United States General Accounting Office

GAO

Report to the Chairman, Subcommittee on Commerce, Justice, State, the Judiciary, and Related Agencies, Committee on Appropriations, U.S. Senate

February 2000

POLICE CORPS

Some Problems Resolved, But Most Positions Remain Unfilled

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General Government Division

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February 22, 2000

The Honorable Judd Gregg
Chairman, Subcommittee on Commerce, Justice,
State, the Judiciary, and Related Agencies
Committee on Appropriations
United States Senate

Dear Mr. Chairman:

The Police Corps program and the Federal Office of the Police Corps and Law Enforcement Education (Office of the Police Corps) were established by the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322).[1] The overall goal of the program is to address violent crime by helping local and state law enforcement agencies increase the number of officers with advanced education and training assigned to community patrol. The program provides competitive scholarships of up to $7,500 a year with a lifetime maximum of $30,000 to college students who agree to earn a Bachelor's Degree and subsequently to serve as police officers on community patrol for at least 4 years in an area with great need of additional law enforcement officers and where they will be used most effectively. The program also provides (1) funding to pay for the 16 to 24 weeks of rigorous law enforcement training that Police Corps participants are required to undergo, either prior to or following their graduation from college and (2) financial assistance (i.e., $10,000 for each of a participant's first 4 years of service) to law enforcement agencies that hire program participants. Finally, the Police Corps program provides scholarships of up to $7,500 a year with a lifetime maximum of $30,000 each to dependent children of officers killed in the line of duty.[2]

This report responds to your request that we review how the Department of Justice (DOJ) has implemented the Police Corps program under the Community Oriented Policing Services (COPS) office and, more recently, the Office of Justice Programs (OJP). Specifically, this report discusses delays in Police Corps program implementation. It also provides information on the provision of funds by the Office of the Police Corps (see app. I).

[1] The Police Corps statute is codified at 42 U.S.C. 14091 et seq.

[2] Recipients of these scholarships are not obligated to become police officers.

Results in Brief

The Police Corps program got off to a slower than expected start; as a result, the majority of participant slots remained unfilled. As of September 30, 1999, 430[3] (or approximately 43 percent) of the 1,007 participant positions funded for fiscal years 1996 through 1998 had been filled.[4] According to federal and state officials, two of the factors that contributed to this slow start were as follows:

- COPS dedicated insufficient staff to the Police Corps program. COPS originally assigned one staff person to the Police Corps, and had five staff performing Police Corps work at the time of the program's transfer to OJP. This understaffing led to delays in providing program guidance, processing program applications and payments, and answering participants' questions about the program. COPS officials said that they took a conservative approach to interpreting the Police Corps statute that did not allow the Police Corps to use its funds to cover federal program administrative costs. The Justice Department has not provided the legal analysis underlying this position. We believe, however, that they could have used their line item appropriation for this purpose.

- The Police Corps statute did not provide funding to pay states' costs for program administration or for recruitment and selection of program participants. Several states cited this as a reason for not participating in the program, and several others cited it as a reason for the slow growth of their Police Corps programs.

COPS' operation of the Police Corps as a direct reimbursement program[5] made determining program status difficult, as it slowed the rate at which funds were obligated.[6] According to a DOJ official, COPS based its decision to operate the Police Corps program as a direct reimbursement program on the language of the statute. For example, a provision in the statute requires the Police Corps director to make scholarship payments "directly" to the institution of higher education that the student is

[3] This number does not include Police Corps participants who were removed or resigned before September 30, 1999.

[4] An additional 584 positions were approved in fiscal year 1999 to be filled by September 30, 2000.

[5] Under COPS, the Police Corps program paid scholarship money directly to the educational institution and payments directly to law enforcement agencies. In addition, it provided reimbursement for (1) the prior educational expenses incurred by students who did not enter the Police Corps program until their sophomore year in college or later and (2) the costs incurred by approved law enforcement training providers.

[6] Obligation means the amount of orders placed, contracts awarded, services received, and similar transactions during a given period that will require payment.

attending. Under direct reimbursement, funds were not considered obligated when state plans were approved. Instead, COPS considered funds obligated only when an individual check had been sent to a college or university, in-service Police Corps officer, approved law enforcement training provider, or participating police department. According to COPS, $57.4 million of the $60 million appropriated for fiscal years 1996 through 1998 had been committed[7] to the state programs, thus making it possible for them to fill positions. However, COPS' reports to Congress showed that COPS had obligated approximately $6.4 million as of September 30, 1998.

On December 10, 1998, responsibility for the Police Corps program was transferred from COPS to OJP. OJP devoted seven full-time staff positions—three of which were transferred from COPS—to process program applications and payments and respond to participant queries faster. Under the authority granted OJP under 42 U.S.C. 3788(b),[8] which allowed OJP to enter into interagency agreements with states on a reimbursable basis, OJP opted, through the use of such agreements, to make a formula payment that can be used, among other things, to help defray states' recruiting and administrative costs.[9] This authority was not available to COPS. While these interagency agreements only recently went into effect, they should make money more readily available to states trying to implement their Police Corps programs. As of September 30, 1999, OJP had obligated $51.3 million of the $82.4 million available to the program. It is too early to determine the effects of the transfer of the Police Corps program from COPS to OJP on the factors contributing to the slow start.

Background

The Police Corps program was established to provide federal financial assistance to (1) prospective police officers who participate in the program (i.e., in the form of college scholarships for baccalaureate or graduate studies); (2) the entity selected and approved to provide basic training to the state's Police Corps participants, either prior to or following completion of a bachelor's degree; (3) the state and local law enforcement agencies that ultimately hire these individuals (i.e., they receive $10,000

[7] Commitment is an administrative reservation of an allotment of funds in anticipation of their obligation. Such commitment of funds does not constitute an obligation on the part of the federal government.

