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## Anti-Drug Abuse Formula Grants

ACQUISITIONS

# Justice Variable Passthrough Data, 1988

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The Bureau of Justice Statistics (BJS) provides the Bureau of Justice Assistance (BJA) with the variable passthrough (VPT) data for use in BJA's State and local formula grant program. The grant program is authorized by the Omnibus Crime Control and Safe Streets Act of 1968, as amended (Public Law 90-351). P.L. 90-351 includes a formula to determine the amount of each State's grant and requires the passthrough of funds to local governments using VPT data. The VPT data tell each State government how much of its total award it can use at the State level and how much it must pass through to local governments.

The U.S. Bureau of the Census collects the VPT data for BJS as a part of the BJS Survey of Justice Expenditure and Employment. The survey also collects extensive justice expenditure and employment data covering the full range of justice activities — police protection, judicial, legal services and prosecution, public defense, and corrections — for all levels of government. BJS publishes these data in a variety of reports listed in the *Further reading* section of this report.

This BJS Technical Report —

- describes the P.L. 90-351 variable passthrough formula and its history
- publishes the 1988 VPT data required by P.L. 90-351
- analyzes changes in VPT percents since 1985 (the last year they were collected) and describes the impact of these changes on State and local award amounts

The Omnibus Crime Control and Safe Streets Act of 1968, as amended (Public Law 90-351), authorizes Federal grants to State and local governments for law enforcement assistance. From 1968 to 1985 this grant program was for general criminal justice purposes. Now the grants are known as "anti-drug abuse grants" because 1986 and 1988 amendments to P.L. 90-351 authorized the grant program for drug law enforcement purposes.

Since 1971, BJS and its predecessor agency have provided the variable passthrough (VPT) data for use in the P.L. 90-351 formula grant program. Until 1979, the justice statistics program was in the Law Enforcement Assistance Administration (LEAA), which distributed law enforcement assistance grants.

At present, the Bureau of Justice Assistance (BJA) of the U.S. Department of Justice administers the grant program.

This BJS Technical Report is the first devoted to the VPT. It is designed to publish the 1988 VPT data and to provide comprehensive technical information about the VPT data.

The Bureau of the Census, the Bureau of Justice Assistance, and the Bureau of Justice Statistics are indebted to the many Federal, State, and local government officials who provided the information and gave other assistance for the preparation of this report.

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- discusses how the VPT data are derived
- defines own-sources revenue as used in VPT data.

### How the variable passthrough formula works

The following jurisdictions, referred to as States in P.L. 90-351 and in this report, are eligible for block grants under the formula:

- the 50 States
- the District of Columbia
- Puerto Rico

- the Virgin Islands
- the combined territories of Guam, American Samoa, and the Northern Mariana Islands.

P.L. 90-351 contains a formula for distributing the funds available for block grants to the States. In general, this formula —

- reserves some funds for BJA discretionary grants and administrative costs
- awards to each State a base amount of money specified in the legislation

- allocates the remaining funds to each State according to its population's percent-age of the total population.<sup>1</sup>

P.L. 90-351 requires further allocation in the variable passthrough provision of the formula. Amounts awarded to each State are allocated between the State govern-ment and local governments according to the State-to-local ratio of criminal justice expenditure using the most recent data available.

### How own-sources expenditure amounts and variable passthrough percents are calculated

The legislative history of P.L. 90-351 indicates that the expenditures to be used in the variable passthrough formula are to be from a government's "own revenue sources." Thus, a government would not benefit from spending another gov-ernment's money, as in revenue from payments for boarding prisoners. Expendi-tures from sales or property tax revenue are included; amounts expended from in-tergovernmental revenue, such as Federal grant monies, are excluded (figure 1).

The Survey of Justice Expenditure and Employment, which produces the VPT data, collects extensive, detailed data for six justice functions (police protection, judi-cial, prosecution and legal services, public defense, corrections, and a residual "other" category) and for three character and ob-ject classes:

- current operations
- capital outlay
- intergovernmental expenditure.

The computation of own-sources expendi-ture involves summing certain character and object classes of expenditure within each State. From this total are subtracted certain revenue amounts for the State gov-ernment and for the aggregate of local governments within the State (figure 2).

In general, the own-sources computations assume that all intergovernmental pay-ments received by a government will be expended during the same fiscal year. While this may not be the case in a particu-lar year, discrepancies will cancel out over time.

<sup>1</sup>The specific features of the formula used to distribute the block grants among the States have changed several times since 1968, when P.L. 90-351 was first enacted. Because of the changes, this report will deal only with the variable passthrough formula that operates once each State's total block grant amount has been determined.

