National Assessment of the Byrne Formula Grant Program

US Department of Justice
National Assessment of the Byrne Formula Grant Program

by Terence Durworth, Peter Haynes, and Aaron J. Saiger

The Edward Byrne Memorial State and Local Law Enforcement Assistance Program makes Federal aid available to State and local criminal justice agencies. Established by the 1988 Anti-Drug Abuse Act (ADAA-88), the Byrne Program is designed to help these agencies control violent and drug-related crime, improve operations, and build coordination and cooperation among the components of the criminal justice system. (See “What Is the Byrne Program?”)

In 1991, 2 years after the first grants were awarded, an assessment of the Program’s effectiveness began. The findings of that assessment are summarized in this Research in Brief.1

Research objectives, scope, and limitations

The goals of the national assessment were to examine both the way that Federal, State, and local activities have been shaped by the Act and the effectiveness of those activities. These broad goals led to identification of several specific issues as the most appropriate focus of the research. (See “How the Study Was Conducted.”)

It was not possible to consider the Program’s direct impact on violent and drug-related crime at the national level because of the magnitude of effort needed to assess the thousands of initiatives supported by ADAA-88, the difficulty of isolating specific effects of Program funding (particularly because it is only a very small proportion of State and local criminal justice expenditures), and the complexity of the task of distinguishing Program effects from those of myriad factors outside the criminal justice system. Thus, the study focused on operation and management of the Program at the Federal level and State and local responses to it.

Program funding history, structure, and process

Fluctuations in Federal assistance. In strategy, objectives, and funding, Federal support for criminal justice has fluctuated significantly over the past three decades. The high points in appropriation levels were reached under the two major programs of Federal assistance—the Law Enforcement Assistance Administration (LEAA) program from 1968 to 1980 and the Byrne formula grant program (and its immediate predecessor) from the mid-1980s to the present.

Federal assistance as measured in annual dollar expenditures was highest in the mid-1970s under LEAA. Comparison...
Issues and Findings continued... with statutory requirements for strategic planning and for Federal review of these plans, and regulatory constraints have been observed.

- The strategic planning required by the Act has resulted in better use of resources. It provides a valuable opportunity for States to introduce long-term considerations into their criminal justice systems.

- There have been advances in coordination and cooperation that seem clearly attributable to the Byrne Program. Multijurisdictional task forces, the most commonly funded programs, are examples.

- Structural factors in the Program have made it difficult to meet the evaluation requirements. These include lack of a statutory requirement for evaluation funding, the limits of the classic evaluation model, and shortfalls in information gathering.

- During the study, BJA and NIJ took steps to improve the States' ability to conduct their own evaluations. BJA also improved the information collecting and reporting system.

Target audience: State and local policymakers, law enforcement agencies, and researchers.

of Federal law enforcement assistance with total State and local criminal justice expenditures in the past three decades illustrates the limits of the Federal contribution. In fiscal year 1994 the Byrne Program contributed less than 1 percent of State and local criminal justice expenditures. Moreover, Federal aid has been a declining proportion of the Nation's efforts to manage crime. (See exhibit 1.) Because even the most generous Federal funding has comprised a small percentage of anti-crime efforts, it cannot be expected to have much of a detectable impact on crime nationally. Rather, its effects should be examined in terms of influence on criminal justice operations and success in stimulating change through seeding new programs and promoting innovation.

What Is the Byrne Program? Through the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (the Byrne Program), the Bureau of Justice Assistance (BJA), U.S. Department of Justice, provides leadership and guidance in crime and violence prevention and control to States and local communities. Created by the Anti-Drug Abuse Act of 1988 and named for a New York police officer who was killed in the line of duty, the Byrne Program emphasizes drug-related crime, violent crime, and serious offenders. It encourages multijurisdictional and multi-State efforts to support national drug control policies.

Two types of funding. BJA makes Byrne Program funds available in two ways. A discretionary grant program awards funds directly to public and private agencies and private nonprofit organizations. A formula grant program, designed as a working partnership among Federal, State, and local governments, awards funds to the States, which in turn make "subawards" (or subgrants) to State and local units of government. The formula refers to the method of determining State award levels. Each State that applies for funds receives a base amount of 0.25 percent of the total legislative allocation, and the remaining funds are allocated on the basis of the State's population. With an allocation of $475 million in fiscal year 1996, the formula grant program is by far the larger of the two. It is the subject of this assessment.