[8] The statute authorizes OJP to use, "on a reimbursable basis when appropriate … the available services, equipment, personnel, and facilities of Federal, State, and local agencies to the extent deemed appropriate after giving due consideration to the effectiveness of such existing services, equipment, personnel, and facilities."

[9] Under the formula, a state receives 8 percent of the approved budget for scholarships, reimbursements of educational expenses, stipends, and payments to police agencies. Expenses for Police Corps training are excluded from the formula. The minimum payment to a state is $40,000.

per year during each of a participant's first 4 years on the force); and (4) the dependent children of fallen officers. As of September 30, 1999, Police Corps programs were approved for 24 states and the Virgin Islands.[10]

Congress first appropriated funding of $10 million for the Police Corps program in fiscal year 1996. Police Corps funding increased to $20 million in fiscal year 1997 and to $30 million each in fiscal years 1998 and 1999. For fiscal year 2000, the appropriation directed that $30 million of available unobligated balances from COPS program funds were to be used for the Police Corps.

As currently operated under OJP, the Office of the Police Corps provides funds to participating states, who in turn provide the funds to individual program participants, colleges, approved law enforcement training providers, and law enforcement agencies. In states that wish to participate, the governors must designate a lead agency that will submit a state plan to the Office of the Police Corps and administer the program in the state.

Each year the Police Corps invites submission of state Police Corps program plans through a letter to the governor of each state and the appropriate official in the other eligible jurisdictions. States already approved for the program are to submit plans that describe their status, progress, and need for additional participants. Other states apply to participate by submitting a comprehensive state plan. The state plan must provide that the designated state lead agency will work in cooperation with local law enforcement liaisons, representatives of police labor and management organizations, and other appropriate agencies to develop and implement interagency agreements. The state also must agree to advertise the availability of Police Corps funds and make special efforts to seek applicants among members of all racial, ethnic, and gender groups but may not deviate from competitive standards for selection.

DOJ originally placed the Office of the Police Corps under COPS, which DOJ established in 1994 pursuant to statute with the goal of funding 100,000 new community police officers by the end of the year 2000. However, because the COPS program is legislatively scheduled to end at the close of fiscal year 2000, DOJ asked for and received approval in the Conference report accompanying the Fiscal Year 1999 Omnibus

[10] In subsequent discussions, we will refer to these entities as states.

Consolidated and Emergency Appropriation Bill [11] to transfer the Office of the Police Corps to OJP. This transfer took place on December 10, 1998.

Scope and Methodology

To determine the extent of, and causes for, delays in Police Corps implementation, we (1) assessed COPS' and OJP's respective financial and management practices, (2) reviewed COPS' and OJP's respective legal interpretations of Police Corps' statutory authority, (3) analyzed COPS and OJP reimbursement payment data, (4) reviewed program files at COPS and OJP, and (5) interviewed current and former Police Corps program officials as well as DOJ officials responsible for oversight.

To obtain certain states' perspective on implementation delays, we visited four states— Florida, Maryland, Oregon, and Texas.[12] We selected Maryland and Oregon because they started their programs during the first year that the Police Corps program was funded and received the most funding. We selected Florida because a state university had been delegated state lead agency responsibility. We selected Texas because it experienced difficulty becoming fully operational due to issues concerning training program requirements. In each state we interviewed program officials representing the lead agency and the training program; in Maryland and Oregon, we interviewed representatives of law enforcement agencies that had employed Police Corps graduates.

To broaden our understanding of the implementation of the Police Corps program, we also conducted structured telephone interviews with Police Corps lead agency representatives of the other 19 states participating in the program at that time (see app. III for the questions we asked). We asked officials to rate possible program problem areas on a four-point scale ranging from "not a reason" to a "very major reason." Additionally, we conducted telephone interviews with cognizant officials in the governors' offices of 12 nonparticipating states (see app. IV for the questions we asked). We used the same four-point scale that was used with the participating states to determine whether the possible problems affected program participation. We included an open-ended question that gave respondents the opportunity to identify problem areas not included among those we listed.

To obtain information on the provision of Police Corps basic law enforcement training, determine how much assistance was being provided

[11] House Conference Report No. 105-825 at 1029 (1998).

[12] Appendix II provides details on the Police Corps programs in Florida, Maryland, Oregon, and Texas.

to law enforcement agencies and what it was being used for, and determine how many scholarships had been awarded to dependent children of fallen officers, we reviewed files and interviewed officials at COPS and OJP. In addition, we reviewed Police Corps program legislation, program guidance, correspondence files, participating states' files, and available studies of the Police Corps program. We also interviewed current and former COPS officials and current officials at OJP.

We performed our work between March 1999 and January 2000 in accordance with generally accepted government auditing standards.

Police Corps Program Had a Slower Than Expected Start

During its first 4 years of operation, the Police Corps program failed to fill most of the available participant slots. As shown in table 1, as of September 30, 1999, 430 (or approximately 43 percent) of the approved 1,007 participant positions had been filled.[13]

Table 1: Status of Participant Positions by State, as of September 30, 1999

	Positions under COPS (fiscal years 1996-1998)		Positions under OJP (fiscal year 1999)		Cumulative positions (as of September 30, 1999)	
Year program started	**Approved**	**Filled**	**Approved**	**Filled**	**Approved[a]**	**Filled[b]**
1996						
Arkansas	55	24	30	23	55	47
Maryland	140	61	30	19	140	78
Nevada	22	0	0	0	22	0
Oregon	80	78	100	0	80	69
North Carolina	55	48	34	14	55	62
South Carolina	60	19	30	0	60	18
1997						
Connecticut	40	0	0	6	40	6
Georgia	20	0	20	0	20	0
Indiana	20	0	0	1	20	1
Kentucky	40	10	9	0	40	7
Michigan	40	0	12	25	40	25
Mississippi	85	0	40	20	85	16
Missouri	40	12	14	17	40	29
New Mexico[c]	0	NA	NA	NA	NA	NA
Ohio	40	0	0	0	40	0
Texas	60	40	0	3	60	44
Washington	30	0	30	11	30	0
1998						

[13] An additional 584 participant positions were approved in fiscal year 1999 to be filled by September 30, 2000.

