



# Bureau of Justice Statistics Technical Report

*Justice Expenditure and Employment Statistics*

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## Justice Variable Passthrough Data, 1997

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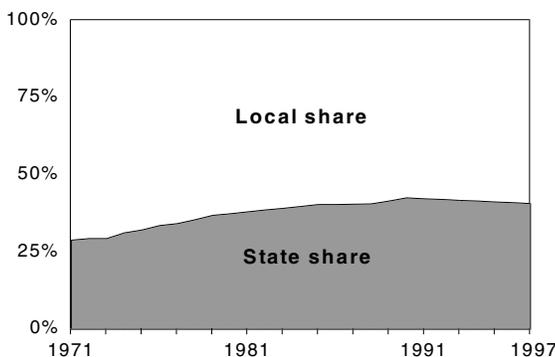
BJS provides the variable passthrough (VPT) data for use in the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs authorized by the Anti-Drug Abuse Act of 1988, as amended (Public Law 90-351). The Byrne program focuses on assisting State and local law enforcement with the control of violent and drug-related crime and serious offenders, in support of national drug-control priorities (box on page 2).

The Byrne program includes a discretionary grant program and a block grant program. This report describes the development of data used to compute the block grant formula. According to Public Law 90-351, the formula for distributing block grant funds to the States is based on each State's percentage of the total US population; the VPT data indicate how funds are to be distributed to State agencies compared to the localities within each State. In conjunction with the BJS Justice Expenditure and Employment Statistics Program, BJS

### Highlights

**The State share of expenditures for justice has increased from 29% in 1971 to 41% in 1997**

Percent of justice expenditure



- In 1997 State and local governments spent \$103 billion of their own-source revenues on police, prosecution and judicial activities, and corrections.
- Local governments spent more on justice functions than did State governments. In 1997 the national ratio of local to State spending was 59% to 41%.
- The State with the lowest variable passthrough (VPT) percentage was Alaska, with 24% being passed through to the local governments.
- The State with the highest VPT percent was Nevada, with a local share of 72%.
- Since 1990, the last year in which the VPT was calculated, the percent required for passthrough to the local governments has increased slightly, from 57% to 59%.
- In Nevada, Pennsylvania, and Tennessee, the impact of the new VPT will be greatest. The amounts of their Byrne Formula awards that must be passed through to local governments will increase by more than 20%.

estimates VPT distributions by conducting the Justice Assistance Data Survey (JADS) periodically, most recently in 1997.

## Features of the block grant program

### Eligibility

Under Public Law 90-351, the 50 States, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands are each considered eligible State-level jurisdictions. In addition, the Territories of Guam, American Samoa, and the Northern Mariana Islands share a State allocation.

### Byrne Program purposes

Grants may be used to provide personnel, equipment, training, technical assistance, information systems, victim assistance, prosecution and adjudication services, detention, and rehabilitation.

### Byrne Program mandates

- States must use at least 5% of their formula grant awards for the improvement of criminal justice records.
- States must develop methods to notify the U.S. Immigration and Naturalization Service (INS) of alien convictions and to provide records of those convictions to INS.
- States must enact and enforce a law that requires sex offenders to be tested for HIV if the victim requests such testing.
- States must establish 10-year registration requirements for persons convicted of certain crimes against minors and sexually violent offenses and a more stringent set of registration requirements for sexually violent predators.

For more information about the Byrne Program, see Bureau of Justice Assistance's Fact Sheet *Edward Byrne Memorial State and Local Law Enforcement Assistance* (July 2001).

Eligible local governments include "any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, any law enforcement or judicial enforcement district that is established under applicable State law; and has the authority to, in a manner independent of other State entities, establish a budget and impose taxes, an Indian tribe that performs law enforcement functions as determined by the Secretary of the Interior, or, for the purpose of assistance eligibility, any agency of the government of the District of Columbia or the Federal Government that performs law enforcement functions in and for the District of Columbia, or any the Trust Territory of the United States."<sup>1</sup>

### Formula

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

- Reserves some funds for Bureau of Justice Assistance discretionary grants and administrative costs
- Awards to each State a base amount of money specified in the legislation (0.25% of the total allocation)
- Allocates the remaining funds to each State according to its percentage in the total U.S. population
- Requires a minimum passthrough amount to local governments based on the percentage of funds expended by units of local government relative to the total State and local criminal justice expenditure in the State.