Program areas. The formula grant program makes funds available to improve the functioning of the criminal justice system and to enforce State and local laws related to substance abuse. Grants may be used for personnel, equipment, training, technical assistance, and information systems. They can be applied to apprehend, prosecute, adjudicate, detain, and rehabilitate offenders and provide victim assistance. There are 26 legislatively authorized "purpose areas" for which assistance may be used. (Initially there were 21 areas. These are listed, along with the area of "administration," in exhibit 2.)

Oversight. Each State must develop a statewide strategy to improve its criminal justice system, match at least 25 percent of program costs with non-Federal funds, submit reports for each subgrant, designate a certain share of the funds for local jurisdictions, and assign priority in distributing funds to jurisdictions with the greatest need. The authorizing legislation mandates evaluation to identify subgrant programs of proven effectiveness.

For more details, see Edward Byrne Memorial State and Local Law Enforcement Assistance, Fact Sheet, U.S. Department of Justice, Bureau of Justice Assistance, June 1995 (PS000071).
Program goals. In addition to retaining the drug-related focus of its 1986 predecessor, ADAA–88 emphasized violent crime, improving the criminal justice system, and enhancing coordination/cooperation among its various elements. Other goals included:

- Developing multijurisdictional drug control strategies.
- Using strategic plans to target resources on geographic and substantive areas of greatest need.
- Promoting coordination between Byrne and national drug control programs.

Recognizing the broad societal basis of the drug problem, ADAA–88 transcended criminal justice by also providing assistance for drug treatment services (administered by the U.S. Department of Health and Human Services), school-based prevention (administered by the U.S. Department of Education), and drug control in public housing (administered by the U.S. Department of Housing and Urban Development).

Federal management and oversight. Although ADAA–88 follows the block grant approach, it also establishes a number of controls. The most significant are the requirements of a strategic plan from the States, a “pass-through” to local governments of a certain percentage of the award, a local match of 25 percent of Byrne funds, a 4-year time limit on projects other than multijurisdictional task forces, an

How the Study Was Conducted

The present study is the third in a series of assessments of the Anti-Drug Abuse Act of 1988. The first study examined State responses to the strategic planning mandate of the Act; the second examined how States managed and monitored the subgrants they awarded. The current study is an overall evaluation of the Act.

Issues studied in the assessment:

- The legislative foundation of the Program.
- Expenditure of Byrne funding by “purpose area.”
- The cooperation that the Program has engendered among criminal justice agencies at different government levels.
- The degree to which criminal justice system resources have been more rationally used as a consequence of the Program.
- The potential for permanent adoption of successful innovations and strategies that the Program has stimulated.
- The extent to which the Program’s monitoring, reporting, and evaluation systems are a satisfactory means of assessment.

Reviewing the enabling legislation. The legislation establishing the Byrne Program was examined to supply information for later stages of the assessment. The examination covered the history of Federal aid to criminal justice, up to and including the initial Anti-Drug Abuse Act of 1986 and its reauthorization as ADAA–88, which established the Program. This longitudinal analysis helped create a framework for documenting some of the legislation’s strengths and weaknesses.

Determining where the money went. The States’ disbursement of Byrne funding by program and jurisdiction was examined using the Individual Project Reporting System (IPRS), BJA’s in-house data base on individual project awards (subgrants). The IPRS was the most accessible and accurate information available for the study period. As the States made subgrants for specific projects, they submitted reports to BJA containing basic information about the awards. The resulting data base constituted the IPRS. The data used for the assessment covered fiscal years 1989 through 1994 (although only partial data were available from BJA for 1994).

Studying the effect on the States. The assessment examined the extent of change resulting from the Byrne Program at the State and local levels by focusing on 7 of the 50 States, the District of Columbia, and 5 territories receiving aid: Arizona, California, Delaware, Iowa, New York, South Carolina, and Washington. The States were chosen to illustrate the matters at issue but not necessarily to be representative of all jurisdictions. Visits to these sites took place in 1993 and were followed up with telephone and written contacts the following year.