	Positions under COPS (fiscal years 1996-1998)		Positions under OJP (fiscal year 1999)		Cumulative positions (as of September 30, 1999)	
Year program started	**Approved**	**Filled**	**Approved**	**Filled**	**Approved[a]**	**Filled[b]**
Colorado	20	0	15	0	20	0
Florida	30	0	30	0	30	0
Illinois	20	0	20	0	20	0
Massachusetts	20	0	0	0	20	0
Oklahoma	20	0	20	0	20	0
Utah	60	0	90	28	60	28
Virgin Islands	10	0	10	0	10	0
1999						
American Samoa	NA	NA	[d]	NA	NA	NA
District of Columbia	NA	NA	[d]	NA	NA	NA
Idaho	NA	NA	20	NA	NA	NA
Maine	NA	NA	[d]	NA	NA	NA
Wisconsin	NA	NA	30	0	NA	0
Totals	**1,007**	**292**	**584**	**167**	**1,007**	**430**

Note: NA represents not applicable.

[a] The cumulative number of approved positions does not include those positions approved for fiscal year 1999, which OJP said it expects to fill by September 30, 2000.

[b] Due to attrition, the cumulative number of filled positions for a particular state may be less than the combined numbers filled under COPS and OJP.

[c] Originally, 25 positions were approved for New Mexico. Following its withdrawal from the program in 1999, the funds allocated for these positions were returned to the Police Corps' general accounts.

[d] Program participation was pending approval as of September 30, 1999.

Source: GAO analysis of COPS and OJP data.

According to federal and state officials, two of the factors that contributed to this slow start were that (1) COPS dedicated insufficient staff to implement the program, which resulted in delays in providing program guidance and backlogs in processing program applications and reimbursements and (2) the Police Corps statute did not provide funding for states' administrative or recruiting costs, which slowed program growth in some states and led several states to decline to participate in the program. In addition, statutory language led COPS to operate the Police Corps as a direct reimbursement program, which in turn made it difficult for Congress to determine the status of program funds.

COPS Devoted Insufficient Staff to Implement the Program

The Police Corps statute was enacted in 1994, and funds were specifically appropriated for the program in fiscal year 1996, when Congress provided $10 million. COPS hired a program director for the Police Corps in September 1996. In January 1997, COPS hired a program specialist to (1) receive and process student applications and service agreements; (2) develop standardized forms for student participant applications and requests for reimbursement from participants and institutions; (3) receive,

record, and review requests for reimbursements; and (4) respond to inquiries from states and the general public.[14]

State officials said that the lack of COPS office staff led to delays in providing formal program guidance. According to state officials, COPS did not provide program guidance for recruiting and selecting participants until May 1997. Several state officials said that their attempts to get directions from COPS in writing or by telephone had failed.

Similarly, state officials complained about backlogs in reviewing funding applications, conducting state budget reviews, and processing requests for reimbursable payments. For example, officials in all four states that we visited said that their programs experienced significant delays in receiving reimbursement from COPS for training expenditures.

In an effort to secure more staffing for the program, in March 1998, COPS notified the House Committee on Appropriations of a proposed reprogramming action that would allow for an increase in staffing for the Office of the Police Corps. In April 1998, the Committee approved this proposed action. As a result COPS dedicated three full-time positions to the Police Corps to supplement the two COPS staff who were already performing Police Corps duties on a full-time basis.

COPS Attributed Understaffing to Interpretation of Police Corps Statute

COPS officials said that the reason they did not devote more staff to the Police Corps program is that they interpreted their legal authority as not authorizing the payment of federal program administration costs with Police Corps funds. The Department of Justice has not provided us with the legal analysis underlying this position. As a result of this interpretation, COPS determined that it had to pay such costs from COPS operating funds. COPS officials said that, while they made an effort to provide staffing to the Police Corps program, their options were limited because the entire COPS Office was understaffed. COPS officials acknowledged that Police Corps program delays resulted in part from this understaffing.

The Police Corps statute states, “There is established in the Department of Justice, under the general authority of the Attorney General, an Office of the Police Corps and Law Enforcement Education,”[15] and the statute lays

[14] In addition, in 1997, COPS temporarily hired two consultants to develop a model training curriculum for the Police Corps program. These consultants stayed on for 1-1/2 months and 15 months, respectively.

[15] 42 U.S.C. 14093.

out the responsibilities of the Office. Although the Police Corps statute is silent regarding the payment of federal administrative costs, we believe that options were available to the COPS office for the payment of these costs. In our view, the COPS office could have charged the Police Corps line-item appropriations for fiscal years 1996 through 1998 to pay for these costs. A primary statute dealing with the use of appropriated funds, 31 U.S.C. 1301(a), provides that "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law." However, it does not require, nor would it be reasonably possible, that every item of expenditure be specified in an appropriation act. The spending agency has reasonable discretion in determining how to carry out the objects of the appropriation. This concept is known as the "necessary expense" doctrine.

For an expenditure to be justified under the necessary expense doctrine, three tests must be met: (1) the expenditure must bear a logical relationship to the appropriation to be charged; (2) the expenditure must not be prohibited by law; and (3) the expenditure cannot be authorized if it is otherwise provided for under a more specific appropriation or statutory funding mechanism. Under the first test, the key determination is the extent to which the proposed expenditure will contribute to accomplishing the purposes of the appropriation the agency wishes to charge. Clearly, any administrative costs incurred by COPS in implementing the Police Corps program should contribute to accomplishing the purposes of that program. Concerning the second and third tests, the payment of federal administrative costs is not prohibited by law, nor were federal administrative costs otherwise provided for under a more specific appropriation. Thus, the COPS office could have paid these administrative costs from the Police Corps' line item appropriations.