The specific features of the formula used to distribute the block grants among States have changed several times since 1968 when Public Law 90-351 was enacted. This report provides the basis for the amount of Federal funds retained at the State level and the amount distributed to local jurisdictions within the State.

<sup>1</sup>As defined in Public Law 90-351 § 901(a)(3).

### Calculation of the variable passthrough percentages

The Justice Expenditure and Employment Series and the JADS, which produce the VPT data, collect extensive, detailed data for three justice functions (police protection, judicial and legal, and corrections) and for three character and object classes (current operations, capital outlay, and intergovernmental expenditure).

Public Law 90-351 indicates that expenditures used in the calculation of variable passthrough percentages are to be from a government's "own revenue sources." Thus, a government would not benefit from spending another government's money, as in revenue from payments for boarding prisoners. Expenditures from sales or property tax revenue are included; amounts expended from intergovernmental revenue, such as Federal grant monies, are excluded ("examples" box on page 3).

The computation of own-sources expenditure involves summing certain character and object classes of expenditure within each State. From this total are subtracted certain revenue amounts for the State government and for the aggregate of local governments within the State ("computing" box on page 3).

In general, the own-sources computations assume that all intergovernmental payments received by a government will be expended during the same fiscal year. While every jurisdiction did not spend all the money received, the total generally balanced out because some jurisdictions spent money received in 1996 while others did not spend all money received in 1997.

The local government totals within a State are actual amounts based on the 1997 Census of Governments. The Federal revenue amounts received by

local governments are actual 1997 amounts received during the Federal fiscal year which ran from October 1, 1996, through September 30, 1997. These amounts were derived from the Federal Assistance Award Data System (FAADS) developed by the Census Bureau. The local government own-sources calculation —

- Use actual expenditures for all local governments in the State
- Use actual 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 (which would result in double-counting).

### 1997 variable passthrough percentages

In fiscal 1997 the VPT share for local governments ranged from 24% in Alaska to 72% in Nevada (table 1). Conversely, the State share in these States ranged from 76% in Alaska to 28% in Nevada. Most States showed less dramatic differences between the State and local share: the national ratio was 59.2% local to 40.8% State.

The organization of criminal justice functions in each State can affect the ratio of State-to-local own-sources expenditure. For instance, State governments with low VPT percentages tend to have more criminal justice services at the State level relative to States where similar services are delivered at the local level. Alaska, with a State share of 76%, Delaware with 73%, Vermont with 71%, and Connecticut with 62% are examples of States in which the majority of courts, public defense systems, and correctional systems are funded at the State level (*Appendix table, page 6*).

### Examples of own-source revenues

<p>Taxes</p> <ul style="list-style-type: none"> <li>Property</li> <li>General sales</li> <li>Motor vehicle license</li> <li>Motor fuel</li> <li>Income (individual and corporate)</li> <li>Death/gift</li> </ul> <p>Utility revenue</p> <p>Liquor store revenue</p> <p>Insurance trust receipts for:</p> <ul style="list-style-type: none"> <li>Employee retirement</li> <li>Unemployment compensation</li> </ul>	<p>Charges and fees</p> <ul style="list-style-type: none"> <li>Parking</li> <li>Sanitation</li> <li>Parks and recreation</li> <li>Airport</li> <li>Toll roads</li> <li>Hospital fees</li> <li>College tuition</li> <li>Special assessments</li> <li>Interest earnings</li> <li>Sale of government property</li> <li>Bond issue proceeds</li> </ul>
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### Examples of revenues not from own-sources