State administrative agency directors and staff in each State provided information used to assess how Federal evaluation, training, and technical assistance have influenced State and local (county) efforts to control illicit drug use. At the local level, subgrantee directors were interviewed to obtain insights about specific projects. Supplementary information came from document reviews and regional meetings organized by BJA. The end result comprised a series of linked case studies from which general conclusions were drawn.
evaluation component, and a 10-percent cap on administrative expenditures.

Overall, the research suggests that Bureau of Justice Assistance (BJA) and Byrne fund recipients have met or exceeded the statutory requirements imposed by ADAA-88. This can be said of the States’ strategic planning, review and approval of plans by BJA, and States’ compliance with regulations on passthroughs and other conditions.

The assessment concluded that the planning requirement has been successful in several respects.

In complying with the legislative mandate to interpret ADAA-88 and manage the Program, BJA issues program guidelines that track ADAA-88, imposes other requirements, and makes other recommendations to recipients concerning overall grant administration. The agency’s guidance articulates national priorities that it urges the States to consider and specifies the steps they must take to develop their strategies, including gathering and annually reporting a variety of crime-related data.

To help identify and replicate successful programs, ADAA-88 requires that the National Institute of Justice (NIJ) develop evaluation guidelines and conduct “a reasonable number” of comprehensive evaluations of Byrne projects funded by the formula and discretionary grant programs. A local evaluation component is also required for each project, and the States must evaluate, audit, assess, and account for their programs yearly.

ADAA-88 also requires that BJA and NIJ report annually to Congress on program activities and achievements. Their reports have the potential to shape future congressional decisions on the Byrne Program and other forms of Federal criminal justice assistance.

Why planning is necessary. The planning requirement has a number of objectives, among them the need to carefully target Program funds to ensure they are not lost among other criminal justice activities, and to “balance” the discretion given to the States with documentation that the funds are spent effectively. Planning can also be justified as a rational undertaking that helps promote coordination and order in a criminal justice system that has traditionally been fragmented.

Exhibit 1. Federal Assistance Compared to State and Local Criminal Justice Expenditures, 1966–1995

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Local Expenditures</th>
<th>State Expenditures</th>
<th>Federal Assistance</th>
<th>LEAA</th>
<th>Appropriations — 1994 Crime Bill and Byrne</th>
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<td>66</td>
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Research in Brief

Challenges of the planning requirement. One complication confronting planning results from the tension between comprehensiveness and manageability: the more a plan must cover, the greater the risk it will lose focus and become difficult to implement. Another complication stems from the gap between expectation and authority: plans must embrace the entire State criminal justice system and coordinate activities outside it, yet program administrators report they often have authority only over what is funded by the Byrne Program. The focus on drugs widens the gap because most States’ drug control agencies are completely separate from Byrne.

While meeting the need for comprehensiveness, planners must follow detailed rules for Program conduct. These and similar issues explain why BJA has long emphasized ongoing technical assistance and held workshops devoted to planning at its regional conferences. The States’ responses to this assistance have been very positive.

Benefits of the planning requirement. The assessment concluded that the planning requirement has been successful in several respects. It has provided some Federal control and supervision over State use of funds through BJA review. Many States acknowledged that the act of planning confers credibility on proposed activities, and many said that planning should continue even if it ceases to be a Federal requirement. The requirement offers a valuable opportunity for the States to introduce strategic considerations into their criminal justice systems.

Patterns of funding—dominance of MJTFs

The “purpose areas.” Although ADAA—88 gave the States the latitude to determine specific projects for which Federal aid could be used, it also established a set of authorized “purpose areas.” Consistent with the legislative goals, the 21 areas emphasized drug-related programs, including multijurisdictional task forces (MJTFs) that integrate Federal, State, and local anti-drug activities.

Since grants were first awarded in fiscal year 1989, the commitment of funds has been overwhelmingly to MJTFs. They received approximately 40 percent of all subgrant funds in the period from 1989 to 1994. (See exhibit 2.) Because projects are allowed 4 years of funding, and MJTFs have no time limit, the funding pattern has been stable from FY 1989 through 1993. In both 1989 and 1993 MJTFs dominated the subgrant awards, and the proportions of next most funded and least funded “purpose areas” were also similar in both years.

