



Testimony

Before the Subcommittee on Crime, Committee on the
Judiciary, House of Representatives

For Release on Delivery
Expected at
9:30 a.m. EDT
Thursday
October 28, 1999

COMMUNITY POLICING

Observations on the COPS Program Midway Through Program Implementation

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Community Policing: Observations on the COPS Program Midway Through Program Implementation

The Public Safety Partnership and Community Policing Act of 1994 (Public Law 103-322) authorizes \$8.8 billion to be used from fiscal years 1995 to 2000 to enhance public safety. It has the goals of adding 100,000 officer positions, funded by grants, to the streets of communities nationwide and of promoting community policing. Among other things, the act required that half the grants go to law enforcement agencies serving populations of 150,000 or less. The act also required that grantees not supplant state and local funding, but rather use the federal funds for additional law enforcement beyond what would have been available without a grant. The Attorney General created the Office of Community Oriented Policing Services (COPS) to administer community policing grants.

At the end of fiscal year 1997—when the community policing grant program was midway through its 6-year authorization period—GAO reported on the Department of Justice’s (DOJ) implementation of the act and progress toward achieving program goals¹. We found that grants were not targeted to law enforcement agencies on the basis of which agency had the greatest need for assistance, but rather to agencies that met COPS program criteria. Previous work had shown that overall, the higher the crime rate, the more likely a jurisdiction was to apply for a COPS grant. The primary reasons contacted jurisdictions chose not to apply for a grant were cost related. Specifically, these jurisdictions expressed uncertainty about being able to continue to offer funding after the grant expired and about their ability to provide the required 25-percent match.

GAO reported that the COPS Office provided limited monitoring to assure compliance with the act during the period reviewed. Monitoring guidelines were not prepared, site visits and telephone monitoring did not systematically take place, and information on activities and accomplishments was not consistently collected or reviewed. COPS officials said they were taking steps to increase the level of monitoring. Monitoring grantee operations is important for assuring that program regulations pertaining to implementation, use of funds, and supplanting are adhered to.

The majority of the 13,396 COPS grants awarded in fiscal years 1995 and 1996 went to law enforcement agencies serving populations of fewer than 50,000. Almost 50 percent of the grants were awarded to agencies serving populations of fewer than 10,000, and 83 percent of the grants were awarded to agencies serving populations of fewer than 50,000.

¹ Community Policing: Issues Related to the Design, Operation, and Management of the Grant Program (GAO/GGD-97-167, September 3, 1997).

Communities with populations of over 1 million were awarded less than 1 percent of the grants, although they were awarded over 23 percent of the total grant dollars. About 50 percent of the grant funds were awarded to law enforcement agencies serving populations of 150,000 or less, and about 50 percent of the grant funds were awarded to law enforcement agencies serving populations exceeding 150,000, as the Community Policing Act required. Special law enforcement agencies were awarded 329 community policing hiring grants in fiscal years 1995 and 1996—less than 3 percent of the total hiring grants awarded.

To calculate its progress toward achieving the goal of 100,000 new community policing officers on the street as a result of its grants, the COPS Office did telephone surveys of grantees. As of June 1997, the COPS Office estimated that a total of 30,155 law enforcement officer positions funded by COPS grants were on the street. The COPS Office counted in this estimate new officers on the street as a result of hiring grants, as well as existing officers who were redeployed to community policing as a result of time savings achieved by other program grants. It also counted 2,000 positions funded by the Police Hiring Supplement Program, a Justice component established before the COPS grant program.

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I am pleased to be here today to discuss the implementation of the Community Policing Act with special attention to statutory requirements for implementing the Community Oriented Policing Services (COPS) grants. The Community Policing Act authorized \$8.8 billion to be used from fiscal years 1995 to 2000 to enhance public safety. Its goals are to add 100,000 officer positions, funded by grants, to the streets of communities nationwide and to promote community policing.

This statement is based primarily on our September 3, 1997, report¹ on the design, operation, and management of the COPS grant program. At that time, the COPS grant program was midway through its 6-year authorization period. Thus, the information contained in this statement should be considered as a status report at that time rather than a reflection of current operations. My statement makes the following points.

- COPS grants were not targeted on the basis of greatest need for assistance. However, the higher the crime rate, the more likely a jurisdiction was to apply for a COPS grant.
- COPS office grant monitoring was limited. Monitoring guidelines were not prepared, site visits and telephone monitoring did not systematically take place, and information on activities and accomplishments was not consistently collected or reviewed.
- Small communities were awarded most COPS office grants, but large cities received larger awards. In accordance with the act, about half the funds were awarded to agencies serving populations less than 150,000.
- As of June 1997, a total of 30,155 law enforcement positions funded by COPS grants were estimated by the COPS office to be on the street.

Background

Community policing is a philosophy under which local police departments develop strategies to address the causes of and reduce the fear of crime through problem solving tactics and community-police partnerships. Community policing emphasizes the importance of police-citizen partnerships and cooperation to control crime, maintain order, and improve the quality of life in communities.

