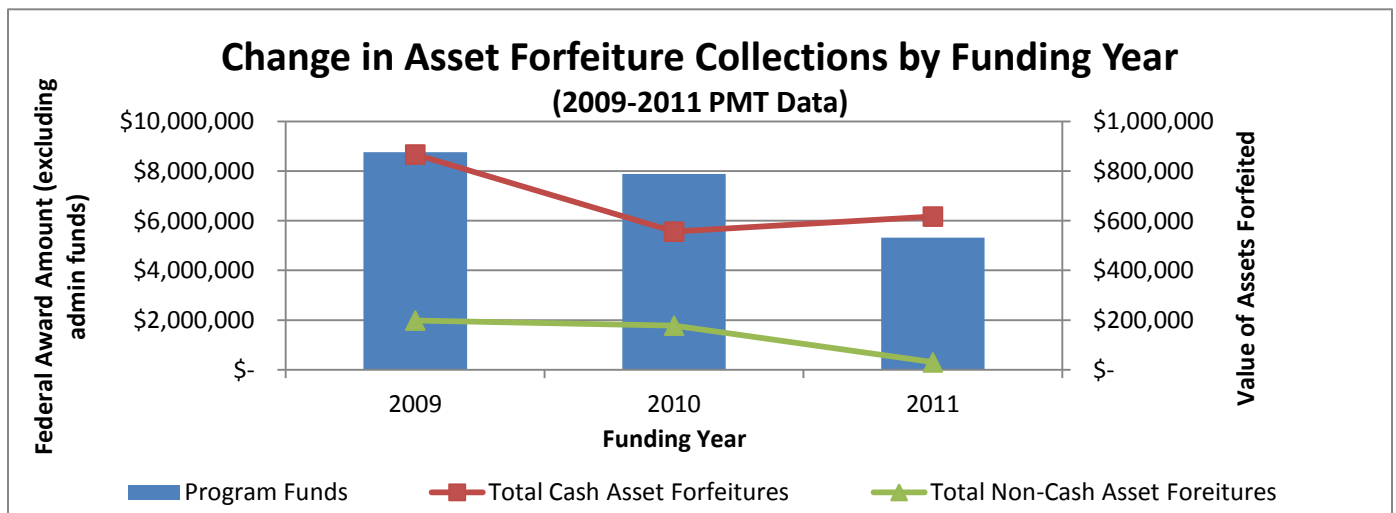


Figure 2: Change in Total Drugs Seized (in grams) by Funding Year.

Not counting the productivity in commercial grade marijuana busts (771,190,783 grams confiscated in 2009), productivity with respect to drug busts decreased slightly – by 5% between 2009 and 2010. While the decrease between 2010 and 2011 seems stark – 95% decline in confiscations – this may be due to the fact that many projects have not started using 2011 Byrne-JAG funds.

Figure 3: Change in Asset Forfeiture Collections by Funding Year.



Asset forfeitures have suffered similar productivity reductions with recent Byrne-JAG cuts. From 2009-2010 the value of seized cash assets decreased by 36% but then increased again in 2011, perhaps signaling some large seizures. Similarly the values of forfeited properties

decreased by 10% from 2009-2010 and still have not recovered, with another 83% decrease between 2010 and 2011.^v

Other areas of drug task force productivity have also suffered due to the recent budget cuts. For example, the number of firearms task forces have seized has decreased. PMT data indicate that between 2009 and 2010 CJCC law enforcement confiscated 37% fewer firearms. The decline continued from 2010 to 2011 with 73% decrease in firearms confiscated – though data for this year are still being collected.

The impact reduction in funds may have on law enforcement personnel is also cause for concern. In 2009, Byrne-funded law enforcement agencies retained 260 personnel, but that number had decreased to 142 by 2010 – a 45% decrease. To date in 2011, Byrne-funded agencies report retaining 39 personnel, which may again be due to the fact that agencies are reporting partial data. Hiring increased by 120% from 2009-2010 (44 new personnel were retained), but is again down in 2011 by 36%.