That no other purpose area has received more than 10 percent of the total is not, however, inconsistent with the distribution of criminal justice

### Exhibit 2. Allocation of Byrne Funds by Purpose Area, Total for Fiscal Years 1989–1994

<table>
<thead>
<tr>
<th>Purpose Area</th>
<th>Federal Funds, Millions of Dollars*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$64.1</td>
</tr>
<tr>
<td>Education</td>
<td>$74.7</td>
</tr>
<tr>
<td>Multijurisdictional task forces</td>
<td>$25.1</td>
</tr>
<tr>
<td>Domestic drug control</td>
<td>$25.1</td>
</tr>
<tr>
<td>Community crime prevention</td>
<td>$55.9</td>
</tr>
<tr>
<td>Property crime prevention</td>
<td>$3.0</td>
</tr>
<tr>
<td>Organized crime</td>
<td>$10.6</td>
</tr>
<tr>
<td>Law enforcement effectiveness</td>
<td>$58.9</td>
</tr>
<tr>
<td>Career criminals</td>
<td>$47.2</td>
</tr>
<tr>
<td>Financial investigations</td>
<td>$17.7</td>
</tr>
<tr>
<td>Court effectiveness</td>
<td>$87.5</td>
</tr>
<tr>
<td>Corrections</td>
<td>$181.0</td>
</tr>
<tr>
<td>Prison industry</td>
<td>$2.9</td>
</tr>
<tr>
<td>Drug treatment</td>
<td>$107.2</td>
</tr>
<tr>
<td>Victim and witness assistance</td>
<td>$11.3</td>
</tr>
<tr>
<td>Drug testing/information systems</td>
<td>$153.5</td>
</tr>
<tr>
<td>Innovative projects</td>
<td>$58.7</td>
</tr>
<tr>
<td>Public housing</td>
<td>$8.9</td>
</tr>
<tr>
<td>Family violence</td>
<td>$16.4</td>
</tr>
<tr>
<td>Project evaluation</td>
<td>$9.3</td>
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<tr>
<td>Alternative sanctions</td>
<td>$36.7</td>
</tr>
<tr>
<td>Urban enforcement</td>
<td>$102.2</td>
</tr>
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</table>

*Not adjusted for inflation
funds generally. The share of State and local criminal justice expenditures allocated to law enforcement is also large (more than 50 percent), and the Byrne allocation merely echoes this pattern.

Among other purpose areas there has been considerable variation in allocation of funds. Corrections and drug testing/information systems have received relatively large proportions: 10 percent and 8 percent, respectively, of all program grants. Purpose areas such as property crime prevention, prison industries, public housing, and project evaluation have rarely been used.

**Trends in the overall pattern.** The proportion of funding for corrections and drug testing/information systems has increased substantially, while certain areas related to policing saw substantial proportional decreases (although with one exception, dollar amounts remained stable or grew). Community policing and several areas involving law enforcement innovation and adjudication and corrections saw strong gains.

**Shift from creation to maintenance of MJTFs.** By 1993 the primary focus of innovation had turned to drug testing and information systems development, and few new MJTFs were being created. In addition, funds were allocated to a number of areas that previously had attracted almost no attention: community crime prevention, family violence, and alternative sanctions. The shift to new areas is consistent with the 4-year limitation on funding, which made 1992 the final year of possible funding of projects begun in 1989.

Few new MJTFs may be created in the future and maintenance of task forces has become the dominant concern. Most awards for task forces now support existing operations, which can continue indefinitely under current rules.

**Interagency coordination and cooperation**

ADAA–88 addressed the longstanding concern about fragmentation of the criminal justice system partly by encouraging multijurisdictional efforts and partly by promoting statewide integration of criminal justice system functions. This has resulted in advances in coordination and cooperation that seem clearly attributable to the Byrne Program. (See “Benefits of Multijurisdictional Task Forces.”)

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### Benefits of Multijurisdictional Task Forces

**Enhanced operations.** By bringing different enforcement agencies together under one organizational rubric, the multijurisdictional task force (MJTF) enables law enforcement agencies to combine efforts to combat problems arising from the cross-national and cross-jurisdictional nature of illicit drug distribution. Though it is difficult to determine which task forces predated the Byrne Program, there is little doubt that Program funds dramatically increased the number of MJTFs dedicated to the drug problem and enhanced operations of existing task forces.