States Believe Program Delays Caused by Lack of State Administrative and Recruiting Funds

According to COPS officials, the Police Corps statute did not allow for federal reimbursement of states' administrative or recruiting costs. State officials told us that this lack of reimbursement was the primary reason for slow progress in their programs. Under the Police Corps, a state's designated lead agency is responsible for administering the Police Corps program in that state. The lead agency is obligated to provide overall program management, which includes developing and monitoring the state plan as well as the outreach, selection, and placement of the participants. COPS and state officials said that the lack of administrative and recruiting funds made it difficult for the state lead agencies to meet all of the statutory and policy requirements of the program. Officials in a few states said they discussed withdrawing from the Police Corps program for this reason; however, they did not do so.

Officials in the four states that we visited told us that the lack of administrative and recruiting funds slowed the progress of their programs. For example, officials in both Maryland and Oregon indicated that the most serious problem they faced was lack of money for recruitment. Officials in 15 of the 19 participating states in our telephone survey said that the lack of administrative cost reimbursement was a major or very major reason for slow progress in their programs. Also, officials in 8 of the 12 nonparticipating states we contacted said that the lack of administrative cost reimbursement was a primary reason for their decision not to participate in the program.

COPS officials said that they were concerned about this shortcoming of the program and made attempts to address it. In each of its three annual reports to the President, the Attorney General, and Congress, the Office of the Police Corps pointed out the need for state recruiting funds for the Police Corps program. In its April 1998 annual report, for example, the Office of the Police Corps at COPS noted that many participating states were working with limited resources and that some states were hesitant to apply to the Police Corps program because of the lack of reimbursement for expenses associated with outreach and selection. Similarly, in its April 1999 annual report, the Office of the Police Corps at OJP noted that it would be helpful if states could submit budgets and receive payment for expenses directly associated with recruitment and selection.

Statutory Language Led COPS to Operate the Police Corps as a Direct Reimbursement Program, Which Made Determining Program Status Difficult

Under COPS, the Police Corps program was operated as a direct reimbursement program. That is, program payments were made directly to an educational institution, in-service Police Corps officer, approved training provider, or participating law enforcement agency, rather than first being obligated to a state agency for subsequent disbursement. According to DOJ's Associate Attorney General, COPS based its decision to operate the Police Corps program as a direct reimbursement on the language in the provisions of the statute itself. For example, the statute required the Director to "make scholarship payments . . . directly to the institution of higher education that the student is attending."[16] According to COPS officials, this resulted in large amounts of unobligated funds being carried over from one fiscal year to the next in each of the first 3 years of the program. As of March 1998, when the appropriations hearings for COPS fiscal year 1999 budget request were held, $57.8 million of the $60 million appropriated for the first 3 years remained unobligated.

[16] 42 U.S.C. 14095(a)(4)(A).

Under direct reimbursement, funds were not considered obligated when state plans were approved. Instead, COPS considered funds obligated only when an individual check had been sent to a participating college or university, in-service Police Corps officer, approved training provider, or police department. While COPS had committed $57.4 million[17] of the $60 million in remaining funds, the funds were not obligated and thus were still available during annual appropriations. This caused concern during the appropriation hearings on COPS' budget for the Police Corps.

OJP Has Obligated Police Corps Funds More Quickly and Is Making Funds Available for Administration and Recruiting

Upon assuming responsibility for the Police Corps program in December 1998, OJP increased the Police Corps staff from five to seven positions with the intention of allowing faster processing of applications and response to participants' questions. In addition, OJP used its authority under 42 U.S.C. 3788(b) to begin establishing interagency agreements with the lead agencies in participating states. These agreements have enabled OJP to (1) obligate Police Corps' funds at a much faster rate than COPS and (2) begin to make a formula-based payment that may be used to, among other things, help defray states' administrative and recruiting costs.[18] While these agreements should help, OJP continues to hold to the view, expressed in its 1999 annual report to Congress, that it would be helpful if states could submit budgets and receive payment for expenses directly associated with recruitment and selection.

Once a state plan was approved by OJP, the state was to submit a budget to cover estimated payments to participants, colleges or universities, approved training providers, and police departments during the upcoming fiscal year. The interagency agreement contractually allowed for transfer of these funds, along with the formula-based payment, from OJP to the state lead agency once the budget had been approved. Funds were to be obligated at the time an agreement was signed. The interagency agreements obligated money that was committed but unobligated in the previous years under COPS, as well as money from the 1998 and 1999 appropriations. As of September 30, 1999, OJP had signed interagency agreements with 16 states.

As shown in table 2, COPS obligated $7.6 million of the $90 million appropriated for the Police Corps program in fiscal years 1996 through

[17] For fiscal years 1996-1998, COPS projected the amount each participating state needed to run its Police Corps program, based on estimates provided by the states. This figure is the sum total of these projections.

[18] Under this formula, states are reimbursed for 8 percent of their total program costs (excluding those associated with training), with a minimum of $40,000.

1999. OJP was reimbursed for the remaining $82.4 million in unobligated funds beginning in December 1998. As of September 30, 1999, OJP had obligated $51.3 million of these available funds, which left $31.1 million still unobligated.

Table 2: Police Corps Program Appropriations and Obligations, Fiscal Years 1996 Through 1999 (in millions of dollars)

	1996	1997	1998	1999	Total
Appropriated for Police Corps program	$10.0	$20.0	$30.0	$30.0	$90.0
Obligated by COPS	0	1.5	4.9	1.2	7.6
Unobligated by COPS[a]	10.0	28.5	53.6	82.4	82.4
Reimbursed to OJP	NA	NA	NA	82.4	82.4
Obligated by OJP	NA	NA	NA	51.3	51.3
Unobligated by OJP	NA	NA	NA	31.1	31.1

Note: NA represents not applicable.