The enactment of the Public Safety Partnership and Community Policing Act of 1994,² Title I of the Violent Crime Control and Law Enforcement Act, established what officials described as the largest grant program ever administered by the Department of Justice (Justice). Under the

¹ Community Policing: Issues Related to the Design, Operation, and Management of the Grant Program (GAO/GGD-97-167, September 3, 1997).

² Public Law 103-322.

Community Policing Act, the Attorney General had discretion to decide which Justice component would administer community policing grants. Justice officials believed that a new, efficient customer-oriented organization was needed to process the record number of grants. The result was the creation of the new Office of Community Oriented Policing Services (COPS).

The Community Policing Act requires that grantees contribute 25 percent of the costs of the program, project, or activity funded by the grant, unless the Attorney General waives the matching requirement. According to Justice officials, the basis for waiver of the matching requirements is extraordinary local fiscal hardship. The act also requires that grants be used to supplement, not supplant, state and local funds. To prevent supplanting, grantees must devote resources to law enforcement beyond those resources that would have been available without a COPS grant. In general, grantees are expected to use the hiring grants to increase the number of funded sworn officers above the number on board in October 1994, when the program began. Grantees are required to have plans to assume a progressively larger share of the cost over time, looking toward keeping the increased number of officers by using state and local funds after the expiration of the federal grant program at the end of fiscal year 2000.

COPS Grants Not Targeted to Specific Law Enforcement Agencies

The Community Policing Act does not target grants to law enforcement agencies on the basis of which agency has the greatest need for assistance, but rather to agencies that meet COPS program criteria. In one of our previous reports,³ among other things, we reviewed alternative strategies for targeting grants. We noted that federal grants have been established to achieve a variety of goals. For example, if the desired goal is to target fiscal relief to areas experiencing greater fiscal stress, grant allocation formulas could be changed to include a combination of factors that allocate a larger share of federal aid to those states with relatively greater program needs and fewer resources.

We noted in our 1995 Community Policing report⁴ that, overall, the higher the crime rate, the more likely a jurisdiction was to apply for a COPS grant. In addition, the primary reasons jurisdictions we contacted chose not to apply for COPS grants were cost related. Specifically, these jurisdictions

³Federal Grants: Design Improvements Could Help Federal Resources Go Further (GAO/AIMD-97-7, Dec. 18, 1996).

⁴Community Policing: Information on the "COPS on the Beat" Grant Programs (GAO/GGD-96-4, October 25, 1995).

expressed uncertainty about being able to continue officer funding after the grant expired and about their ability to provide the required 25-percent match. However, community groups and local government representatives we interviewed generally supported community policing in their neighborhoods.

COPS Office Grant Monitoring Was Limited

Monitoring is an important tool for Justice to use in ensuring that law enforcement jurisdictions funded by COPS grants comply with federal program requirements. The Community Policing Act requires that each COPS Office program, project, or activity contain a monitoring component developed pursuant to guidelines established by the Attorney General. In addition, the COPS program regulations specify that each grant is to contain a monitoring component, including periodic financial and programmatic reporting and, in appropriate circumstances, on-site reviews. The regulations state that the guidelines for monitoring are to be issued by the COPS Office.

COPS Office grant-monitoring activities during the first 2-1/2 years of the program were limited. Final COPS Office monitoring guidance had not been issued as of June 1997. Information on activities and accomplishments for COPS-funded programs was not consistently collected or reviewed. Site visits and telephone monitoring by grant advisers did not systematically take place.

COPS Office officials said that monitoring efforts were limited due to a lack of grant adviser staff and an early program focus on processing applications to get officers on the street. According to a COPS Office official, as of July 1997, the COPS Office had about 155 total staff positions, up from about 130 positions that it had when the office was established. Seventy of these positions were for grant administration, including processing grant applications, responding to questions from grantees, and monitoring grantee performance. The remaining positions were for staff who worked in various other areas, including training; technical assistance; administration; and public, intergovernmental, and congressional liaison.

According to the COPS Office, in January 1997, it began taking steps to increase the level of its monitoring. It developed monitoring guidelines, revised reporting forms, piloted on-site monitoring visits, and initiated telephone monitoring of grantees' activities.

As of July 1997, a COPS Office official said that the office had funding authorization to increase its staff to 186 positions, and it was in the

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process of hiring up to this level. In commenting on our draft report, COPS officials also noted that they were recruiting for more than 30 staff positions in a new monitoring component to be exclusively devoted to overseeing grant compliance activities.

COPS Office officials also said that some efforts were under way to review compliance with requirements of the Community Policing Act that grants be used to supplement, not supplant, local funding. In previous work,⁵ we reported that enforcing such provisions of grant programs was difficult for federal agencies due to problems in ascertaining state and local spending intentions. According to the COPS Office Assistant Director of Grant Administration, the COPS Office's approach to achieving compliance with the nonsupplantation provision was to receive accounts of potential violations from grantees or other sources and then to work with grantees to bring them into compliance, not to abruptly terminate grants or otherwise penalize grantees. COPS Office grant advisers attempted to work with grantees to develop mutually acceptable plans for corrective actions.