**Better coordination.** Though an MJTF comprises a wide variety of agency groupings, a "core" arrangement generally brings together the sheriff(s), police departments, and occasionally special police agencies from one or more counties. Many MJTFs also include State and Federal law enforcement agencies.

For the core arrangement, coordination is generally excellent. Program administrators in the seven States visited as part of the study were virtually unanimous in believing that real cooperation had been achieved. These States considered the MJTF particularly beneficial for smaller agencies and believed that contributions at the State level were an important element of MJTF success. In some instances, State agencies appear to have provided the "glue" holding the entire arrangement together. Their assistance has consisted of much more than assigning agents who are unknown locally. State agencies have often offered specialized services not otherwise available and may have helped upgrade practices by developing training manuals and transferring skills among jurisdictions. There is also evidence that the benefits of this coordination were spread by rotating officers through the MJTF.

Many MJTFs appear to have dealt successfully with common problems of distributing credit for jobs well done and sharing forfeited resources. And many Program participants cited enhanced coordination between their staff on the one hand and State and Federal intelligence system operators on the other as a collateral effect.

Enhanced coordination has produced synergistic effects that have transcended individual efforts of task force members. Although such task forces existed in some locations before the Byrne Program, and others were created outside it, the fact that Byrne funding has supported so many is an impressive testimonial to what is probably the Program's most profound and lasting impact. What has not yet been possible is to assess in any comprehensive way the impact of MJTFs on the drug problem.
Law enforcement, prosecution, and forensics. Because most States recognized that multijurisdictional law enforcement against drugs requires prosecutorial support, many jurisdictions included dedicated drug prosecutors as fully participating MJTF members. Assigning a prosecutor to the MJTF is an approach that appears to have worked well. It is not the only successful arrangement, however. Several jurisdictions established separate prosecution units that cooperated effectively with MJTFs.

Because investigators and prosecutors depend on forensic laboratories, a number of States promoted coordination of forensic services with MJTFs and prosecutors. The States studied commonly reported decreases in turnaround times for laboratory analyses and better outcomes in cases.

Courts and corrections. Establishing cooperation between courts and enforcement agencies proved difficult partly because judges interpreted their constitutional role as requiring independence from law enforcement. Overall, the extent of their participation with other agencies has not been high.

The same is true of corrections, where cost considerations have created obstacles. Coordination and cooperation rarely translate into support for the many new beds needed as a result of more convictions of drug offenders. Funding needed for beds generally exceeds what can be provided on the small programmatic basis offered by the Byrne grants.

Evaluation of Byrne projects

Evaluation is difficult and complex under any circumstances, but the abundant difficulties and complexities involved in evaluating the Byrne Program are multiplied and magnified by the number of levels of government participating, the nationwide scope of the Program, and the myriad individual projects funded. For individual projects, BJA and NIJ take several approaches that include full process and impact evaluations, program assessments, monitoring, and reporting. Chief among these approaches are independently funded studies by indepen-
dent researchers and assistance to States for development of in-house evaluation capabilities.

**Evaluation of individual projects.** The greatest strength of the traditional approach to evaluation is its methodological rigor. By supporting this process, NIJ and BJA seek to build a reliable body of knowledge about Byrne interventions and programs. This is a valuable and necessary function, and many of the most salient questions about the long-term merits of Byrne projects may not yield to any other approach.

**Interaction and cooperation between State recipients of Byrne funding on the one hand and BJA and NIJ on the other have been effectively developed and have produced excellent working relationships.**

However, rigorous evaluations take time, and the evaluated projects are sometimes already completed by the time final reports are released. A second consideration is high cost, which limits the number of evaluations that can be conducted. Between 1989 and 1994, NIJ and BJA were able to fund fewer than 150 evaluations of the more than 5,000 Byrne Program projects.7

Finally, even well-designed evaluations often produce equivocal findings because it is difficult to ensure methodological integrity, the environment tends to change without warning, and some aspects of a program are likely to work well while others do not. Also, more reliable findings generally emerge from a body of research comprising many studies rather than from a single study. Taken together, these factors limit the contribution the traditional evaluation approach can make to understanding at the national level.