[a]Yearly sums include the carryover balance from the COPS program.

Source: GAO analysis of COPS and OJP data.

As a part of its interagency agreements with state lead agencies, OJP has begun to make formula-based payments to state lead agencies that can be used to help defray their administrative and recruiting costs. OJP is doing this under the authority of 42 U.S.C. 3788(b), which allows it to enter into interagency agreements with states on a reimbursable basis. Because 42 U.S.C. 3788(b) did not apply to the COPS office, this method of making reimbursements was not available to COPS. Under these interagency agreements, the state lead agencies are to assume primary responsibility for approving and paying Police Corps program expenditures.

Conclusions

Under COPS, implementation of the Police Corps program got off to a slower than expected start, and the majority of participant slots remained unfilled. This state of affairs was due to a variety of causes, some of which stemmed from COPS failure to provide federal administrative funds and adequate staffing for the program, and others—such as the fact that the Police Corps statute did not provide funding for states' administrative and recruiting costs—that were out of its control. COPS transferred the Office of the Police Corps to OJP in December 1998. While OJP has made significant progress in obligating funds and establishing interagency agreements with the participating states, it is too soon to tell whether OJP will succeed in increasing the number of participant slots filled and continue to provide guidance.

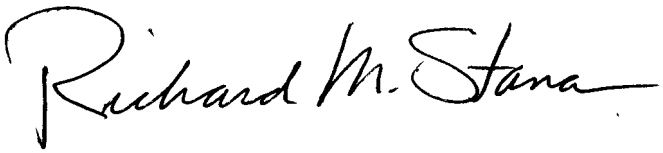
Agency Comments and Our Evaluation

We provided a draft of this report to the Attorney General for comment. DOJ responded that it had no official comment. However, we met with representatives of the COPS Office and OJP, who provided technical comments on the draft. We incorporated their technical comments where appropriate.

As agreed with your office, unless you publicly announce the contents of this report earlier, we plan no further distribution until 10 days from the date of this report. At that time we will send copies of this report to the Honorable Ernest F. Hollings, Ranking Minority Member, Senate Subcommittee on Commerce, Justice, State, the Judiciary, and Related Agencies; and the Honorable Strom Thurmond, Chairman, and the Honorable Charles Schumer, Ranking Minority Member, Senate Judiciary Subcommittee on Criminal Justice Oversight. We will also send copies to the Honorable Harold Rogers, Chairman, and the Honorable Jose E. Serrano, Ranking Minority Member, House Appropriations Subcommittee on Commerce, Justice, State, the Judiciary, and Related Agencies; the Honorable Bill McCollum, Chairman, and the Honorable Robert C. Scott, Ranking Minority Member, House Judiciary Subcommittee on Crime; and the Honorable Janet Reno, Attorney General. We will make copies available to others upon request.

If you or your staff have any questions concerning this report, please contact me or Weldon McPhail on (202) 512-8777. Major contributors to this report are acknowledged in appendix V.

Sincerely,



Richard M. Stana
Associate Director
Administration of Justice Issues

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Abbreviations

COPS	Office of Community Oriented Policing Services (Justice)
DOJ	Department of Justice
FSU	Florida State University
OJP	Office of Justice Programs
BPD	Baltimore Police Department

Information on the Police Corps Program

Law Enforcement Training

The Police Corps Act provides funding for basic law enforcement training that is to go well beyond the "minimum standards" training available to police officers in many states. The philosophy of Police Corps training is that to serve effectively on the beat in some of America's most challenged communities, Police Corps officers must have a solid background in traditional law enforcement, strong analytical abilities, highly developed judgment, and skill in working effectively with citizens of all backgrounds. Police Corps training is to emphasize ethics, community and peer leadership, honesty, self-discipline, physical strength and agility, and weaponless tactics—tactics to protect both officer and citizen in the event of confrontation.

This philosophy is reinforced through a statutory requirement that Police Corps participants receive a minimum of 16 weeks of basic law enforcement training either prior to or following college graduation. This was being carried out or planned in all of the participating states. In 1998, the Police Corps Act was amended to give states the option of providing an additional 8 weeks of federally funded Police Corps training.

While not specifically required by statute, the Guidelines for Training issued by the Office of the Police Corps require participating states to provide law enforcement training in a residential, live-in facility.[1] All of the participating states required or planned to require such training. However, officials in 6 of the 19 states we surveyed indicated that the requirement that training be conducted on a live-in basis, rather than in an 8-hours-per-day nonresidential facility, was a major reason for the slow progress of their Police Corps programs, as they did not have facilities readily available for this purpose. Nine of the 19 participating states in our telephone survey indicated that their Police Corps training preference would be nonresidential or a combination of both residential and nonresidential.

Financial Assistance to Law Enforcement Agencies

The Office of the Police Corps provides financial assistance to state and local law enforcement agencies as an incentive to employ Police Corps participants. Law enforcement agencies that employ Police Corps officers are to receive $10,000 per participant for each year of required service, or $40,000 for each participant who fulfills the 4-year service obligation. As of September 30, 1999, 163 Police Corps participants had completed their degrees and training and were serving in police agencies in 7 states—

[1] The Police Corps Act does, however, specifically authorize the Director of the Office of the Police Corps to authorize expenditures for "subsistence, quarters, and medical care" to participants at training centers. (42 U.S.C. 14097(a)(4).)

Kentucky, Maryland, Mississippi, Missouri, North Carolina, Oregon, and South Carolina. As of this same date, state and local police departments with Police Corps officers on the beat had received $960,000 in assistance.