In the past three years, these continuous cuts have resulted in task force closures and, most recently, competitive funding by formula. Since 2011, *three CJCC-funded MJDTF's have ceased operations* because they could no longer sustain their activity levels with the funding cuts. From July 1, 2011 to June 30, 2012, two of these three task forces collectively removed 168,629 grams of illegal substances from Georgia's streets, made 396 arrests, and seized \$1,686,929 in cash and property assets from offenders. All three served mainly rural counties where they represented the only major drug crime enforcement in the area.

Residential Substance Abuse Treatment Grant (RSAT)

The State of Georgia's RSAT award has been on an opposite trajectory to Byrne-JAG – and this is reflected in treatment capacity and productivity. From 2007 to 2010, CJCC's award increased by 185% from \$305,070 to \$870,616. These funding gains have been followed with increased treatment capacity. Since 2010, however, CJCC's RSAT award has decreased again by 65% to \$340,415 – not nearly enough to sustain its currently funded programs. This cut has resulted in decreased programming – in particular, Department of Juvenile Justice which receives an RSAT award to help fund two programs – has shut down one of its RSAT facilities. RSAT programming saves the state money in decreased recidivism rates for offenders who complete the program, and averted prison bed usage (which costs \$49/day for one inmate). According to the most recently available monthly inmate profile from the Department of Corrections, almost one-quarter of Georgia's 56,951 male and female inmates have a substance abuse problem.^{vi}

Preliminary data from the Coastal Prison Strategic Intervention Program (SIP) (which is comprised of three sub-programs, one of which is an RSAT) show that between September 2010 and August 2011, the Coastal RSAT program maintained between 240 and 315 inmates.^{vii} Moreover, researchers found that the Coastal RSAT program seems to be targeting the correct inmate population – high risk-high need inmates with substance abuse issues. As compared to

other short-sentence inmates in Georgia's prisons, inmates in Coastal Prison's SIP program had significantly higher recidivism, substance abuse, and failure to appear scores – all of which are indicators for high criminogenic need and risk.^{viii} These findings held true when the researchers compared inmates in the three SIP treatment programs to each other. Inmates in RSAT had higher substance abuse,^{ix} failure to appear, and community non-compliance scores.

Offenders who are referred to RSAT programming are either parole or court mandated and have a Texas Christian University Drug Screen (TCUDS) score of three or higher.^x Both the state prison and probation treatment facilities use this drug screen instrument, which is evidence-based. The Department of Corrections has also invested state and federal funds to operate ten facilities statewide, which provide residential substance abuse treatment to incarcerated and community offenders. The six-month program, which is based upon the SAMSHA-created^{xi} Therapeutic Community Model, targets high risk, high needs offenders – such as those in the Coastal RSAT program – with a history of substance abuse as crime producing behavior leading to correctional supervision.^{xii}

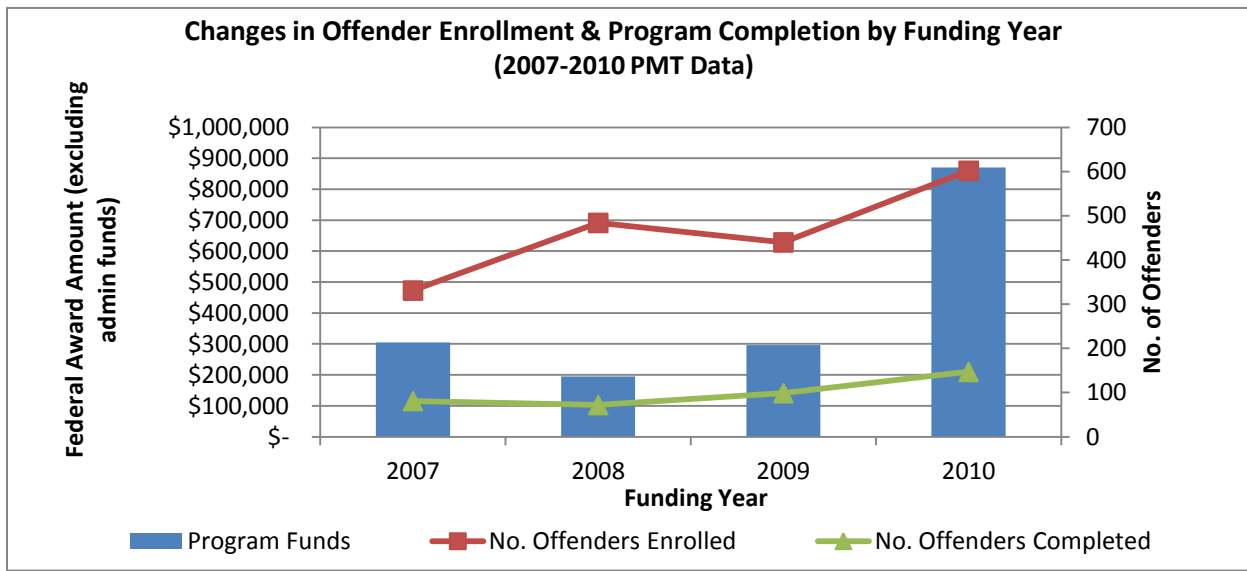
CJCC's total investment in the SIP RSAT program includes \$550,000 of its 2010 RSAT dollars and an additional \$2 million in Byrne ARRA money. These RSAT funds promise a return on investment and reductions in recidivism rates. According to the National Institute on Drug Abuse, for every dollar spent on substance abuse treatment for offenders, there is a \$4 to \$7 reduction in the cost of drug-related crimes.^{xiii}