Also, in our 1997 report on grant design,⁶ our synthesis of literature on the fiscal impact of grants suggested that each additional federal grant dollar resulted in about 40 cents of added spending on the aided activity. This means that the fiscal impact of the remaining 60 cents was to free up state or local funds that otherwise would have been spent on that activity for other programs or tax relief.⁷ In April 1997, COPS Office officials said that they were discussing ways to encourage grantees to sustain hiring levels achieved under the grants, in light of the language of the Community Policing Act regarding the continuation of these increased hiring levels after the conclusion of federal support.

⁵ Proposed Changes in Federal Matching and Maintenance of Effort Requirements for State and Local Governments (GAO/GGD-81-7, Dec. 23, 1980).

⁶ GAO/GGD-97-167.

⁷ The studies we reviewed generally looked at the fiscal impact of grants in the aggregate or for broad categories of grants. Like the COPS grant, some of the grants studied incorporated nonsupplant requirements. Others did not incorporate such requirements.

Small Communities Were Awarded Most COPS Office Grants, but Large Cities Received Larger Awards

Law enforcement agencies in small communities were awarded most of the COPS grants for fiscal years 1995 and 1996. Our work showed that 6,588 grants—49 percent of the total 13,396 grants awarded—were awarded to law enforcement agencies serving communities with populations of fewer than 10,000. Eighty-three percent—11,173 grants—of the total grants awarded went to agencies serving populations of fewer than 50,000.

Large cities—with populations of over 1 million—were awarded about 1 percent of the grants, but these grants made up over 23 percent—about \$612 million—of the total grant dollars awarded. About 50 percent of the grant funds were awarded to law enforcement agencies serving populations of 150,000 or less, and about 50 percent of the grant funds were awarded to law enforcement agencies serving populations exceeding 150,000, as the Community Policing Act required.

In commenting on our draft report, the COPS Office noted that these distributions were not surprising given that the vast majority of police departments nationwide are also relatively small. The COPS Office also noted that the Community Policing Act requires that the level of assistance given to large and small agencies be equal.

Of the grants awarded in fiscal years 1995 and 1996, special law enforcement agencies, such as those serving Native American communities, universities and colleges, and mass transit passengers, were awarded 329 hiring grants. This number was less than 3 percent of the 11,434 hiring grants awarded during the 2-year period.

As of the end of fiscal year 1996, after 2 years of operation, the COPS Office had issued award letters to 8,803 communities for 13,396 grants totaling about \$2.6 billion. Eighty-six percent of these grant dollars were to be used to hire additional law enforcement officers. Other grant funds were to be used to buy new technology and equipment; hire support personnel; and/or pay law enforcement officers overtime, train officers in community policing, and develop innovative prevention programs, including domestic violence prevention, youth firearms reduction, and antigang initiatives.

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New Officers and Redeployments to Community Policing Count Toward the Goal of 100,000 New Officers on the Street

As of June 1997, a total of 30,155 law enforcement officer positions funded by COPS grants were estimated by the COPS Office to be on the street. COPS Office estimates of the numbers of new community policing officers on the street were based on three funding sources: (1) officers on board as a result of COPS hiring grants; (2) officers redeployed to community policing as a result of time savings achieved through technology and equipment purchases, hiring of civilian personnel, and/or law enforcement officers' overtime; and (3) officers funded under the Police Hiring Supplement Program,⁸ which was in place before the COPS grant program.

According to COPS Office officials, the office's first systematic attempt to estimate the progress toward the goal of 100,000 new community policing officers on the street was a telephone survey of grantees done between September and December, 1996. COPS Office staff contacted 8,360 grantees to inquire about their progress in hiring officers and getting them on the street.

According to a COPS Office official, a follow-up survey, which estimated 30,155 law enforcement officer positions to be on the street, was done between late March and June, 1997. The official said that this survey was contracted out because the earlier in-house survey had been extremely time consuming. The official said that, as of May 1997, the office was in the process of selecting a contractor to do three additional surveys during fiscal year 1998.

Mr. Chairman, this concludes my prepared statement. Again, I wish to emphasize that my statement is based primarily on a report issued at about the mid-point of the COPS program implementation, and that facts and circumstances relating to the program would likely have changed since then. I would be pleased to answer any questions that you or other members of the Subcommittee may have.

Contacts and Acknowledgment

For future contacts regarding this testimony, please contact Richard M. Stana at (202) 512-8777. Individuals making key contributions to this testimony included Weldon McPhail and Dennise R. Stickley.

⁸The COPS Office counted toward the 100,000-officers goal, 2,000 positions funded under the Police Hiring Supplement Program, which was administered by a Justice component before the COPS grant program was established. An official said that a policy decision had been made early in the establishment of the COPS Office to include these positions in the count.

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