### Examples of what is and is not revenue from a government's own sources

#### Own-sources revenue

Taxes  
 Property  
 General sales  
 Motor fuel  
 Motor vehicle license  
 Income — Individual and corporate  
 Death and gift  
 Charges and fees  
 Parking  
 Sanitation  
 Parks and recreation  
 Airport  
 Toll roads  
 College tuition  
 Hospital fees  
 Utility revenue  
 Liquor store revenue  
 Insurance trust receipts for:  
 Employee retirement  
 Unemployment compensation  
 Interest earnings  
 Sale of government property  
 Special assessments  
 Bond issue proceeds

#### Not own-sources revenue

Federal grants  
 Juvenile Justice grants  
 Anti-Drug Abuse grants  
 Alcohol Safety Program  
 Witness/Victim Assistance  
 Child support enforcement  
 Research participation  
 Federal payments received for:  
 Housing Federal prisoners  
 Police overtime in emergencies  
 Housing Mariel Cubans  
 State assistance payments received for:  
 Aid to local police  
 Aid to local corrections  
 State or local payments received for:  
 Housing another government's prisoners  
 Providing police protection to another government  
 Training another government's justice personnel

Figure 1

### Own-sources expenditure computations

#### For State governments

The State government's total justice ex-penditure is derived by summing the State government's justice expenditures for —

- current operations
- capital outlay
- intergovernmental expenditure to local governments.

To produce the State government's own-sources expenditure, the following are deducted from the total:

- justice revenue received directly from the Federal Government
- local justice payments to the State government
- revenue received from State and local governments outside the State that could be identified.

#### For local governments

The total justice expenditure for all local governments in the State is derived by summing the estimated total local jus-tice expenditures for —

- current operations
- capital outlay
- intergovernmental expenditure to the State.

To produce own-sources expenditure for all local governments in the State the following are deducted from the total:

- estimated revenue received directly from the Federal Government and used for justice purposes
- State payments to local governments for justice purposes, including Federal grants "passed through" the State gov-ernment
- revenue received from State and local governments outside the State that could be identified.

Figure 2

The local government totals within a State are estimates based on a sample survey. The estimates are made by applying the sample weights and nonresponse adjustments to the collected data. The local government own-sources calculations —

- use estimated expenditures for all local governments in the State
- use estimated Federal revenue amounts received by all local governments
- use the actual amount of payments made by the State government to local governments according to State records
- do not use intergovernmental expenditures between local governments within the State because they cancel out one another in the totals.

### 1988 variable passthrough percents

In 1988 the VPT share for local governments ranged from 24.6% in Alaska to 70.9% in Minnesota (table 1). Conversely, the State share in these States delimits the State-share range, from 75.4% in Alaska to 29.1% in Minnesota. Most States show less dramatic differences between the State and local shares, with most mirroring the national ratio of 59.4% local and 40.6% State.

The differences among States in the ratio of State-to-local own-sources expenditure reflect differences in the organization of criminal justice functions across the States. For the most part, State governments with high VPT percents have organized more criminal justice services at the State level relative to other States where similar services are organized at the local level. For example —

- Alaska, with a State share of 75.4%, and Delaware, with 71.5%, reflect State-level organization of all courts and public defense systems and State-administered correctional systems
- Vermont also has no local courts contributing to its State share of 71.8%.

### Why variable passthrough percents change

Since 1971, when variable passthrough percents were first computed, the State share has increased from 28.9% in 1971 to 40.4% in 1985 and 40.6% in 1988.

**Table 1. Total State and local expenditures from own sources and variable passthrough percents, by State, fiscal 1988**