Since 2008, CJCC has also used RSAT funds to support programming for youth within the Department of Juvenile Justice (DJJ). These programs are housed in the Eastman Youth Development Center (YDC) and Americus Sumter YDC facilities. Eastman provides a 32 bed program, Americus an additional 25 beds. Due to more advantageous treatment offering and increased available capacity the department redirected the grant funded treatment beds from Eastman to the Milan YDC in August 2011. The Milan facility added 20 new treatment beds to the extant 32, for a total capacity of 52 RSAT beds

The DJJ RSAT program, like the Department of Corrections program CJCC funds, is also evidence-based and demonstrates great benefits to the offenders served in it. DJJ's Eastman and Milan RSAT program is based on the Seven Challenges curriculum for male youth ages 13-21. Evidenced-based, this programming mandates youth complete four of the seven curriculum components. Agency staff uses an internal tracking system for juvenile probationers to monitor graduates through up to six months of aftercare. Between April 2009 and March 2012, the Department of Juvenile Justice has served 4,872 youth in substance abuse services, with 40.3 percent of youth successfully completing the treatment programs.^{xiv} The general population recidivated at a rate that was 36.9 percent higher than the youth served in RSAT programs.^{xv} The recidivism rates for youth enrolled in the agency's substance abuse services and aftercare is 26 percent, as compared to 36.5 percent recidivism rate of the overall population.^{xvi}

As the state's RSAT award increased from 2007-2010, so have the numbers of offenders enrolled and completing the funded programs.

