

Office of State Fire Marshal—Continued

not legally carry the cost of inspecting school buildings that were already constructed but only those that are in the planning stage. Consequently, this procedure has been stopped. As a result only \$21,223 is proposed to be provided from this source as a reimbursement in the budget year as compared to \$64,422 appropriated for the current year.

The \$10,673 increase in salaries and wages is brought about by the request for an additional deputy state fire marshal I referred to above, and normal merit salary adjustments. Operating expenses are proposed to increase by \$860 as a result of increased building rent, in-state traveling, automobile operation, office and printing. This is largely offset by the elimination of the research project on cleaning solvents.

The equipment allocation is requested at \$1,664 over the current year's authorization in order to provide copying machines in each office and some dictating equipment.

We feel that the increased budget request should be approved only on the basis that a more careful study of the work load measurement system would establish the actual need for the position prior to its employment.

We recommend approval of the budget with this limitation.

DEPARTMENT OF JUSTICE

ITEM 138 of the Budget Bill

Budget page 520
Budget line No. 42FOR SUPPORT OF THE DEPARTMENT OF JUSTICE FROM THE
GENERAL FUND

Amount requested -----	\$4,672,433
Estimated to be expended in 1956-57 Fiscal Year -----	4,196,319
Increase (11.3 percent) -----	\$476,114

Summary of Increase

	Total increase	INCREASE DUE TO		Budget Line page No.
		Work load or salary adjustments	New services	
Salaries and wages -----	\$382,811	\$382,811	--	530 56
Operating expense -----	79,605	79,605	--	530 57
Equipment -----	40,582	40,582	--	530 58
Plus decreased reimbursements other agencies -----	4,750	4,750	--	530 69
Less increased reimbursements from special fund agencies ----	-31,634	-31,634	--	520 21
	\$476,114	\$476,114		

RECOMMENDATIONS

Amount budgeted -----	\$4,672,433
Legislative Auditor's recommendation -----	4,672,433
Reduction -----	None

Department of Justice

The Attorney General is the chief law officer of the State. The Department of Justice is under his direction. The chief functions of this department are interpretation of laws, rendering opinions, representing the State in civil litigation and on appeal from trial courts in criminal cases, compiling criminal statistics, assisting peace officers in criminal and civil investigations, maintaining fingerprint and modus operandi files, performing laboratory services for local law enforcement state agencies and the enforcement of the State Narcotic Act.

ANALYSIS

For the current fiscal year there was an allocation from the emergency fund in the amount of \$50,200.

This amount is composed of the following items of major expenditures.

Civil Law Division	
Cost of suit	\$16,000
Narcotic Enforcement Bureau	
Informers evidence	7,000
Vehicle forfeiture	8,000
Price increases for equipment	700
Decrease in estimated reimbursements for legal services to other state agencies	18,500
Total	\$50,200

There are 75.5 new positions proposed in this budget request. Salaries and wages, operating expense and equipment for these additional positions plus the normal salary adjustments account for the increase of \$476,114 for the Fiscal Year 1957-58 as compared to the estimated expenditures for the current fiscal year.

Comments on the proposed additional personnel will be made in our discussion of the various divisions and bureaus to which this personnel will be assigned.

Office of General Administration

Request for additional positions as follows:

	<i>Number of positions 1957-58</i>	<i>Proposed 1957-58</i>
Sacramento:		
Accounts and Records:		
Intermediate account clerk	1	\$3,294
Secretarial:		
Senior legal stenographer	3	12,276
Intermediate clerk	1	3,294
San Francisco:		
Secretarial:		
Senior legal stenographer	3	12,276
Los Angeles:		
Secretarial:		
Senior legal stenographer	6	24,552
Intermediate clerk	1	3,294
Teletype:		
Teletype operator	2	7,260
Totals, salaries and wages	17	\$66,246

Office of General Administration—Continued

The above positions are needed to service the additional new positions requested for other divisions and an increase in the number of claims, invoices and purchase estimates in the accounting office. We believe these positions are justified and recommend approval. However, we are of the opinion that these positions, and many others in the current budget should not be charged to the Office of General Administration but should be shown under the division where their functions are performed.

