

DEPARTMENT OF JUSTICE

ITEM 141 of the Budget Bill

Budget page 504  
Budget line No. 49

*For Support of the Department of Justice From the General Fund*

Amount requested .....	\$3,367,299
Estimated to be expended in 1954-55 Fiscal Year .....	3,327,649
Increase (1.2 percent) .....	\$39,650

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages.....	\$125,951	\$125,951	---	513	71
Operating expense.....	—84,191	—84,191	---	513	72
Equipment .....	8,280	8,280	---	513	73
Less:					
Increased reimburse- ments, other agencies .....	—11,300	—11,300	---	513	76
Add:					
Decreased reimburse- ments, special fund agencies .....	910	910	---	515	43
Total increase .....	\$39,650	\$39,650	---	---	---

RECOMMENDATIONS

Amount budgeted .....	\$3,367,299
Legislative Auditor's recommendation.....	3,358,894
Reduction .....	\$8,405

ANALYSIS

Summary of Recommended Reductions

<i>Equipment</i>	<i>Amount</i>	<i>Budget Page</i>	<i>Line</i>
Administration			
Automobile—replacement .....	\$3,800	507	8
Criminal Identification and Investigation			
Investigation—automobile replacement .....	2,100	513	30
Investigation—automobile additional .....	1,200	513	31
Bureau of Narcotic Enforcement			
Automobile—additional .....	1,305	513	52
Total .....	\$8,405		

The budget request for equipment includes the above items for additional and replacement of automobiles. We recommend deletion of this amount with an appropriate adjustment of the agency budget by the Department of Finance to permit the payment of mileage for rental of cars from the state pool. We also recommend augmentation of the Purchasing Revolving Fund in an amount sufficient to permit the furnishing of adequate automotive service to the agency from the state pool either on a day-to-day basis or monthly assignment basis.

We are recommending similar adjustments in the budgets of other agencies where additional or replacement passenger vehicles are involved. This is part of an over-all recommendation looking toward the eventual centralized ownership of all state cars in order to achieve the maximum benefits to be derived from broad fleet ownership and control,

## Department of Justice—Continued

central maintenance, and extension of pool operations to the extent feasible and economical, as explained in detail in a special section in the introduction to this report.

In addition to the above general policy statement, we would like to comment on the request for replacement for the Attorney General's 1953 Cadillac sedan. The budget information shows that the automobile was purchased in February, 1953. The mileage as of June 30, 1954, was 25,250 miles and it is estimated that the automobile will travel 30,000 in the current year. Therefore, at the end of the current year, the mileage will be approximately 55,000 miles. No justification is provided for replacement of this automobile after only 55,000 miles and approximately 29 months of use. Since no justification is provided for replacing the vehicle, we recommend that the amount budgeted be deleted.

The record of expense for the automobiles operated by the Department of Justice indicates what appears to be excessive maintenance and repair costs. There also appears to be an excessive number of accident repair jobs required on the department's automobiles. The records reveal that during Fiscal Year 1953-54 over 20 percent of the vehicles required some expenditure for accident repairs. We suggest that the Automotive Management Unit review the repair and accident cost of the Department of Justice to determine if the amounts are excessive. Further, if our conclusions that the costs are excessive are correct, these examples support our general policy that all automobiles should be placed under the Automotive Management Unit. Under such a program the rate and cost of repair and accidents would be under the supervision of experienced automotive personnel.

The amount requested for support of the activities of the Department of Justice is \$39,650 or 1.2 percent above the amount estimated to be expended for Fiscal Year 1954-55. The actual increase in the regular activities of the department for the 1955-56 budget year is, however, substantially more. The increase is understated because of an allocation from the Emergency Fund of \$124,922. This emergency allocation consists of the following items:

Investigations of alcoholic beverage licenses.....	\$100,000
Special out-of-state traveling-attendance by the Attorney General and a deputy to the Inter-American Congress of Public Law Administrators in Brazil .....	2,800
Added costs for telephone, teletype rental, cost of suits.....	22,122
<b>Total—emergency allocation .....</b>	<b>\$124,922</b>

The allocations for investigations of alcoholic beverage licenses of \$100,000 and the special out-of-state travel of \$2,800 are nonrecurring costs. If these costs are deducted from the estimated expenditure for operating expense for the current fiscal year, that figure is reduced which in turn alters its relationship with the amount requested for 1955-56. The following table shows the increase as shown in the Budget on page 513, lines 71-73, compared with the adjusted increase figures excluding the nonrecurring emergency allocations.