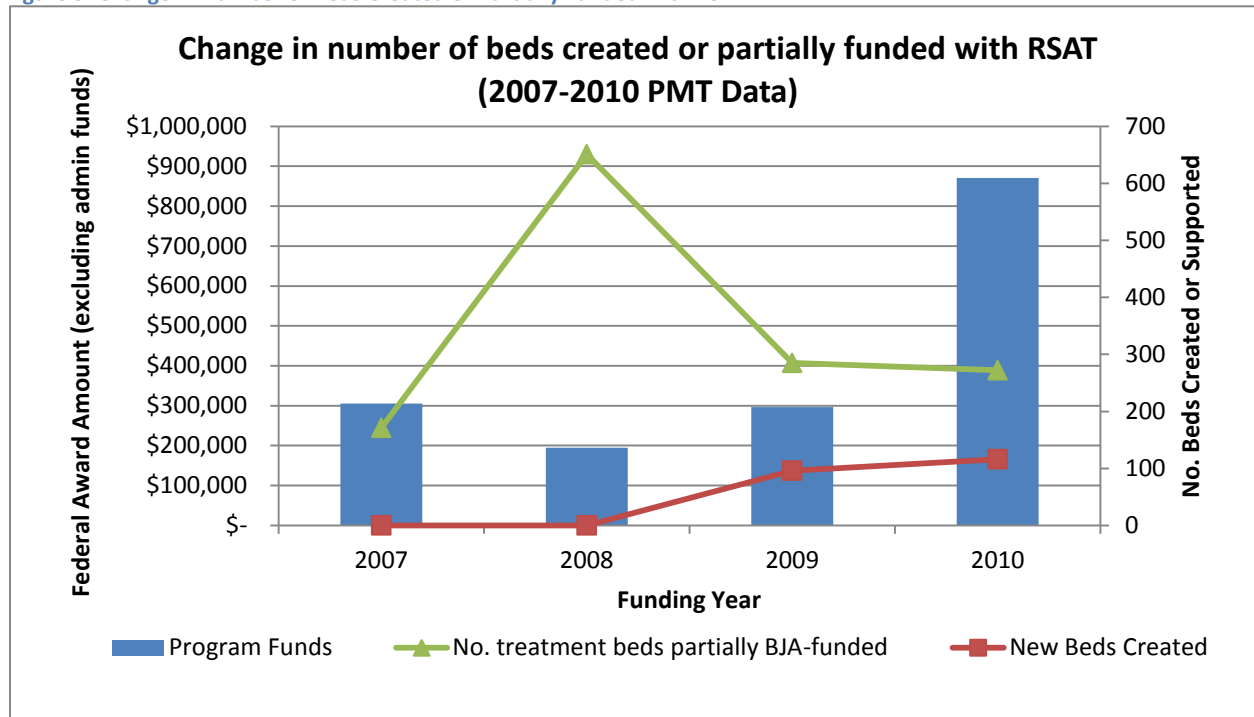
Figure 4: Changes in Offender Enrollment & Program Completion by Funding Year



As is evident from Figure 4, the number of offenders enrolled in the program has fluctuated with funding from year to year. However, that offender enrollment and completion increased with additional funding is clear. For example, from 2007-2008 there was a 36% decrease in program funds but a 46% increase in the number of offenders enrolled. From 2008-2009, the program funds awarded increased by 52% but a slight, 9% decrease in the number of enrolled offenders. From 2009-2010 program funds increased by 194%, and the number of offenders enrolled increased by 37%. By contrast, the number of offenders who completed the program increased as program funds increased. When program funds decreased from 2007-2008, the offender program completion rate decreased by 11%. However, program funds increased by 347% from 2008-2010 and the offender completion rate increased by 104%.

While the number of *partially* BJA-funded treatment beds increased when funds decreased from 2007-2008 by 281%, CJCC-funded programs did not report creating any new beds until 2009 when funds again began to increase. The shift from partially supporting existing beds to creating new beds may represent an increase in capacity due to increasing funds. The figure below shows this trend.

Figure 5: Change in Number of Beds Created or Partially Funded with RSAT



RSAT 2011 and 2012 funds have not yet been activated, but these have also been awarded to the Department of Corrections and DJJ. DJJ’s award is \$125,000, without which they would not be able to sustain either the Sumter or Milan programs. Losing RSAT funds has resulted in the complete closure of one these – which means there will be 52 fewer residential treatment beds for juvenile offenders. Moreover, the erratic funding levels RSAT has seen in the past 5 years creates problems for measuring and evaluating effectiveness for these programs.

Victim Services Funding: Victims of Crime Act, STOP Violence Against Women Act, and Sexual Assault Services Program

The Victims of Crime Act (VOCA) created the Crime Victims Fund – *a deficit-neutral funding stream* used to pay for direct victim services via formula grants to the states. Over the past 10 years, VOCA funding has been relatively stable because Congress imposed a cap in fiscal year 2000 to ensure sustainable funding for victim services providers.^{xvii} This Congressionally imposed cap has remained at \$705 million; however, the available balance in the fund is almost \$8 billion.^{xviii} The result has been relatively stable formula funds in nominal dollars, but when adjusted for inflation, victim service providers have to actually do the same, or more, with less.