State	Criminal justice expenditures from own sources, in thousands				Percent of total by:	
	Total	State	Local	State	Local	
U.S. total	\$52,986,000	\$21,519,000	\$31,467,000	40.61%	59.39%	
Alabama	559,049	272,483	286,565	48.74	51.26	
Alaska	279,351	210,558	68,794	75.37	24.63	
Arizona	949,496	368,109	581,387	38.77	61.23	
Arkansas	227,567	96,077	131,490	42.22	57.78	
California	8,879,278	3,163,497	5,715,781	35.63	64.37	
Colorado	694,592	249,820	444,772	35.97	64.03	
Connecticut	689,305	380,739	308,566	55.24	44.76	
Delaware	155,918	111,535	44,383	71.53	28.47	
District of Columbia	529,456	0	529,456	0	100.00	
Florida	2,788,144	970,917	1,817,227	34.82	65.18	
Georgia	1,176,831	492,362	684,469	41.84	58.16	
Hawaii	266,210	140,860	125,350	52.91	47.09	
Idaho	129,333	48,080	81,253	37.18	62.82	
Illinois	2,332,505	781,114	1,551,391	33.49	66.51	
Indiana	681,322	279,958	401,363	41.09	58.91	
Iowa	362,125	194,557	167,568	53.73	46.27	
Kansas	402,087	182,632	219,454	45.42	54.58	
Kentucky	474,718	330,714	144,005	69.67	30.33	
Louisiana	734,099	329,676	404,423	44.91	55.09	
Maine	167,400	90,422	76,978	54.02	45.98	
Maryland	1,085,596	617,293	468,304	56.86	43.14	
Massachusetts	1,435,982	800,120	635,862	55.72	44.28	
Michigan	2,113,229	899,614	1,213,614	42.57	57.43	
Minnesota	705,799	205,153	500,646	29.07	70.93	
Mississippi	258,849	110,857	147,992	42.83	57.17	
Missouri	817,161	342,555	474,606	41.92	58.08	
Montana	99,534	41,248	58,285	41.44	58.56	
Nebraska	213,778	85,231	128,547	39.87	60.13	
Nevada	328,448	125,053	203,395	38.07	61.93	
New Hampshire	168,683	76,073	92,610	45.10	54.90	
New Jersey	2,078,774	861,583	1,217,191	41.45	58.55	
New Mexico	287,293	158,478	128,815	55.16	44.84	
New York	7,126,681	2,527,810	4,598,870	35.47	64.53	
North Carolina	1,033,941	627,523	406,417	60.69	39.31	
North Dakota	68,906	27,400	41,506	39.76	60.24	
Ohio	1,786,538	680,863	1,105,676	38.11	61.89	
Oklahoma	435,624	234,015	201,609	53.72	46.28	
Oregon	575,814	291,485	284,329	50.62	49.38	
Pennsylvania	1,878,685	605,737	1,272,947	32.24	67.76	
Rhode Island	192,351	106,272	86,079	55.25	44.75	
South Carolina	550,002	324,712	225,290	59.04	40.96	
South Dakota	80,897	40,969	39,928	50.64	49.36	
Tennessee	743,509	355,332	388,177	47.79	52.21	
Texas	2,895,172	940,401	1,954,771	32.48	67.52	
Utah	277,592	136,289	141,304	49.10	50.90	
Vermont	82,336	59,116	23,220	71.80	28.20	
Virginia	1,185,606	811,092	374,514	68.41	31.59	
Washington	881,136	326,815	554,322	37.09	62.91	
West Virginia	165,016	82,733	82,282	50.14	49.86	
Wisconsin	856,775	279,363	577,412	32.61	67.39	
Wyoming	97,359	43,417	53,942	44.59	55.41	

Note: The expenditure-from-own-sources data in this table are comparable only to data in table 1 of the appropriate annual volume in the *Justice expenditure and employment in the U.S. series*. By definition, the own-sources data exclude certain types of justice expenditure that are

included in the total justice expenditure amounts that are reported elsewhere and that are used as indicators of total public spending for justice purposes. More comprehensive expenditure data are forthcoming. (See the section on *Further reading*.)

State share of variable passthrough,  
by year

1971	28.9%
1972	29.4
1973	29.4
1974	31.3
1975	32.2
1976	33.7
1977	34.3
1978	35.5
1979	36.9
1980	...
1981	...
1982	...
1983	...
1984	...
1985	40.4
1986	...
1987	...
1988	40.6

.. Not available.

One reason the State share of the VPT percents increased and local governments' share decreased is that State governments began to fund criminal justice activities previously funded by local governments; for example, State governments —

- developed State court systems that replaced county and municipal courts
- replaced local juvenile detention and correctional facilities with State facilities
- began paying salaries of State's attorneys previously paid by county governments
- instituted State-level indigent defense systems that either replaced local systems or inaugurated services
- increased operating and capital outlay expenditures for State prisons with more prisoners serving longer sentences.

Changes in local spending sometimes offset such changes in State spending. Local governments, for example —

- began to fund criminal justice programs previously funded by the General Revenue Sharing and CETA programs (Federal funds that were excluded from own-sources expenditure)
- increased their current operating and capital outlay expenditures to house rising jail populations.

The VPT percents for individual States can vary widely from year to year (table 2). Recently prison construction has had considerable impact because the expenditures are tabulated in the year they are made, even if the government borrows the money. State governments that had large capital outlays for prison construction in

Table 2. Percentage-point changes in variable passthrough percents and impact of changes, by State, 1985-88

