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† denotes Executive Committee

June 1, 2009

The Honorable Barbara Mikulski
Chair, Senate Appropriations
CJS Subcommittee
S-131, The Capitol
Washington, DC 20510

The Honorable Alan Mollohan
Chair, House Appropriations
CJS Subcommittee
H-310, The Capitol
Washington, DC 20515

The Honorable Richard Shelby
Ranking Member, Senate Appropriations
CJS Subcommittee
123 Hart Senate Office Building
Washington, DC 20510

The Honorable Frank Wolf
Ranking Member, House Appropriations
CJS Subcommittee
1016 Longworth House Office Building
Washington, DC 20515

Dear Senators Mikulski & Shelby and Representatives Mollohan & Wolf:

I write on behalf of the members of the National Criminal Justice Association (NCJA), who are the state, territorial and tribal administrators of federal justice assistance grant funding, as well as practitioners from all parts of the criminal and juvenile justice systems. NCJA members are extremely grateful to you for your leadership in restoring Byrne Justice Assistance Grant (Byrne JAG) funding in the FY09 appropriations bill and the American Recovery and Reinvestment Act. The swift, effective deployment of Recovery Act funds are a responsibility NCJA members will discharge with utmost care. We thank you for your support of the program and your trust in us to manage the funds wisely.

Since FY02, federal support for the justice assistance programs has waned, particularly the 67 percent cut to the Byrne JAG program in FY08. Compounded by state and local funding cuts due to the economic crisis, these federal funding cuts have affected communities large and small, urban and rural, at a time when crime rates are on the rise. Drug interdiction and treatment, anti-gang, juvenile justice, offender re-entry and crime victims' initiatives have been adversely impacted. These federal programs are essential in building partnerships, spurring innovation, and working regionally.

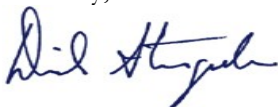
We are acutely aware of the very limited federal discretionary dollars available this year and, hence, the enormous pressures on you to set priorities, not only among justice programs but across the CJS bill. As the state officials responsible for statewide planning across the entire criminal justice system, we appreciate the value of each federal criminal justice program and its role in preventing and reducing crime. However, we also appreciate the need to prioritize among worthy programs. We, therefore, respectfully offer NCJA's priorities for the FY10 CJS appropriations bill:

○ **Maintain and increase Byrne JAG funding.** The Byrne Justice Assistance Grant program is the cornerstone federal grant program addressing challenges across all segments of the criminal justice system. Annual funding is authorized at \$1.075 billion. The FY08 omnibus appropriations bill slashed funding by 67 percent to \$170 million. Because of the programs' many successes, restoration of this funding was the top legislative priority for a broad coalition of criminal justice stakeholder groups.

- **Fully fund offender reentry programs.** The Second Chance Act will reduce recidivism by meeting the needs of offenders returning to their communities. NCJA members support the Administration's request for \$100 million and urge that new funding not come at the expense of Byrne JAG which remains the primary source of funding for innovative reentry programming.
- **Expand juvenile delinquency prevention programs:** NCJA members administer the juvenile delinquency prevention programs in over half the states. They join with other stakeholder groups in calling for funding of current programs at levels able to effect real change and reach greater numbers of young people at risk, specifically increasing the Juvenile Accountability Block Grant program to authorized levels over time, funding the Title II Formula Grants at \$89 million and the Title V Incentive Grants at \$95 million, and maintaining the Juvenile Mentoring program at \$80 million.
- **Support proposed increase for Residential Substance Abuse Treatment:** The RSAT program reduces recidivism by making drug treatment programs available in prisons. It has been woefully underfunded and NCJA members support the request to increase funding to \$30 million.
- **Increase funding for drug and other problem-solving courts.** Drug courts are successful because they direct offenders with substance abuse problems to the services they need, saving millions of dollars on incarceration. Mental health and veterans' courts are showing equally promising results. In the longer-term, drug courts should be taken to scale. In the short-term, NCJA supports \$40 million for the drug courts program and increasing support for other problem solving courts.
- **Fund implementation of Adam Walsh.** States and tribes are struggling to implement the Adam Walsh Act. Funding in FY10 must be sufficient to cover the significant mandates in the Act.
- **Fund Byrne Competitive Grants.** In years past, the Byrne program included an account which funded evidence-based promising practices and national training/technical assistance through a competitive application process. That account is now entirely earmarked. Last year, the committee restored a competitive program. NCJA supports the request to fund this account at \$30 million.
- **Prioritize technical assistance and training.** When budgets are tight, T/TA programs are often the first cut. In fact, they should be the first funded. Readily available T/TA delivered by experienced policy makers and program managers is vital to effective management of taxpayer dollars, replicating best practices, and finding innovative solutions to common problems. A commitment to T/TA has dwindled in recent years. Re-prioritizing these functions will pay manifold returns.
- **Raise the crime victims' fund cap.** This is a dedicated source of funding derived from fines and penalties on federal offenders which supports crime victim compensation and victim assistance programs. NCJA requests the annual cap be set at not less than \$775 million.
- **Restore and strengthen the statewide planning process.** Under the original Byrne program, states were given responsibility and funding for statewide planning across all segments of the criminal justice system. This process ensured that programs worked effectively together to improve the functioning of the entire criminal justice system. In the merger with LLEBG in 2005, the planning requirement was dropped. It should be restored, strengthened and funded using an evidence-based community engagement model to ensure broad, local input and support.
- **Fund the COPS hiring program.** In recent years, the COPS hiring program was zeroed out, forcing many jurisdictions to eliminate their community policing programs, a proven means of increasing public safety and preventing criminal activity. NCJA members support restarting the hiring program, though not at the expense of funding for Byrne JAG.
- **Provide for the incarceration of illegal immigrants.** Only a fraction of the costs borne by states and local are reimbursed by the SCAAP program, for which the Administration proposed no funding for FY10. States must no longer be made to carry the financial burden of this federal responsibility. NCJA members call on the federal government to ease this burden on the states.

Thank you for this opportunity to express our views, and for your enthusiastic, sustained leadership on behalf of state and local criminal justice. NCJA members are grateful to you.

Sincerely,



David Steingraber
President