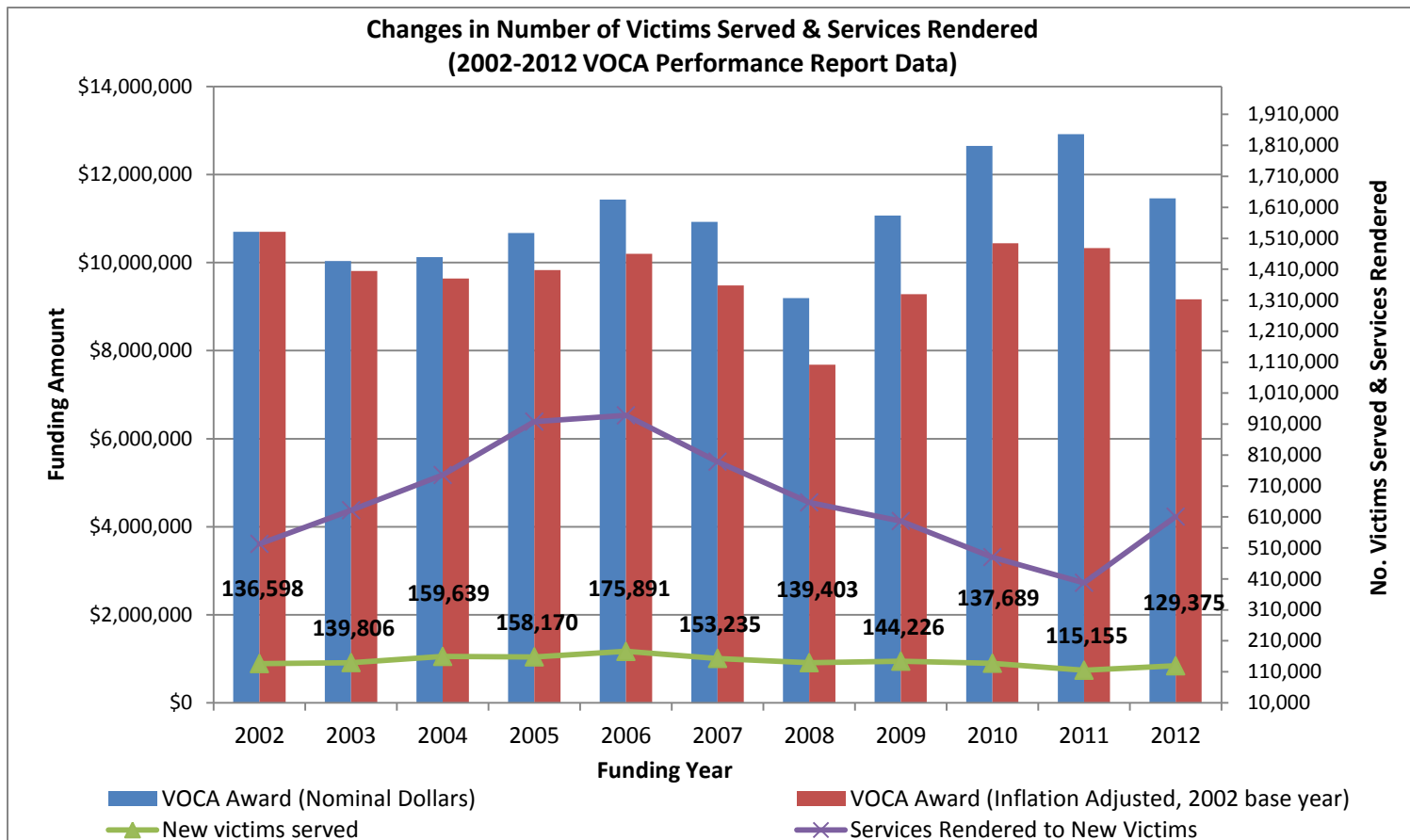
STOP Violence Against Women Act funds have also been relatively stable in the past 10 years. While the state’s award has increased by 7% in nominal dollars, when adjusted for inflation, the purchasing power for Georgia’s award has actually *decreased* by 14%. Sexual Assault Services Program funds are relatively new and were first awarded in 2009 – however, these are the only funds dedicated solely to direct services for adult and child sexual assault victims. Taken

together, adult and child sexual assault victims comprised 17% of the 135,182 new violent crime victims that VOCA, VAWA, and SASP-funded providers served.