State	Change in percentage points <sup>a</sup>		Percent impact <sup>b</sup>	
	State	Local	State	Local
U.S. total	.2	-.2	.5%	-.3%
Alabama	-2.6	2.6	-5.1	5.3
Alaska	-10.1	10.1	-11.8	69.7
Arizona	2.8	2.8	7.8	-4.4
Arkansas	-4.3	4.3	-9.2	8.0
California	2.5	-2.5	7.6	-3.7
Colorado	.8	-.8	2.3	-1.2
Connecticut	.3	-.3	.5	-.7
Delaware	-2.8	2.8	-3.8	10.9
District of Columbia	--	0	--	0
Florida	-2.4	2.4	-6.5	3.8
Georgia	-1.3	1.3	-3.0	2.3
Hawaii	1.4	-1.4	2.7	-2.9
Idaho	-1.2	1.2	-3.1	1.9
Illinois	-1.2	1.2	-3.5	1.8
Indiana	-.4	.4	-1.0	.7
Iowa	8.5	-8.5	18.8	-15.5
Kansas	.1	-.1	.2	-.2
Kentucky	1.5	-1.5	2.2	-4.7
Louisiana	-1.6	1.6	-3.4	3.0
Maine	-.2	.2	-.4	.4
Maryland	-1.9	1.9	-3.2	4.6
Massachusetts	-.9	.9	-1.6	2.1
Michigan	3.3	-3.3	8.4	-5.4
Minnesota	-3.6	3.6	-11.0	5.3
Mississippi	-6.3	6.3	-12.8	12.4
Missouri	5.9	-5.9	16.4	-9.2
Montana	-3.2	3.2	-7.2	5.8
Nebraska	-1.4	1.4	-3.4	2.4
Nevada	10.5	-10.5	38.0	-14.5
New Hampshire	-3.8	3.8	-7.8	7.4
New Jersey	2.1	-2.1	5.3	-3.5
New Mexico	-3.5	3.5	-6.0	8.5
New York	-2.8	2.8	-7.3	4.5
North Carolina	3.2	-3.2	5.6	-7.5
North Dakota	4.6	-4.6	13.1	-7.1
Ohio	8.4	-8.4	28.3	-11.9
Oklahoma	.6	-.6	1.3	-1.3
Oregon	1.5	-1.5	3.1	-2.9
Pennsylvania	1.6	-1.6	5.2	-2.3
Rhode Island	.1	-.1	.2	-.2
South Carolina	.9	-.9	1.5	-2.1
South Dakota	1.2	-1.2	2.4	-2.4
Tennessee	7.2	-7.2	17.7	-12.1
Texas	.4	-.4	1.2	-.6
Utah	-.8	.8	-1.6	1.6
Vermont	-5.1	5.1	-6.6	22.1
Virginia	.4	-.4	.6	-1.3
Washington	-6.5	6.5	-14.9	11.5
West Virginia	-.7	.7	-1.4	1.4
Wisconsin	-2.5	2.5	-7.1	3.9
Wyoming	2.3	-2.3	5.4	-4.0

--Not applicable.

<sup>a</sup>1985 VPT percents are displayed in *Justice expenditure and employment in the U.S., 1985* Final report, table 1.

<sup>b</sup>For explanation, see the section on *Impact of changes in variable passthrough percents.*

1985, but not in 1988, probably had State-share decreases in the VPT percents in 1988. Prison construction in 1985, combined with reduced construction expenditures in 1988, contributed to the following decreases:

- Alaska, down 10.1 percentage points
- Arkansas, down 4.3 points
- Mississippi, down 6.3 points
- Vermont, down 5.1 points.

Similarly, large State correctional capital outlays and increases in current operations expenditure in 1988 relative to 1985 tended to increase the State VPT share in 1988. This was the situation in —

- Missouri, up 5.9 percentage points
- Nevada, up 10.5 points
- Ohio, up 8.4 points.

Although more prevalent in the 1970's than recently, the establishment of a State court system to replace local courts often moves a substantial amount of court expenditure from the local level to the State level in a single year, with considerable impact on the variable passthrough. Such a change in Iowa in 1986 contributed to moving 8.5 percentage points from the local VPT share to the State share from 1985 to 1988.

Other factors can affect the VPT percents as in —

- North Dakota, where increased State government spending across all justice functions increased the State share by 4.6 points
- Tennessee, where the State government increased payments to local governments for housing State prisoners, contributing to an increase of 7.2 points in the State VPT share
- Washington, where the local share rose by 6.5 points because local governments began funding programs that previously used Federal General Revenue Sharing funds and where a large State-to-local payment for jail construction in 1985 was not matched in 1988.

Overall, the VPT percents changed in favor of local governments in half the States and in favor of State governments in the other half. Across the States the percentage-point changes resemble a normal distribution, with the State-to-local ratio changing by less than 3 points in either direction in two-thirds of the States and changing by less than 5 points in four-fifths of the States (figure 3). However, because of the factors discussed above, seven

States had large changes in the State-to-local ratios. The changes ranged from -10.1 percentage points in Alaska to 10.5 in Nevada. In three States (Iowa, Ohio, and Tennessee) the changes were between 6 and 9 percentage points, and in two States (Mississippi and Washington) the changes were between 6 and 7 points.

#### Impact of changes in variable passthrough percents

Examination of changes in VPT percents traditionally has focused on differences in percentage points — for example, a State or local share that changes from 42.4% to 46.4% has an increase of 4 percentage points while the other level of government has a 4-point decrease.

These percentage-point changes do not reveal the proportionate effect of an increase or decrease relative to a previous year's grant award level. For example, Delaware had a relatively small change in VPT percentage-points from 1985 to 1988 — 2.8-points (table 2). The impact of this

change will be much greater on the local level than the State level because the local share is about half the State share. The 2.8-point decrease for the State government reduces its grant allocation by 3.8% but increases the amounts for local awards by 10.9% from what they would have been if the VPT percents had not changed.