<p>Federal payments received for:</p> <ul style="list-style-type: none"> <li>Housing Federal prisoners</li> </ul> <p>Police overtime in emergencies</p> <p>State assistance payments received for:</p> <ul style="list-style-type: none"> <li>Aid to local police</li> <li>Aid to local corrections</li> </ul> <p>State or local payments received for:</p> <ul style="list-style-type: none"> <li>Housing another government's prisoners</li> <li>Providing police protection to another government</li> <li>Training another government's justice personnel</li> </ul>	<p>Federal grants</p> <ul style="list-style-type: none"> <li>Juvenile justice grants</li> <li>Anti-drug abuse grants</li> </ul> <p>Alcohol safety program</p> <ul style="list-style-type: none"> <li>Child support enforcement</li> <li>Research participation</li> <li>Victim assistance</li> </ul>
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### Computing own-source expenditure for State governments

<p>A State government's total justice expenditure is derived by summing the State government's justice expenditures for —</p> <ul style="list-style-type: none"> <li>Current operations</li> <li>Capital outlay</li> <li>Intergovernmental expenditure to local governments.</li> </ul>	<p>To produce the State government's own-sources expenditure, the following are deducted from the total:</p> <ul style="list-style-type: none"> <li>Justice revenue received directly from the Federal Government</li> <li>Local justice payments to the State government</li> </ul>
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### Computing own-source expenditure for local governments

<p>The total justice expenditure for all local governments in a State is derived by summing the total local justice expenditures for —</p> <ul style="list-style-type: none"> <li>Current operations</li> <li>Capital outlay</li> <li>Intergovernmental expenditure to the State.</li> </ul>	<p>To produce own-sources expenditure for all local governments in the State the following are deducted from the total:</p> <ul style="list-style-type: none"> <li>Revenue directly from the Federal Government and earmarked for justice purposes</li> <li>State payments to local governments for justice purposes, including Federal grants "passed through" to the State government</li> </ul>
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## Why variable passthrough percentages change

In fiscal 1990, the last year in which these data were calculated, the VPT percentage for local governments ranged from 22% in Alaska to 67% in Minnesota. Most States were similar to the national State-to-local ratio of 42.6% to 57.4%. The new data, based on 1997 expenditures, effectively increased the share of funds going to the local governments. The national ratio is 40.8% to the States and 59.2% to the localities. The State with the highest passthrough percentage is California, with 67% going to the local governments. The State with the lowest percentage to be passed through to local governments is still Alaska, with 24%.

Between 1971 and 1990, the State share of variable passthrough percentages increased steadily from 28.9% to 42.6% (*Highlights*). Although there was a slight decrease from 1990 to 1997, future JADS conducted using the 1997 methodology should indicate a continuing trend of increasing State shares.

State shares decreased from 42.6% in 1990 to 40.8% in 1997 because the Federal grants portion was collected differently in 1997. Prior to 1997 respondents were asked to provide information for specific justice grants that they may have received during the fiscal year. In 1997 the grant information was pulled from the FAADS survey. This survey goes to all Federal grant-making agencies every 3 months and asks for the types and amounts of Federal grants given to State and local governments. This approach is more accurate because it collects information from a few granting agencies as opposed to thousands of State and local governments.

Several new Federal justice grants were authorized in the period spanning from 1990 to 1997, which can impact the proportion of State to local expenditure. The most notable of which was the Child Support Enforcement Grant program. In 1988 State and local

**Table 1. Total State and local expenditures from own sources revenue and variable passthrough percentages, by State, fiscal 1997**