The Police Corps statute did not place any restrictions on how police departments could use this provided assistance. As a result, the police departments we contacted were using these funds for various purposes. Officials in one police department, for example, said they used the assistance money to cover the expenses of recruiting and selecting officers. Another police department used the funds to employ 10 additional police officers. Officials in one state said they placed assistance money in the general funds to pay police officers' salaries. Table 3 shows Police Corps law enforcement payments to the states that had received payment at the time of our review and how these states used the provided funds.

Table 3: Police Corps Law Enforcement Assistance Payments to Four States, Fiscal Years 1998 and 1999

State[a]	Fiscal year	Organization	Number of Police Corps graduates on force	Assistance received	What assistance paid for
Oregon	1998	COPS	14	$140,000	Used to play for Police Corps recruitment and administrative costs.
	1999	OJP	34	340,000	
Maryland	1998	COPS	28	280,000	Used to pay salaries of additional police officers.
	1999	OJP	0[b]	0[b]	
North Carolina	1998	COPS	0	0	Placed in general fund account to pay salaries of police officers.
	1999	OJP	4	40,000	
South Carolina	1998	COPS	16	160,000	Placed in general fund account to pay salaries of corps officers.
	1999	OJP	0[b]	0[b]	

[a]Assistance is not provided until program participants have served a full year on a police force. At the time of our review, no participants in the states of Arkansas, Kentucky, Michigan, Mississippi, and Missouri had served a full year.

[b]Participants had not completed their full year of service at the time of our review.

Source: GAO analysis of COPS and OJP data.

Scholarship Assistance to Dependent Children of Officers Killed In the Line of Duty

The Police Corps program offers college scholarships to dependent children of police officers killed in the line of duty after the date a participating state joins the program. An eligible dependent may receive up to $30,000 for undergraduate study at any accredited institution of higher education in the United States.[2] Dependent children in this category incur no service or repayment obligation. The application process is noncompetitive. For fiscal years 1996 and 1997, the Office of the Police

[2] The Public Safety Officers' Benefits Act provides scholarships to dependents of fallen officers. OJP officials said they coordinate closely with the Public Safety Officer Benefits program to preclude dual payments for the same dependent's educational expenses.

Corps budgeted sufficient funds to provide 68 scholarships. As of September 30, 1999, 26 of these scholarship positions remained unfilled. According to Police Corps officials, the program was making a strong effort to identify and inform qualified persons about the availability of these scholarships.

Summary of State Police Corps Programs Visited by GAO

State	Background	Program funding and accomplishments	Program limitations
Maryland	Has participated in the Police Corps program since 1996. Lead agency: The Governor's Office on Crime Control and Prevention. Other participants include the Baltimore Police Department (BPD) and the University of Maryland's Shriver Center, which manages program training. The Police Corps program is seen as a vehicle for broad-based improvements in Maryland policing.	As of September 30,1999, the Maryland Police Corps program had been approved for $10.2 million in funding and 140 participant positions. Seventy-eight of these positions had been filled as of that date. The fiscal year 2000 OJP Interagency Agreement with Maryland authorizes 30 additional participant positions and approximately $4.3 million for costs associated with the 170 participant positions approved to date. The BPD had received $280,000 in assistance payments, which it used to pay the salaries of the 28 Police Corps graduates it had hired. An additional 24 officers had not served long enough for BPD to be eligible for assistance payments. As of September 30,1999, six dependent children of officers killed in the line of duty had received $84,584 in scholarships.	According to Maryland officials, the lack of reimbursement for administrative and recruitment costs limited the program's ability to fill participant positions. Operation of the program on a reimbursable basis required detailed voucher support, which increased both the state's unfunded administrative burden and the administrative burden at the COPS office, which was understaffed. The resulting delays in reimbursement resulted in loss of interest income by the state for the up-front funding of training expenditures. At the beginning of the program, Maryland assumed the task of developing a Police Corps model-training program. The contractor, Science Applications International Corporation, failed to produce a curriculum acceptable to the Office of the Police Corps at COPS. This resulted in COPS' deferral of approval of Maryland's 1997 request for 240 additional participant positions and postponement of its scheduled training.

State	Background	Program funding and accomplishments	Program limitations
Oregon	Has participated in the Police Corps program since 1996. Lead agency: The Oregon State Police Criminal Justice Services Division. Other participants include the Oregon Board on Public Safety Standards and Training and the Portland Police Bureau. The Police Corps program is seen as a way to reduce juvenile gang violence through community policing.	As of September 30, 1999, Oregon's Police Corps program had been approved for $5.1 million in funding and 80 participant positions. Sixty-nine positions had been filled as of September 30,1999. The fiscal year 2000 OJP Interagency Agreement with Oregon authorizes 100 additional positions and approximately $2.8 million for costs associated with the 180 participant positions approved to date. The Portland Police Bureau had received $380,000 for employing 38 Police Corps graduates as of that date. Financial support from the Oregon Department of State Police ($50,000) and the Portland Police Bureau ($385,000) enabled Oregon's Police Corps program to overcome the lack of reimbursement for administrative and recruitment costs. As of September 30, 1999, Oregon provided two dependent children of officers killed in the line of duty with $41,086 in scholarships.	Oregon officials attributed slow program progress to the lack of a formal contractual agreement between COPS and the state, the lack of reimbursement for administrative and recruitment costs, and delays in reimbursement of training-related expenses.
Florida	First participated in the program in 1998. (The Florida Department of Law Enforcement, which initially considered the program, declined to participate in 1996 and 1997 due to the lack of reimbursement of administrative costs, the limiting of the police service requirement to 4 years, and the limited number of training slots, among other reasons.) Lead agency: Florida State University's (FSU) School of Criminology and Criminal Justice. Other participants include the Duval and Hillborough County Sheriffs Departments and the Tampa and Tallahassee Police Departments. The objectives of the Florida Police Corps program are to (1) recruit college graduates of exceptional promise into the Police Corps, (2) provide an exemplary program of training, and (3) broaden the state's commitment to community policing.	As of September 30, 1999, Florida's Police Corps program had been approved for $2.1 million in funding and 30 participant positions. The fiscal year 2000 OJP Interagency Agreement with Florida authorizes 30 additional participant positions and approximately $3.0 million for costs associated with the 60 positions approved to date. In its 1998 plan, Florida indicated its first 30 recruits would start community patrol in May/June 1999. However, various problems (see Limitations) have pushed back Florida's Police Corps program, and as of December 1999, a program official indicated that 15 to 20 college graduates were expected to attend Florida' s first training session, scheduled for March 2000. To overcome the lack of administrative and recruitment cost reimbursement, FSU was able to obtain $50,000 from the Florida Department of Law Enforcement to establish a Police Corps account in the FSU Contracts and Grants Department and start recruitment and curriculum development. As of September 30, 1999, Florida had not awarded any scholarships to children of officers killed in the line of duty.	According to Florida program officials, the lack of agreement between Florida and COPS on reimbursement of administrative and recruitment costs resulted in many of the 30 participant positions authorized in the 1998 plan remaining unfilled and postponement of planned training sessions. The FSU Contracts and Grants Department did not believe COPS' approval of its plans was sufficiently authoritative to establish a funded cost account for the Police Corps program.