This 10.9% impact figure is computed by dividing the percentage-point difference from 1985 to 1988 by the 1985 VPT percent and then multiplying by 100 to convert the proportion into a percent. The resulting percent change shows how much greater or less the grant award would be than if the VPT percents had not changed.

Similar percentage-point changes for the States will affect each State differently according to its State-to-local ratios. For example, the 10.5-percentage-point change in Nevada results in a 38% increase in the grant amount at the State level in 1988 and a decrease of 14.5% at the local level. A change of similar magnitude, the 10.1-percentage-point change in Alaska, results in an 11.8% decrease in the 1988 State government share and a 69.7% increase in the local share. The impact on Alaska and Nevada varies because their 1985 State-to-local ratios differed.

#### Why 1988 variable passthrough data are the most recent data available for fiscal 1990 grants

Since 1971, when the Census Bureau first produced variable passthrough data, it has become clear that 2 years must separate the VPT data and the fiscal year of block grant awards affected by the VPT data. The 2-year gap is the shortest feasible interval for several reasons:

- P.L. 90-351 specifies that the formula be based on *expenditures*, not budgets, projected outlays, or other financial measures. A fiscal year must be completed before its expenditures can be tabulated.
- State and local governments require time to collect their expenditure data and to produce the financial documents used to compile VPT data. State and local fiscal year ending dates vary, with most ending before July 1. But the 3-month interval between July 1 and the beginning of the next Federal fiscal year on October 1 is insufficient to collect and process the data.
- The minimum time required to collect data from the sample of more than 8,000 governments is 6 months. Several more months are needed to process the data, edit and check the data for accuracy, write

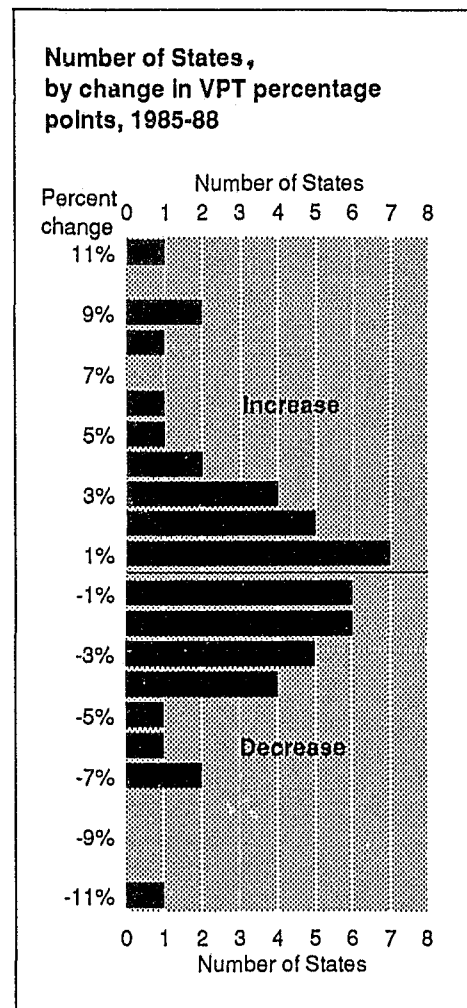


Figure 3

them to computer files, compute the VPT data, examine each State's VPT data for consistency with previous years', and determine reasons for unusually large changes in VPT percents.

The following schedule will be used to collect 1990 VPT data.<sup>2</sup> It illustrates the relationship between VPT data year and BJA grant year.<sup>3</sup>

**August 1990.** Census Bureau field agents begin compiling data from State and large local governments whose fiscal years have ended and who have had sufficient time to prepare the audit reports, data tapes, and other financial materials used to compile the VPT data.

**October 1990.** All State and local governments have completed spending for the reference period.

**December 1990.** Most local governments have closed their financial records for the reference period; the Census Bureau mails questionnaires to the 8,181 local governments in the mail panel of the survey.

**May 1991.** Data collection (including followup letters and telephone calls to encourage nonrespondents) is completed.

**August 1991.** The Census Bureau completes data processing and editing and delivers the 1990 VPT data to BJS for transmittal to BJA.

**September 1991.** BJA sends the new variable passthrough data to the States.

**October 1, 1991.** Federal fiscal year 1992 begins, and BJA is authorized to begin making anti-drug abuse block grants to be allocated according to the 1990 VPT data.

<sup>2</sup>BJS anticipates that it will next receive funding for 1990 VPT data.

<sup>3</sup>This schedule is based on BJS and Census Bureau experience in collecting variable passthrough data since 1971. However, it was not used for the collection of 1988 VPT data because changes in the formula and the data to be used in it were possible until mid-December 1988, as Congress debated the Anti-Drug Abuse Act of 1988, which amended P.L. 90-351. BJS and the Census Bureau had to delay some parts of the schedule until final details of the formula were determined.