State	Criminal justice expenditures from own sources, in thousands			Percent of total by:	
	Total	State	Local	State	Local
U.S. total	103,477,580	42,209,812	61,267,768	40.8%	59.2%
Alabama	1,004,211	400,659	603,552	39.9%	60.1%
Alaska	417,007	316,358	100,649	75.9	24.1
Arizona	1,903,260	725,920	1,177,340	38.1	61.9
Arkansas	580,683	273,861	306,822	47.2	52.8
California	17,366,171	5,671,190	11,694,981	32.7	67.3
Colorado	1,451,468	586,918	864,550	40.4%	59.6%
Connecticut	1,308,576	808,040	500,536	61.7	38.3
Delaware	296,550	216,041	80,509	72.9	27.1
Florida	6,899,873	2,425,044	4,474,829	35.1	64.9
Georgia	2,478,792	1,002,341	1,476,451	40.4	59.6
Hawaii	430,891	217,458	213,433	50.5%	49.5%
Idaho	357,521	151,071	206,450	42.3	57.7
Illinois	4,338,642	1,496,299	2,842,343	34.5	65.5
Indiana	1,408,620	573,410	835,210	40.7	59.3
Iowa	700,772	363,035	337,737	51.8	48.2
Kansas	760,777	326,487	434,290	42.9%	57.1%
Kentucky	899,016	552,898	346,118	61.5	38.5
Louisiana	1,399,971	643,377	756,594	46.0	54.0
Maine	251,862	120,824	131,038	48.0	52.0
Maryland	2,004,256	1,131,986	872,270	56.5	43.5
Massachusetts	2,427,330	1,540,759	886,571	63.5%	36.5%
Michigan	3,643,227	1,536,509	2,106,718	42.2	57.8
Minnesota	1,455,590	498,990	956,600	34.3	65.7
Mississippi	624,137	268,798	355,339	43.1	56.9
Missouri	1,498,879	621,592	877,287	41.5	58.5
Montana	226,955	107,658	119,297	47.4%	52.6%
Nebraska	383,083	145,100	237,983	37.9	62.1
Nevada	856,522	238,889	617,633	27.9	72.1
New Hampshire	285,441	129,350	156,091	45.3	54.7
New Jersey	3,788,222	1,544,332	2,243,890	40.8	59.2
New Mexico	656,253	332,759	323,494	50.7%	49.3%
New York	10,156,652	3,538,751	6,617,901	34.8	65.2
North Carolina	2,321,828	1,337,196	984,632	57.6	42.4
North Dakota	112,106	46,325	65,781	41.3	58.7
Ohio	3,927,752	1,411,686	2,516,066	35.9	64.1
Oklahoma	832,754	451,432	381,322	54.2%	45.8%
Oregon	1,574,209	787,902	786,307	50.1	49.9
Pennsylvania	4,165,008	1,831,124	2,333,884	44.0	56.0
Rhode Island	358,410	211,272	147,138	58.9	41.1
South Carolina	1,091,405	577,854	513,551	52.9	47.1
South Dakota	170,582	78,814	91,768	46.2%	53.8%
Tennessee	1,572,625	627,251	945,374	39.9	60.1
Texas	6,615,745	2,618,817	3,996,928	39.6	60.4
Utah	685,525	326,690	358,835	47.7	52.3
Vermont	118,310	83,617	34,693	70.7	29.3
Virginia	2,446,154	1,587,315	858,839	64.9%	35.1%
Washington	2,180,423	791,066	1,389,357	36.3	63.7
West Virginia	305,473	152,335	153,138	49.9	50.1
Wisconsin	1,877,899	722,842	1,155,057	38.5	61.5
Wyoming	155,101	59,570	95,531	38.4	61.6

Notes: The State and local expenditures reported in this table are not comparable to those reported in the Justice Expenditure and Employment Extracts (CJEE) because the own-sources data exclude certain types of expenditure that are included in the total justice expenditure reported in the CJEE.

Data are not collected for the District of Columbia or the Territories because they do not have separate State and local governments.

governments reported approximately \$529 million in justice revenue receipts. In 1997 State and local governments received over \$2.5 billion from the Child Support Enforcement program alone. Over \$2 billion of this amount was granted directly to the States, in effect reducing their own-source expenses for child support enforcement. The remainder went to the local governments, reducing their own-source expenses to a lesser degree.

The VPT percentages for individual States can vary widely from year to year (table 2). Prison and jail construction can have considerable impact on the VPT percentages because the expenditures can be tabulated in the year in which construction of the facility began, not necessarily the year(s) in which the cost was incurred. State governments that had large capital outlays for prison construction in 1990, but not in 1997, had State-share decreases in the VPT percentages in 1997, all other factors being constant.