**Evaluations conducted by the States.** NIJ and BJA have actively promoted the idea of increasing the States’ involvement in project evaluation as a way to compensate for the limited number of evaluations that the Federal agencies can sponsor. When States were invited to submit proposals for evaluations to NIJ in 1990, however, most were methodologically weak, and as a result few were funded.

Not surprisingly, this suggested that many State agencies did not have the research staff necessary to conduct evaluations. In response, NIJ and BJA undertook technical assistance programs to expand State evaluation capabilities. States with strong evaluation programs have actively participated in these programs. NIJ’s and BJA’s aim was not to transform State agencies into research organizations, but to increase their awareness of and sensitivity to methodological issues and to help them better identify the effects of their activities. The results of both programs have yet to be assessed systematically. Currently, BJA and NIJ are developing new strategies to enhance State evaluation capability. (See “Update: The Byrne Program Today.”)

**The balance sheet**

**Program management and operations.** The national assessment concluded that Federal, State, and local activities met the statutory require-
Another is that the Act provides no funding to NIJ and BJA for Byrne evaluations; the agencies must draw resources from their general appropriations for that specific purpose. From 1989 to 1994, the average annual evaluation budget for Byrne Program research from discretionary BJA funds and base-budget NIJ funds totaled less than 1 percent of formula grant funding. (For the States' contribution to evaluation funding, see “Update: The Byrne Program Today.”)

The third structural factor consists of the limits of the classical research model, which, as noted above, consumes time and other resources and often produces equivocal results.

The final structural factor is information shortfalls. Within BJA and its parent agency, the Office of Justice Programs, data on subgrants have contributed little to the achievement of evaluation objectives. However, since this study began, BJA has taken several steps to improve these processes.

Notes

1. The initial award by NIJ was given to the RAND Corporation. Subsequently, project director Terence Dunworth joined Abt Associates Inc., and the work was completed there.

Four reports of the study are available: An examination of Federal records of the State and local projects supported by the Program from fiscal years 1989 to 1994, a historical review of Federal legislation that provides criminal justice assistance, State and local views of the Program, and a general summary.

2. This exhibit is based on State and local expenditures in 1990, the latest year for which the data are available.


4. Such observations come from many sources: the seven States participating in this evaluation, attendees at national and regional conferences, and people who responded to a survey conducted before this evaluation among the 56 Byrne Program recipients.

5. In 1993, the number of purpose areas increased from 21 to 26.

Full Reports of Byrne Assessment

Copies of the full reports are available through the National Criminal Justice Reference Service (NCJRS). They are:


For information about how to obtain copies, call NCJRS at 800-851-3420, write to NCJRS at P.O. Box 6000, Rockville, MD 20849-6000, or e-mail askncjrs@ncjrs.org. Hard copies are available on a cost-recovery basis for photocopying or through interlibrary loan.
6. Between fiscal years 1990 and 1993 there were 900 to 1,100 of these task forces.

7. Of these 150 evaluations, one-third were for the formula grant projects; the rest were for discretionary grant projects.

This study was conducted by Terence Dunworth, Ph.D., currently Senior Associate with Abt Associates Inc.; Peter Haynes, Ph.D., of Arizona State University; and Aaron J. Saiger of Princeton University. Assistance was provided by Scott Green, currently with the Lafayette Group, and Peter Jacobson, currently with the School of Public Health, University of Michigan. Support for the study was provided by NIJ (grant number 91-IJ-CX-K024) and BJA. The RAND Corporation conducted the study, with Abt Associates involved in later stages. For an online version of this document, go to http://www.ncjrs.org.

Findings and conclusions of the research reported here are those of the authors and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

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Corrections


Steadman, Ph.D., Henry J., and Bonita M. Veysey, Ph.D., Providing Services for Jail Inmates With Mental Disorders, 12 pages, NIJ Research in Brief, January 1997, NCJ 162207.


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Wish, Ph.D., Eric, Dependence and Drug Treatment Needs Among Adult Arrestees, Research in Progress videotape, November 1996, NCJ 163058.

Firearms


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Chaiken, Ph.D., Marcia, Youth Afterschool Programs and the Role of Law Enforcement, Research in Progress videotape, October 1996, NCJ 163057.


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Fagan, Ph.D., Jeffrey, Adolescent Violence: A View From the Street, Research in Progress videotape, December 1996, NCJ 163059.


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