### History of the variable passthrough formula

When the Omnibus Crime Control and Safe Streets Act of 1968 became law on June 19, 1968, as Public Law 90-351, it authorized a formula block grant State and local assistance program, but it had no variable passthrough provision. Rather, the 1968 act required that State governments distribute to local governments 75% of the Federal block grant funds.

Although local governments accounted for about three-quarters of State and local justice spending nationally, many States organized criminal justice functions mainly at the State level. In 1971, the local share of own-sources expenditure ranged from over 75% in California, Michigan, Missouri, Nevada, New Jersey, New York, and Pennsylvania to less than 50% in Alaska, Delaware, Maine, Maryland, North Carolina, and Vermont.

In 1970, P.L. 90-351 was amended with the following language: ". . . beginning July 1, 1972, at least the per centum of Federal assistance granted to the State . . . under this part . . . which corresponds to the per centum of the State and local law enforcement expenditures . . . in the immediately preceding fiscal year by units of general local government will be made available to such units or combinations of such units."

The 1970 amendment also added: "Per centum determinations under this paragraph for law enforcement funding and expenditures for such immediately preceding fiscal year shall be based upon the most accurate and complete data available for such fiscal year or for the last fiscal year for which such data are available. The Administration shall have the authority to approve such de-

terminations and to review the accuracy and completeness of such data."

This variable passthrough formula remained a part of the LEAA block grant program until 1979, when the Justice System Improvement Act (JSIA) amended P.L. 90-351 to change, among other things, the formula used for State and local grants. The 1979 JSIA formula provided for —

- State allocations based on population, crime rates, tax rates, and justice expenditures
- direct entitlement awards to large local jurisdictions based on their justice expenditures.

Two provisions of the 1979 legislation required minimum dollar amounts necessary for the new JSIA formula to operate — if these amounts were not reached, the grants would be made using the population and variable passthrough formulas. The new JSIA formulas were never applied. The Justice Assistance Act of 1984 deleted them from P.L. 90-351 and reverted to the population and variable passthrough formulas alone.

The State and Local Law Enforcement Assistance Act of 1986 added to P.L. 90-351 an anti-drug abuse grant program while retaining the general law enforcement assistance grant program. P.L. 90-351 thus authorized two grant programs, each using population and variable passthrough formulas. However, only the anti-drug abuse grant program was funded, and in 1988 the Anti-Drug Abuse Act reauthorized it with its population and variable passthrough formulas and deleted the general law enforcement assistance grant program.

## How data for the variable passthrough are collected

The expenditure data used to calculate the variable passthrough percents were collected by the Census Bureau for BJS using a special sample survey of State and local governments. Data were collected for —

- all State governments
- all county governments
- all municipalities (and townships in the six New England States, the three Middle Atlantic States, Michigan, and Wisconsin) having a 1980 population of 10,000 or more
- a sample of the remaining municipalities and townships.

The survey panel included a total of 8,302 local governments (3,041 county governments, 4,296 municipalities, and 965 townships). In the survey the District of Columbia is treated as a municipal government. Expenditure data are not collected for Puerto Rico and the territories because all their justice expenditures occur at one government level without any variable passthrough of BJA grant funds.

### *Data collection*

From November 1988 to August 1989 specially trained Census Bureau employees compiled expenditure and employment data from government records for the —

- 50 States
- 72 largest counties
- 49 largest cities.<sup>4</sup>

The Census Bureau mailed questionnaires to the other sample units in February 1989. *Justice expenditure and employment in the U.S., 1988* (forthcoming) will exhibit the 1988 mail questionnaire; it is very similar to the questionnaire displayed in appendix 2 of the 1985 report. (See the *Further reading* section of this report, page 9.)

<sup>4</sup>Ideally, the fieldwork would have begun in August, and questionnaires would have been mailed in December 1988. These were delayed while Congress debated possible changes to the formula as part of the Anti-Drug Abuse Act of 1988 that became law on December 17, 1988. Only after the law's enactment was it possible to prepare the final questionnaire design and obtain survey clearance from the Office of Management and Budget (usually a 3-month process) prior to printing and mailing the questionnaires.

Nonresponse followup was used until the response rate for the local governments in each State reached 85%. The overall response rate for the mail canvass was 88%. Response for field-completed units was 100%.

### *The survey period*

The State expenditure data presented in this report cover the fiscal year ending June 30, 1988, for all States except four whose fiscal years ended as follows: New York, March 31, 1988; Texas, August 31, 1988; and Alabama and Michigan, September 30, 1988. Some State agencies operate on a different fiscal year basis than the State government. In such instances, the data in this report are for the agency's fiscal year that ended within the State's regular fiscal year.