Prison construction in 1990 combined with reduced construction expenditures in 1997 contributed to the following decreases in State VPT percentages:

- Kansas, down 9.6 percentage points
- Alabama, down 9.2 points
- Virginia, down 5.1 points
- North Dakota, down 2.5 points
- Connecticut, down 1.3 points.

In some States large capital outlays for corrections and increases in current operations expenditure increased the State VPT share for 1997 relative to 1990. This was the situation in Pennsylvania, up 8.8 percentage points, and in Montana, up 6.0 points.

Between 1990 and 1997 the Commonwealth of Massachusetts abolished a few of its county governments and absorbed their justice functions. This contributed to the slight increase in the State share in Massachusetts.

States with considerable increases in funding between 1990 and 1997 often displayed corresponding increases in their State VPT shares. The State

governments of Arkansas, Montana, Ohio, Pennsylvania, and Texas more

than doubled their total criminal justice spending during the period and had subsequent increases in their VPT shares.

**Table 2. State and local change in variable passthrough percentages from 1990 to 1997, by State**

State	Change in percentage points, 1990-97	
	State	Local
U.S. total	-1.8	1.8
Alabama	-9.2	9.2
Alaska	-2.2	2.2
Arizona	-0.8	0.8
Arkansas	2.0	-2.0
California	-4.2	4.2
Colorado	-0.7	0.7
Connecticut	-1.3	1.3
Delaware	-0.3	0.3
Florida	-3.3	3.3
Georgia	-6.2	6.2
Hawaii	-3.1	3.1
Idaho	-5.3	5.3
Illinois	-1.0	1.0
Indiana	-2.5	2.5
Iowa	-7.4	7.4
Kansas	-9.6	9.6
Kentucky	-6.2	6.2
Louisiana	-2.1	2.1
Maine	-10.4	10.4
Maryland	0.9	-0.9
Massachusetts	0.1	-0.1
Michigan	-4.7	4.7
Minnesota	1.3	-1.3
Mississippi	-4.4	4.4
Missouri	-0.3	0.3
Montana	6.0	-6.0
Nebraska	-1.8	1.8
Nevada	-10.1	10.1
New Hampshire	-3.2	3.2
New Jersey	-1.6	1.6
New Mexico	-7.1	7.1
New York	-1.9	1.9
North Carolina	-1.0	1.0
North Dakota	-2.5	2.5
Ohio	0.4	-0.4
Oklahoma	-0.4	0.4
Oregon	-3.0	3.0
Pennsylvania	8.8	-8.8
Rhode Island	0.7	-0.7
South Carolina	-4.5	4.5
South Dakota	-6.6	6.6
Tennessee	-11.3	11.3
Texas	5.2	-5.2
Utah	-2.6	2.6
Vermont	-4.2	4.2
Virginia	-5.1	5.1
Washington	-3.5	3.5
West Virginia	-2.2	2.2
Wisconsin	0.5	-0.5
Wyoming	-6.6	6.6

Note: 1990 data were reported in the BJS Technical Report *Justice Variable Passthrough Data, 1990* (NCJ 133018).

## Methodology

The expenditure data used to calculate the variable passthrough percents were collected by the Census Bureau for BJS during the 1997 Census of Governments. Data were collected for —

- All State governments
- All county governments
- All municipal and township governments.

The Census included a total of 39,044 local governments (3,043 county governments, 19,372 municipalities, and 16,629 townships). The District of Columbia was treated as a municipal government. Expenditure data were not collected for Puerto Rico and the territories because their justice expenditures occur at only one level of government and the VPT does not apply to them.

## Data collection

From August 1997 to September 1998 Census Bureau employees compiled expenditure data from government records for the 50 States, 25 largest counties, and 24 largest cities. The Census Bureau mailed questionnaires to the other local governments in November 1997. Nonresponse follow-up was conducted until the response rate for local governments reached 85%. Response for field-compiled units was 100%. Subsequently an effort was made to canvass State agencies that performed justice functions, but not as their primary function. Responses varied by State. Data collected were added to existing State justice expenditures.