State	Background	Program funding and accomplishments	Program limitations
Texas	Texas has participated in the Police Corps program since 1997. Lead agency: Texas Commission on Law Enforcement Officer Standards and Education. The state has responsibility for curriculum and training in 105 licensed academies. The commission is also responsible for Police Corps program administration. The Police Corps program is seen as a way to address the state legislature's concerns about the need for more and better trained officers in small, rural, geographically remote law enforcement agencies.	As of September 30, 1999, the Texas Police Corps program had been approved for $3.3 million in funding and 60 participant positions, 44 of which had been filled. Six participants had received their degrees but had yet to be trained. As of September 30, 1999, two dependent children of officers killed in the line of duty had received $34,569 in scholarships.	According to Texas officials, state Police Corps program limitations included lack of administrative funding, inadequate procedures for handling student vouchers, lack of a standardized training curriculum, and inexperienced staff. According to Texas officials, as of December 1999, Texas had yet to conduct any training due to the lack of a standard Police Corps training curriculum and the Police Corps residential training requirement. One graduate is slated to attend training in Mississippi while Texas is in the process of establishing its own training academy. As of December 1999, several participants had withdrawn from the program because of training delays.

Source: Officials with the Maryland, Oregon, Florida, and Texas Police Corps programs.

Participating State Questionnaire

Following is an example of the questionnaire for participating states. Interviews were conducted by telephone.

Hello. My name is _____ and I'm with the U.S. General Accounting Office (GAO), the investigative agency of the U.S. Congress. I'm calling to speak with _____, whose name was provided by the Department of Justice as a point of contact for your state's Police Corps Program.

Initial Point of Contact:

Provide the following information about the initial point of contact.

Name:

Lead Agency: School of Criminology and Criminal Justice FSU

Title:

Telephone:

E-Mail Address:

Police Corps Web site: _

Provide the following information about the alternate point of contact.

Name: _____

Lead Agency: _____

Title: _____

Telephone: _____

When you have the right person on the phone, proceed with.

Hello. My name is _____, and I'm with the U.S. General Accounting Office (GAO), the investigative agency of the U.S. Congress. We are conducting a study of the Police Corps Program, which was part of the Violent Crime Control and Law Enforcement Act of 1994. Senator Judd Gregg, Chairman of the Subcommittee on Commerce, Justice, State, the

Judiciary and Related Agencies requested this study. The Chairman is most interested in knowing how the Department of Justice (DOJ) has managed program funds. Specifically, the subcommittee is concerned about how funds were obligated during the first 3 years of the program. We were also asked to review the program areas of training, assistance to law enforcement agencies, scholarships to dependent children, and student education.

Are you the person I should interview? (If not, obtain alternate interviewee information and provide above.)

A. I'd like to conduct a structured interview with you that should take about 20 minutes. Do you have time to speak with me now?

Yes ( )

No ( )

B. When would be a good time for me to call you back?

Date and time: _____

1. In what year did your state first apply for participation in the Police Corps Program?

Year:

2. When was your state plan first approved?

Date (mo. and yr.)

3. Did your state conduct a feasibility study or any other analysis for participating in the Police Corps Program?

Yes ……..……..…….**5**

No……..……**11**

Don't Know……...**3**

4. Request a copy of the feasibility study (and/or other supporting data that is available) be sent to:

U.S. General Accounting Office
Suite 1010 World Trade Center
350 South Figueroa Street
Los Angeles, CA 90071

5. Was your first plan approved in full or was approval conditional?

Full approval ……**6= 32%**

Conditional approval ….**13 = 68%**

6. In what areas did DOJ impose conditions?

Training ……**7**

Recruitment ……**3**

Assignment of participants ……**3**

Other …….**2**

Not applicable ……..**12**

7. Did the changes required of your plan by DOJ delay the start of your program?

Yes ……**4** ➜ If yes, how long in months?

No ……**5**

Not applicable ….. **10**

8. I am going to read to you a list of reasons why states may not have made faster progress in the start-up of their Police Corps program. For each reason I read, please indicate whether it was a very major reason, a major reason, a minor reason, or not a reason at all. (Comments provided below.)