For local governments the expenditure data here are for the governments' fiscal years that ended between July 1, 1987, and June 30, 1988. Most municipalities and counties ended their fiscal years on December 31, 1987, or June 30, 1988. By using the July 1, 1987, to June 30, 1988, reference period, some governments' data are for a fiscal year that the local government may refer to as fiscal 1987, for example, those that ended December 31, 1987. The fiscal year reported for Washington, D.C., ended September 30, 1988.

### *Limitations of the survey data*

The sample used to collect local government expenditure data is one of a large number of possible samples of equal size that could have been chosen using the same sampling design and selection procedures. Estimates derived from these different samples would differ from each other and also from a complete census using the same data collection procedures. This variation among all possible estimates is sampling error. Because all State governments were included in the survey, State government figures are not subject to sampling error.

The local government sample for the 1988 survey was designed to estimate the portion of total justice expenditure made by local governments in each State with a relative sampling error of less than half of 1.0% at the two-thirds confidence level. Testing has not been completed, but the results are expected to be similar to those reported for the 1985 survey. (See the *Further reading* section on page 9.)

The data are also subject to the inaccuracies in classification, response, and processing that would occur if a complete census had been conducted under the same conditions as the sample survey. Every effort was made to keep such errors to a minimum through care in examining, editing, and tabulating the data submitted by government officials and through extensive followup procedures to clarify inadequate or inconsistent survey returns.

Readers should compare States with caution. Differences in functional responsibilities from State to State may affect the comparability of the data. Some State governments directly administer activities that local governments administer in other States; for example, the State governments of Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont operate local jails as well as State prisons.



## Definitions of terms

This section briefly defines the terms used in this report. More explicit definitions will be contained in the BJS Bulletin *Justice expenditure and employment, 1988* and in the final report *Justice expenditure and employment in the U.S., 1988*.

**Total expenditure** includes only external cash payments made from any source of monies, including any payments financed from borrowing, fund balances, intergovernmental revenue, and other current revenue. It excludes any intragovernmental transfers and noncash transactions, such as providing employees' meals or housing. It also excludes retirement of debt, investment in securities, extensions of loans, agency transactions, and government contributions for employee benefits (see box at right).

**Variable passthrough percents** are developed to comply with the Omnibus Crime Control and Safe Streets Act of 1968, as amended (Public Law 90-351), which requires that the block grants made by the Bureau of Justice Assistance (and formerly by the Law Enforcement Assistance Administration) to each State be allocated between the State and local governments according to the ratio of State-to-local criminal justice expenditure. The legislative history of this act indicates that these expenditures are to be *own-sources expenditures*.

**Own-sources expenditure** excludes from *total expenditure* any amounts expended from revenue received from other governments. For example, expenditure from sales or property tax revenue is included, but excluded are amounts expended from intergovernmental revenue, such as Federal grant monies or revenue from other governments as payments for services rendered, such as boarding another government's prisoners. (See the section on calculating these data, beginning on page 2, and figures 1 and 2.)

**Local governments** as defined in P.L. 90-351 are "... any city, county, township, borough, parish, village, or other general purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior, or, for the purpose of assistance eligibility, any agency of the District of Columbia government or the United States Government performing

### Why variable passthrough data exclude employee benefits

BJS does not include State and local government contributions for employee benefits in the variable passthrough data or in the other data reported in its Justice expenditure and employment series. Many governments make lump-sum contributions to plans covering all employees and cannot report separately for criminal justice employees.

Governments that can report their contributions for justice employee benefits are asked to do so, but these data are not included in the governments' total expenditures. BJS adopted this procedure to improve comparability of data between governments and not to penalize in VPT calculations the governments unable to report their contributions for justice employee benefits.

Periodically BJS has examined the data collected on employee benefit contributions to determine if they can be used to estimate such expenditures by nonreporting governments. To date, BJS has determined that reliable estimation is not possible.

law enforcement functions in and for the District of Columbia, and the Trust Territory of the Pacific Islands."

P.L. 90-351 specifies that only expenditures of units of general local government are to be included. Of the five broad classes of local government identified by the Census Bureau, the P.L. 90-351 definition encompasses three (counties, municipalities, and township or "town" governments) and excludes two (independent school districts and special districts).

Most of what the Census Bureau classifies as "special districts" are empowered only to provide one particular type of service (such as water supply or fire protection). Others are multifunctional, such as the New York Port Authority, which has a sizable guard force. Neither type of special district is included because P.L. 90-351 specifies that the grants are for general purpose governments.

**Justice expenditure** includes the justice functions of police protection, adjudication, prosecution and legal services, public defense, corrections, and a residual "other" category, as defined below.

**Police protection** is the function of enforcing the law, preserving order, and apprehending those who violate the law, whether these activities are performed by a city police department, sheriff's department, or State police. Private security police are outside the scope of the survey, but government contract payments to a private security firm would be picked up as a direct expenditure of the government.

**Adjudication** includes all civil and criminal courts and activities associated with courts such as clerks of court, law libraries, grand juries, and petit juries.