Despite the relative stability of victim services funds over the past 10 years, 122 of the 190 agencies CJCC surveyed in 2010 cited funding as the issue of greatest concern to their agency. Closely tied to this, over a quarter of agencies cited finding or maintaining quality staff. A similar proportion – 22% —cited keeping up with service quality and building capacity to meet service demand as issues of great concern.^{xix} Almost 80% of the survey's 193 respondents reported that demand for services increased slightly or a large amount from 2008-2009.^{xx}

A 2012 follow-up survey of these same providers revealed that 40 shelter programs of the 43 that answered the question, had to turn victims away because their shelters were full. Respondents reported they have almost 250 shelter beds available among them. This is consistent with findings from the 2010 survey. Thirteen percent of the agencies responding to that survey cited expanded housing options – both emergency and transitional – as among the top three priorities for their agencies, if they had increased funding. From October 1, 2011 to September 30, 2012, VOCA, VAWA, or SASP-funded agencies provided 90,123 nights of safe shelter.

In the last five years, Georgia's victim service providers have seen a change in the population they serve – fewer but more service intensive victims. The number of victims served year-to-year has remained relatively stable, but the average number of services each victim receives from providers has increased. In 2002, each victim received on average about 3.8 services. In 2012, that number is 4.7. While this represents a small increase, when compounded over numerous victims, service providers feel the effect.



This analysis of CJCC’s annual VOCA performance reports since 2002 confirms the anecdotal evidence previously cited.

Due to federal funding shortfalls, Congress allowed the Department of Justice to take management and administrative (M&A) expenses from the VOCA fund for the first time ever in FY 2012, which resulted in a slight reduction in VOCA formula grants to states. Thus, the 5.1% cut due to sequestration would mean an even greater reduction in already-reduced state VOCA formula grants. Specifically, for Georgia, this could mean up to \$633,000 fewer dollars for direct victim services.^{xxi} Factoring in further cuts due to M&A, a worst case scenario may result in an 11.3% cut to state VOCA formula awards – provided the VOCA cap stays at \$705 million.^{xxii}

Similarly, a 5% cut in CJCC’s \$3.7 million dollar STOP VAWA award amounts to about \$186,000 – this is just shy of the combined awards to our Public Safety Training Center and a local service provider for law enforcement and SANE training – respectively. Similarly, the 5% cut in CJCC’s \$337 thousand dollar SASP award is \$16,850 – approximately half the award one of our currently funded agencies receives. All SASP funded agencies have expanded services to either a previously underserved victim population, or an underserved county in their area.

Summary: More Cuts=Fewer Services

In a recent letter to the Senate appropriations committee, Attorney General Eric Holder stated that discretionary grant funds might have to “donate” funds to sustain Department of Justice operations – such as the Bureau of Prisons and the Federal Bureau of Investigations.^{xxiii} On top of sequestration, this could mean further and deeper cuts to the state formula grants discussed above.

While projecting the impact of sequestration is difficult, history dictates that less funding ultimately means fewer services and diminished capacity. Continued cuts in Byrne-JAG may result in the closure of more MJDTF’s diminishing drug crime enforcement in Georgia. DJJ RSAT programs are feeling an immediate impact from prior cuts in the form of fewer available beds to treat juvenile offenders. Cuts to VOCA, VAWA, and SASP funding means more victims will be turned away from services. Currently, each new victim seeking services from our CJCC-funded providers receives on average \$85.28 in services, staff time, and resources – that is barely enough to pay for a one-hour therapy session. The cumulative cut to CJCC’s victim services funding may ultimately result in 17,570 fewer victims receiving services.^{xxiv}