## The survey period

The State expenditure data presented in this report cover the fiscal year ending June 30, 1997, for all States except four whose fiscal years ended

**Appendix table. Distribution of direct expenditure for the justice system by State and local governments, fiscal 1997**

State	Criminal justice expenditures (including revenues from outside sources), in thousands							
	Total justice system		Police protection		Judicial and legal		Corrections	
	State	Local	State	Local	State	Local	State	Local
U.S. Total	\$42,353,331	\$66,916,121	\$6,669,520	\$40,974,010	\$8,566,938	\$13,078,836	\$27,116,873	\$12,863,275
Alabama	454,685	635,151	79,940	461,434	146,083	79,029	228,662	94,688
Alaska	335,501	112,027	49,854	101,338	136,193	10,320	149,454	369
Arizona	731,339	1,292,397	123,777	746,077	102,861	349,215	504,701	197,105
Arkansas	315,171	334,717	59,135	233,244	63,232	53,582	192,804	47,891
California	5,197,179	12,675,268	925,709	6,786,885	411,336	3,539,083	3,860,134	2,349,300
Colorado	628,050	911,659	55,222	597,743	146,456	140,164	426,372	173,752
Connecticut	868,944	510,412	109,523	483,215	265,649	27,197	493,772	0
Delaware	239,973	89,926	49,833	81,867	66,993	8,059	123,147	0
Florida	2,687,711	4,565,778	317,387	2,913,470	521,987	746,894	1,848,337	905,414
Georgia	1,101,936	1,535,596	169,029	881,339	75,582	311,944	857,325	342,313
Hawaii	248,360	220,418	2,632	189,655	118,193	30,763	127,535	0
Idaho	177,017	211,464	30,724	136,435	44,031	44,622	102,262	30,407
Illinois	1,416,824	3,104,856	280,479	2,130,148	227,131	573,393	909,214	401,315
Indiana	634,481	863,734	149,918	499,739	78,315	181,195	406,248	182,800
Iowa	360,360	396,566	57,881	293,734	146,749	48,548	155,730	54,284
Kansas	331,115	468,780	41,166	339,560	102,561	69,899	187,388	59,321
Kentucky	550,426	427,446	108,444	282,548	197,869	35,833	244,113	109,065
Louisiana	606,800	937,911	155,732	603,490	113,622	164,895	337,446	169,526
Maine	147,762	135,119	38,632	99,705	43,117	7,763	66,013	27,651
Maryland	1,146,420	991,772	177,278	707,910	235,952	144,064	733,190	139,798
Massachusetts	1,286,435	1,272,183	212,812	901,949	544,748	50,455	528,875	319,779
Michigan	1,622,805	2,259,675	224,827	1,338,484	137,807	616,520	1,260,171	304,671
Minnesota	491,181	1,058,387	78,075	624,062	143,786	222,544	269,320	211,781
Mississippi	300,816	382,100	54,999	265,028	48,085	69,700	197,732	47,372
Missouri	613,225	967,381	119,084	643,226	129,570	185,160	364,571	138,995
Montana	118,606	140,949	23,360	90,884	22,057	37,410	73,189	12,655
Nebraska	176,603	252,203	36,764	157,730	34,209	48,511	105,630	45,962
Nevada	245,678	636,745	39,172	333,151	26,864	145,420	179,642	158,174
New Hampshire	154,350	162,292	29,158	122,057	65,783	13,618	59,409	26,617
New Jersey	1,573,861	2,424,610	233,626	1,529,693	447,488	532,173	892,747	362,744
New Mexico	359,869	331,541	57,658	240,010	116,911	19,117	185,300	72,414
New York	3,623,637	7,431,035	318,217	4,814,556	1,273,097	740,780	2,032,323	1,875,699
North Carolina	1,419,365	1,070,032	201,385	827,653	315,652	56,368	902,328	186,011
North Dakota	58,465	69,561	8,617	47,908	29,156	12,094	20,692	9,559
Ohio	1,510,877	2,700,898	189,923	1,619,624	166,672	722,313	1,154,282	358,961
Oklahoma	495,359	426,974	52,519	349,115	106,767	39,140	336,073	38,719
Oregon	625,094	848,329	104,600	477,416	141,529	170,011	378,965	200,902
Pennsylvania	1,924,145	2,521,981	636,266	1,202,683	248,821	617,613	1,039,058	701,685
Rhode Island	235,761	150,925	31,945	142,919	84,118	8,006	119,698	0
South Carolina	632,965	548,514	153,363	340,834	50,358	109,577	429,244	98,103
South Dakota	93,475	94,154	16,159	59,401	17,588	17,046	59,728	17,707
Tennessee	617,154	1,061,795	90,203	655,589	136,936	208,966	390,015	197,240
Texas	2,838,742	4,166,268	287,534	2,473,384	385,856	743,543	2,165,352	949,341
Utah	362,359	368,414	57,567	247,779	129,434	52,450	175,358	68,185
Vermont	103,896	37,741	29,606	35,519	30,587	2,098	43,703	124
Virginia	962,231	1,348,670	161,214	820,405	182,697	198,620	618,320	329,645
Washington	757,339	1,488,515	129,404	736,912	65,600	465,634	562,335	285,969
West Virginia	190,022	157,842	41,030	100,133	54,087	30,835	94,905	26,874
Wisconsin	705,569	1,279,444	57,631	858,273	160,936	205,190	487,002	215,981
Wyoming	73,393	102,016	10,507	68,292	25,827	17,474	37,059	16,250