**Prosecution and legal services** includes the civil and criminal justice activities of the attorneys general, district attorneys, State's attorneys, and their variously named equivalents and corporation counsels, solicitors, and legal departments with various names. It also includes government payments to private legal counsel.

**Public defense** includes legal counsel and representation in either criminal or civil proceedings as provided by public defenders and other government programs that pay the fees of court-appointed counsel.

**Corrections** involves the confinement and rehabilitation of adults and juveniles convicted of offenses against the law and the confinement of persons suspected of a crime awaiting trial or adjudication. It includes jails, prisons, probation, parole, pardon, and correctional administration. It includes drug treatment and rehabilitation programs that are administered by a justice agency.

**Other justice activities** includes expenditures that are not elsewhere classified, that cut across more than one category, or that are not allocable to separate categories. Examples are crime commissions, neighborhood crime councils, State criminal justice coordinating councils and criminal justice planning agencies.



## Further reading

To obtain other BJS justice expenditure and employment reports or to be added to the BJS Bulletin or Justice Expenditure and Employment mailing lists, write to the Justice Statistics Clearinghouse/NCJRS, Box 6000, Rockville, MD 20850 (1-301-251-5500 or toll-free 1-800-732-3277).

Other expenditure and employment reports include--

- *Justice expenditure and employment, 1988*, BJS Bulletin, (forthcoming).
- *Justice expenditure and employment in the U.S., 1988 Final report*, (forthcoming).
- *Justice expenditure and employment in the U.S., 1985 Final report*, 7/89, NCJ-106356.
- *Justice expenditure and employment, 1985*, BJS Bulletin, 3/87, NCJ-104460.
- *Justice expenditure and employment in the U.S., 1979 Final report*, 12/83, NCJ-87242 (and annual volumes from 1971 to 1979).
- *Trends in justice expenditure and employment 1971-1979*, 11/84, NCJ-92596.

Bureau of Justice Statistics Technical Reports are written principally by BJS staff. This report was written by Sue A. Lindgren, who monitored data collection. Thomas Hester edited the report. Marilyn Marbrook administered publication, assisted by Yvonne Boston and Donna Oliphant. Marianne Zawitz produced graphics and provided production assistance.

In the Bureau of the Census, Governments Division, general supervision was provided by Diana Cull and William Fanning. Richard Meyer directed the mail canvass survey and George Beaven and Donald Muterspaugh directed the office and field compilation. Dawn Crawford, Victoria E. Campbell, and Pauline Fain provided significant contributions. Carma Hogue, Statistical Research Division, designed the sample.

For information regarding the data contained in this report, contact Sue A. Lindgren, Bureau of Justice Statistics, Washington, D.C. 20531, (202) 724-7759. For information about the anti-drug abuse formula grant program, contact the Bureau of Justice Assistance, Washington, D.C. 20531, (202) 272-6838.

February 1990, NCJ-120070

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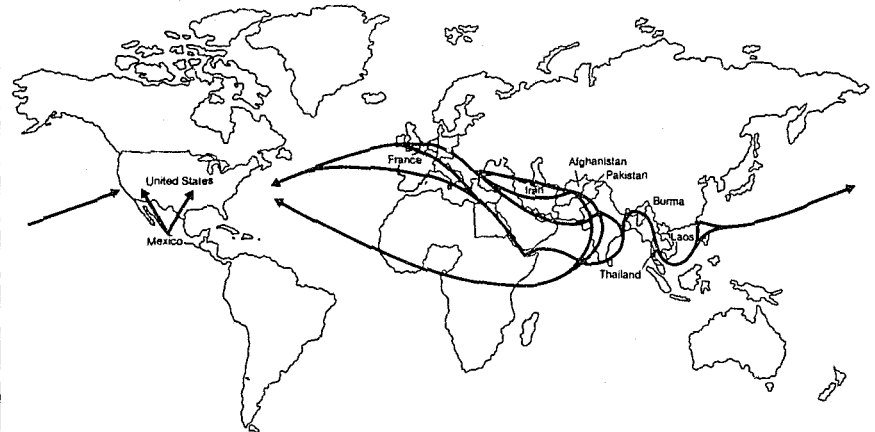
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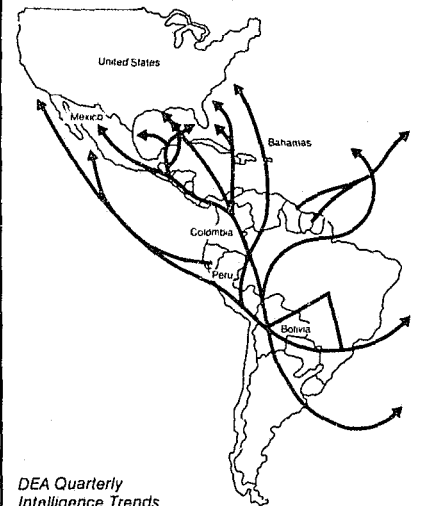
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