Endnotes

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- ⁱ Jeffrey D. Zients, March 1, 2013 OMB Report to the Congress on the Joint Committee Sequestration, Retrieved from: http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/fy13ombjcssequestrationreport.pdf
- ⁱⁱ Fuller, S. (2012). *The Economic Impact of the Budget Control Act of 2011 on DOD & non-DOD Agencies*. Retrieved from: http://www.aia-aerospace.org/assets/Fuller_II_Final_Report.pdf, 22 February 2013.
- ⁱⁱⁱ This does not include the one-time American Recovery and Reinvestment Act (ARRA) award in 2009.
- ^{iv} Of note, the 2011 grant is still active and data remains to be reported for these awards. This figure may change.
- ^v Of note, the 2011 grant is still active and data remains to be reported for these awards. This figure may change.
- ^{vi} Georgia Department of Corrections, Operations, Planning, and Training Division (2013). *Inmate Statistical Profile: All Active Inmates*. Retrieved from: http://www.dcor.state.ga.us/Research/Monthly_Profile_all_inmates.html#2013/
- ^{vii} Guastaferrero, W., Daigle, L. (2011). *Evaluation of Georgia’s Strategic Intervention Program at Coastal State Prison*. Report on file at CJCC.
- ^{viii} Gustaferrero & Daigle (2011), p. 32.
- ^{ix} Based on the Texas Christian University Screen Evaluation.
- ^x GA Department of Corrections, Substance Abuse Services, Available at: <http://www.dcor.state.ga.us/Divisions/OPT/Reentry/RiskReduction/SubstanceAbuse.html>.
- ^{xi} Waugh, R. (2006). Therapeutic Community Curriculum Available. *SAMSHA News* 14(3). Available at: http://www.samhsa.gov/samhsa_news/volumexiv_3/article10.htm.
- ^{xii} GA Department of Corrections, Substance Abuse Services, Available at: <http://www.dcor.state.ga.us/Divisions/OPT/Reentry/RiskReduction/SubstanceAbuse.html>.
- ^{xiii} GA Department of Corrections, Substance Abuse Services, Available at: <http://www.dcor.state.ga.us/Divisions/OPT/Reentry/RiskReduction/SubstanceAbuse.html>.
- ^{xiv} Department of Juvenile Justice: Youth Served in YDC 4/1/09 – 3/31/12 – by Most Serious Offense Type and Substance Abuse Services .
- ^{xv} Department of Juvenile Justice: Youth Served in YDC 4/1/09 – 3/31/12 – by Most Serious Offense Type and Substance Abuse Services.

^{xvii} National Association of VOCA Assistance Administrators, *VOCA Funding: Background*, Retrieved from: <http://navaa.org/budget/index.html#background>.

^{xviii} National Association of VOCA Assistance Administrators, *VOCA Funding: Current Status/Action News*, Retrieved from: <http://navaa.org/budget/index.html#background>.

^{xix} ^{xix} Acosta, W., Ballard, E., Eubanks, N., & Lopez-Howard, S. (2011). *2010 Victim Services Agency Needs Survey Results*. Retrieved from: http://cjcc.georgia.gov/sites/cjcc.georgia.gov/files/imported/vgn/images/portal/cit_1210/11/1/180000159Analyses_and_Writeup_of_2010_Survey_Data_FINAL.pdf.

^{xx} Acosta, W., Ballard, E., Eubanks, N., & Lopez-Howard, S. (2011). *2010 Victim Services Agency Needs Survey Results*. Retrieved from: http://cjcc.georgia.gov/sites/cjcc.georgia.gov/files/imported/vgn/images/portal/cit_1210/11/1/180000159Analyses_and_Writeup_of_2010_Survey_Data_FINAL.pdf.

^{xxi} Steve Derene, Personal Communication, March 12, 2013.

^{xxii} Steve Derene, NAVAA Listserv communication, December 6, 2012.

^{xxiii} Attorney General Eric Holder, Letter to the Honorable Barbara A. Mikulski, Chairwoman, Committee on Appropriations, February 1, 2013.

^{xxiv} From October 1, 2011-September 30, 2012 VOCA, VAWA, and SASP-funded providers served 181,942 victims of violent and property crime. Total formula funding for FY 2012 was \$15,516,013. Accounting for the sequestration and potential M&A reductions, total victims services funding for CJCC in FY 2013 may be \$14,017,588. Divided by \$85.28 per victim served, providers may only be able to see up to 164,371 victims.