## Department of Justice—Continued

	<i>Increase shown in budget</i>	<i>Adjusted increase</i>
Salaries and wages-----	\$125,951	\$125,951
Operating expense-----	—84,191	18,609
Equipment-----	8,280	8,280
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Total increase-----	\$50,040	\$152,840
Less net reimbursements-----	—10,390	—10,390
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Net total increase-----	\$39,650	\$142,450

The actual increase in the support program of the department consists of normal salary adjustments, new positions and increases in operating expense and equipment. The new positions requested are as follows:

Division of Administration	
Senior legal stenographer (5)-----	\$17,280
Intermediate clerk (1)-----	2,844
Division of Civil Law	
Deputy attorney general I (2)-----	8,592
Bureau of Criminal Identification and Investigation	
Fingerprint technicians (4)-----	14,664
Modus operandi technicians (1)-----	4,294
Identification technicians (2)-----	5,976
Typists and clerks (11)-----	32,040
Polygraph specialist (1)-----	6,360
Bureau of Narcotic Enforcement	
Narcotic pharmacist inspector (1)-----	4,596
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Total—positions (28)-----	\$96,646

All of the new positions are justified on the basis of increased workload. The workload standard for secretarial positions has been established at a ratio of three deputies to two stenographers. There are 90 attorney positions and 57 stenographer positions authorized. Thus three additional stenographer positions are justified to bring the overall ratio to three to two. The two additional secretarial positions are provided for the two new attorney positions.

The position of intermediate clerk will assist in the filing of papers with the courts or county clerks, the service of papers, and the routing of mail. Frequently the clerical employees are used to chauffeur personnel to the courts and to meetings. This position is requested for San Francisco and appears to be fully justified.

Two attorney positions have been requested for the Division of Civil Law. These positions also appear to be justified on a workload basis. The backlog of pending matters numbered 3,004 as of July 1, 1954 compared to 2,510 as of July 1, 1952. There were also backlogs of matters pending before boards and commissions and requests for opinion. The new cases, proceedings and opinions are not increasing materially so the approval of these positions should provide adequate manpower for the Division of Civil Law to handle its workload.

The workload in the Bureau of Criminal Identification and Investigation has continued to increase over the past several years. In 1948-49 approximately 310,000 fingerprints were received and the agency esti-

**Department of Justice—Continued**

mates it will receive 530,000 during the current fiscal year. The estimate for 1955-56 of the increase in the number of fingerprints received is based on the average numerical increase of 30,000 prints. This increase plus the increase in the latent fingerprints appears to justify the request for four additional fingerprint technicians.

The continued increase in the number of fingerprints received requires additional employees each year to cope with the workload. In addition to the increased cost of employees, the building housing the bureau is quickly reaching maximum capacity. These pressures make it absolutely necessary that the State seek new and more efficient ways of processing fingerprints. Other states, namely, New York and Michigan, are converting portions of their fingerprint files to a machine method of processing. It appears to us that this system can be employed in California. The Bureau of Criminal Identification and Investigation has explored this machine method and is agreeable to a full scale study of its applicability to the State's fingerprint file maintenance system. We expect to begin our study of the feasibility of machine searching during the 1955-56 Fiscal Year and hope that the bureau and the Department of Finance will be able to look into the problem at the same time.

The results of such a study are not necessarily predictable. However, based upon what we have already learned from New York and Michigan officials, the machine method can search more quickly and accurately and can absorb a greater amount of work with lower increased costs than a manual system. It should be kept in mind that the machine method of searching fingerprints is not a complete substitute for manual searching. Also, conversion to the machine method is a long process. However, the ultimate advantages of machine searching appear to be many; for example, it may provide a means of purging the fingerprint file which now runs to several million prints.

The Special Services Section consists of four groups which perform different processes. The modus operandi group processes crime reports and other items; the machine unit processes reports on stolen, lost and pawned articles and firearms; the photography unit processes photographs and negatives and the fourth unit is an administrative unit. The work in each of these units continues to increase at a fairly consistent rate. Workload standards have been established and the requested positions are justified on that basis.