Notes: Local government data are estimates subject to variability. For *Methodology*, see *Justice Expenditure and Employment Extracts, 1997* (NCJ 185672).

as follows: New York, March 31, 1997; Texas, August 31, 1997; and Alabama and Michigan, September 30, 1997. Some State agencies operate on a

different fiscal year basis from 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, 1996, and

June 30, 1997. By using the July 1, 1996, to June 30, 1997, reference period, some governments' data are for a fiscal year that the local government may refer to as fiscal 1996, for example those that ended December 31, 1996. The fiscal year reported for Washington, D.C., ended September 30, 1997.

### Limitations of the data

Readers should compare States with caution. Differences in functional responsibilities from State to State 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, Vermont, and to some extent Massachusetts operate local jails as well as State prisons.

All data are subject to possible inaccuracies in classification, response, and processing. Every effort was made to keep such errors to a minimum by careful examining, editing, and tabulating of the data submitted by government officials and by extensive follow-up procedures to clarify inadequate or inconsistent survey returns.

### Definitions of terms

More explicit definitions can be found in the *Justice Expenditure and Employment Extracts, 1997*, at <http://www.ojp.usdoj.gov/bjs/abstract/jeee97.htm>. The following definitions are the same as those presented in the 1990 report.

*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.

*Variable passthrough percentages* 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 expenditures. The legislative history of this act indicates that these expenditures are to be own-source expenditures (as described on page 2).

*Unit of local government* as specified by Public Law 90-351, only includes expenditures of units of general local government, and independent law enforcement or judicial enforcement districts. Of the five broad classes of local government identified by the Census Bureau, the Public Law 90-351 definition encompasses three (counties, municipalities, and township or "town" governments), part of one (special districts), and excludes another (independent school districts) altogether. Only special district governments whose primary function is law enforcement are included. Thus, a transit authority that has a police force would not be eligible as its primary function is public transit.

*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 tabulated as direct expenditures 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.

### Sources of additional information

To obtain other reports on Justice Expenditure and Employment Statistics, visit the BJS website at <http://www.ojp.usdoj.gov/bjs/eande.htm>

Further information about the Bureau of Justice Assistance grant programs is available on the Internet at <http://www.ojp.usdoj.gov/BJA/html/fund1.html>

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In addition, information about both BJS's Justice Expenditure and Employment Series and BJA's Byrne Program can be obtained from the National Criminal Justice Reference Service (1-800-732-3277).

The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Lawrence A. Greenfeld is acting director.

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