	Very major reason	Major reason	Minor reason	Not a reason	Don't know
No provision for administrative cost reimbursement	**10 = 53%**	**5 = 26%**	**3 = 16%**	**1 = 05%**	**0**
No provision for recruitment and screening costs	**8 = 42%**	**6 = 32%**	**3 = 16%**	**2 = 10%**	**0**
Difficulty in changing from local law enforcement recruitment to statewide Police Corps program recruitment	**4 = 21%**	**2 = 11%**	**4 = 21%**	**9 = 47%**	**0**
Difficulty in recruiting participants	**2 = 11%**	**4 = 21%**	**4 = 21%**	**9 = 47%**	**0**
Difficulty in meshing Police Corps training requirements with state/local training requirements	**3 = 16%**	**1 = 05%**	**6= 32%**	**7= 37%**	**2 = 10%**
Difficulty in meeting residential training requirement	**1 = 05%**	**5 = 26%**	**4 = 21%**	**9 = 48%**	**0**
Other - Specify:					

9. Did your state Police Corps program experience delay by DOJ in any of the following areas?

Area	Yes	No	Not applicable
Reimbursement for training related expenses	**3**	**5**	**11**
Scholarship payments to universities or students	**5**	**3**	**11**
Assistance payments to law enforcement agencies	**0**	**7**	**12**

If yes, to any area please provide comment(s) and also send any available supporting documentation to Marco Gomez (see question 4 above).

10. Also, if "yes," did any of the delays cause adverse impact to your state's Police Corps program?

Yes ……..……**3** ➜ If yes, please explain:

No ……..…… **3**

Not applicable……**13**

11. Is your state's Police Corps training residential, nonresidential, or a combination of both?

Residential……..**17**

Nonresidential……. ……..…( )

Combination of residential and nonresidential.. **2**

12. Does DOJ require residential training?

Yes……..… **16** ➜ Cont. with qst. 13.

No…….……..….. **1** → Skip to qst. 15.

Don't know……...…**2** → Skip to qst. 15.

13. If "yes," does your state agree with the emphasis on residential training?

Yes…….**13**

No……..……..…**4**

Don't know…….**2**

14. What is your state's training preference, residential or nonresidential?

Residential……**9**

Nonresidential……..……**2**

Combination residential and nonresidential…... **7**

Don't know…….. **1**

Please explain your preference_____

15. Does Police Corps training cover your state's POST requirements?

Yes……**17**

No……..……..……**2**

Don't know……..…( )

16. If not, is additional training required for your state's Police Corps graduates?

Yes…… **2**

No……..……... **0**

Sometimes……**1**

Not applicable …… .**16**

17. In which of the following ways does your state promote the Police Corps program?

(Read options, and check all that apply.)

TV/Radio …….. **4**

Print media ……..……**11**

Job fairs ……...**11**

Campus recruitment …… ..**8**

Other(s) ……**7**

List other(s) Recruitment is continuous, on-going

_____

18. Does your state conduct outreach to children of officers killed in the line of duty?

Yes……**16** Cont. with qst. 19

No……..…….. .**2** Skip to qst. 20

Don't know……...**0** Skip to qst. 20

Not applicable……**1**

19. Does your state do outreach to dependent children through: (Read options)

Direct communication to dependents……..**8**

General state wide publicity ……..…**0**

Both ……..…….**4**

Other_____**2**

Please explain how your state meets the requirement to recruit minorities and women?

_____

Do you have any other comment about the program you care to share with us?

_____

Thank you very much for your help, good-bye.

Nonparticipating State Questionnaire

Following is an example of the questionnaire for nonparticipating states. Interviews were conducted by telephone.

Hello. My name is _____, and I'm with the U.S. General Accounting Office, the investigative agency of the U.S. Congress. At the request of Congress, we are conducting a study of the Department of Justice Police Corps Program that was included as part of the Violent Crime Control and Law Enforcement Act of 1994. I would like to speak with a representative of *name state* who could answer questions about the Department of Justice's outreach to *name state* and the reasons *name state* is not participating in the program. Are you the right person to speak with? (*If not, determine who is.*)

A. I'd like to conduct a structured interview with you that should take about 10 minutes. Do you have time to speak with me now?

Yes……( ) →**Go to question 1**
No……( )

B. When would be a good time for me to call back?

Date and time: _____

INTERVIEWEE:

Enter the following information about the interviewee.

Name: _____

Lead Agency: _____

Title: _____

Telephone: _____

1. I am going to read to you a list of reasons why states may not participate in the Police Corps program. For each reason I read, please indicate whether it was a very major reason, a major reason, a minor reason, or not a reason at all for why your state decided not to participate in the program.

Reason	Very major reason	Major reason	Minor reason	Not a reason	Don't know
No provision for administrative cost reimbursement	2	6	3	1	0
Sufficient numbers of college graduates already entering law enforcement	1	0	3	8	0
Difficulty in meshing Police Corps training requirements with state training requirements	4	1	4	2	1
Requirement/ emphasis on residential training	1	2	4	4	1
Difficulty in meeting assignment requirements for placing graduates on community policing assignments in areas of most need	1	4	1	5	1
Significant up-front recruitment and screening costs for each candidate	1	7	2	2	0
Lack of interest by local law enforcement	1	4	0	4	3
Other (specify): _____ _____ _____ _____ _____					

2. Did *name state* prepare a feasibility study for participating in the Police Corps Program?

Yes……. ……..(4)

No…….(7)

Don't know……..(1)

If "yes" in question 2, read:

3. Are there data available, other than the feasibility study, in support of the reasons cited above?

Yes……(0) **next page**

No……(12)

If yes, request that a copy of the feasibility study (and/or other supporting data that is available) be sent to:

Marco F. Gomez
USGAO Suite 1010
World Trade Center
350 Figueroa St.
Los Angeles, Calif. 90071 **OR** faxed to 213-830-1180

Ask if there are any other comments about the Police Corps program you care to share with us:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Thank you very much for your help.

GAO Contacts and Staff Acknowledgments

GAO Contacts

Richard M. Stana, 202-512-8777

Weldon McPhail, 202-512-8777

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