A position of polygraph specialist is requested for the Investigation Section to operate a polygraph and conduct this specialized type of interrogation and investigation. Too many requests are being received from local law enforcement agencies for the one polygraph operator now employed to handle. During the 1953-54 Fiscal Year the polygraph specialist handled 66 felony cases for peace officers in the State. These cases necessitated considerable travel and overtime. During this same period 40 requests received from law enforcement agencies for the services of a polygraph operator could not be serviced. The present operator has had considerable success in his interrogations. Based upon the above information, we believe the position is justified.

**Department of Justice—Continued**

The narcotic pharmacist inspector I position is requested by the Department of Justice on the basis of proper enforcement of the narcotic laws. The state enforces the narcotic laws pertaining to tax paid narcotic drugs. The workload in this field is becoming heavier as the number of physicians practicing in the State increases. The workload for the narcotic pharmacist inspectors increases as the number of eligible prescribers increase and, also, as the total triplicate narcotic prescription blanks issued increases. We believe that this position is justified.

**Department of Justice  
OTHER CURRENT EXPENSES**

ITEM 142 of the Budget Bill

Budget page 514  
Budget line No. 10

*For Fees to Special Counsel Employed Pursuant to Section 12520, Government Code, From the General Fund*

Amount requested .....	\$2,500
Estimated to be expended in 1954-55 Fiscal Year .....	2,500
Increase .....	None

**RECOMMENDATIONS**

Amount budgeted .....	\$2,500
Legislative Auditor's recommendation .....	2,500
Reduction .....	None

**ANALYSIS**

The amount is requested for fees to special counsel employed when a district attorney is disqualified to conduct any criminal prosecution. It will be noted that the amount budgeted for 1953-54 was not spent; however, it is considered necessary in the event a district attorney is disqualified and special counsel is required.

**Department of Justice  
OTHER CURRENT EXPENSES**

ITEM 143 of the Budget Bill

Budget page 514  
Budget line No. 42

*For Services Rendered the Colorado River Board From the General Fund*

Amount requested .....	\$129,987
Estimated to be expended in 1954-55 Fiscal Year .....	128,528
Increase (1.1 percent) .....	\$1,459

**RECOMMENDATIONS**

Amount budgeted .....	\$129,987
Legislative Auditor's recommendation .....	129,987
Reduction .....	None

**ANALYSIS**

This budget request is to cover the estimated cost of continuing the effort to resolve the conflict between Arizona and California as to the division of water available to the lower basin of the Colorado River. These funds administered by the Attorney General will be used to retain the services of legal firms.

**Other Current Expenses—Continued**

The amount estimated to be expended during the current fiscal year has been supplemented by an emergency fund allocation of \$8,103. Therefore, the actual increase in the proposed amount for 1955-56 over the appropriated amount for 1954-55, is \$9,562 or about 8 percent. The cost of this service continues to increase each year.

Approval is recommended.

**DEPARTMENT OF MENTAL HYGIENE  
Mental Hygiene Summary****Description**

The main functions of the Department of Mental Hygiene, as prescribed in the laws of the State, principally the Welfare and Institutions Code, are to:

1. Operate state facilities for care and treatment of mental disorder, including psychoses, psychoneuroses, mental deficiency or retardation, drug and alcohol addiction, criminal insanity, psychopathic behavior or personality, epilepsy, and syphilis of the central nervous system.
2. Admit persons suffering from mental disorder to these facilities for care and treatment on the basis of voluntary application, court commitment, and application submitted by local public health officers; admit allegedly mentally ill persons to these facilities for emergency care and treatment pending commitment action.
3. Provide physical care and medical and psychiatric treatment of hospital patients; provide outpatient psychiatric and psychological treatment of clinic patients.
4. Release on leave, or discharge patients when their mental health warrants it; return patients to the committing authority, or penal institution who have been committed during or after trial on criminal charges or while serving a prison sentence, when justification for further care and treatment in a mental hospital ceases to exist.
5. Provide psychiatric and psychological help and guidance for patients on leave.
6. Conduct educational and informational programs relating to prevention of mental illness and preservation and promotion of mental health.
7. Cooperate with the University of California in operation of facilities for research and teaching in the field of psychiatry.
8. Safeguard property and funds of hospital patients, to the extent this is not done by other agencies or by relatives of patients.
9. Collect charges for care and treatment.
10. Inspect private and public facilities for care and treatment of mental disorder; license and regulate private mental institutions.
11. Return nonresident hospital patients to states of residence and accept from other states hospital patients with legal residence in California.
12. Protect the legal rights of hospital patients.