The Attorney General is in the process of a reorganization which accomplishes the above and many other changes which we will discuss later in our analysis.

Civil Law Division

The Civil Law Division has requested the following additional positions for 1957-58.

	<i>Number</i>	<i>Amount</i>
Sacramento:		
Deputy Attorney General III -----	1	\$8,940
Special investigator -----	1	4,980
San Francisco:		
Deputy Attorney General III -----	1	8,940
Special investigator -----	1	4,980
Los Angeles:		
Deputy Attorney General III -----	1	8,940
Deputy Attorney General II -----	1	6,672
Special investigator -----	1	4,980
Totals, salaries and wages -----		7
		\$48,432

As we stated in our analysis for the 1956-57 Fiscal Year it is very difficult to determine the appropriate number of attorneys for any legal staff from work load statistics. Some cases are of long duration and require attorneys who are specialists in a particular field and other cases require considerable research. We have endeavored to secure information from other states, the American Bar Association and the Council of State Governments on this subject. No yardstick has been developed which could serve as a guide for the staffing of a legal office. As a general rule, the need for a specific number of attorneys is left to the discretion of the supervisors.

Since legal assistance is largely a matter of subjective judgment rather than precise work load measurement, we have included in our analysis, as a guide to the Legislature, tables showing the increases in the staffs for the Division of Civil Law and the Division of Criminal Law since 1947-48. The increase in the Division of Civil Law is as follows:

Civil Law Division—Continued

Attorney Positions Authorized—Division of Civil Law, 1948-1957

Year	Junior counsel positions or higher	Legal assistants or law clerks	Total
1947-48 (authorized)-----	42.5	3	45.5
1948-49 (authorized)-----	46.5	2	48.5
1949-50 (authorized)-----	48.5	3	51.5
1950-51 (authorized)-----	50.5	2	52.5
1951-52 (authorized)-----	52.1	-	52.1
1952-53 (authorized)-----	56.0	1	57.0
1953-54 (authorized)-----	56.0	1	57.0
1954-55 (authorized)-----	59.0	1	60.0
1955-56 (authorized)-----	63.0	1	64.0
1956-57 (authorized)-----	74.0	1	75.0

NOTE: Excludes two deputy attorneys general authorized for the "bank tax" case since these were not included under support prior to July 1, 1953. Also excludes two disability claims examiners authorized to relieve deputies of investigatory duties relative to subsequent injury cases.

Our staff has visited the Offices of the Attorney General in Los Angeles, San Francisco and Sacramento. We have examined the methods of distributing work load and the controls used to determine the time spent by attorneys on cases and we find these methods and controls to be reasonably adequate.

Prior to 1954 statistics on cases were of little value. Dead cases were included in the counts and very little effort was made to clear them out. The following tables show the work load data from June 30, 1954, to June, 1956:

Quarter	Civil cases			Administrative cases		
	Filed	Closed	Carried over	Filed	Closed	Carried over
1954						
June 30 -----	--	--	2,737	--	--	600
July-September -----	466	345	2,853	122	129	593
October-December ----	474	331	3,001	160	109	644
1955						
January-March -----	397	372	3,026	198	125	717
April-June -----	415	350	3,091	214	188	743
July-September -----	246	461	2,986	247	231	759
October-December ----	311	579	2,608	196	159	796
1956						
January-March -----	389	366	2,631	230	178	848
April-June -----	431	701	2,381	240	205	883
				Subsequent injuries cases		
1954			Filed	Closed		Carried over
June 30 -----			--	--		407
July-September -----			67	65		409
October-December ----			92	33		468
1955						
January-March -----			98	72		494
April-June -----			85	72		507
July-September -----			109	105		511
October-December ----			74	45		540
1956						
January-March -----			86	90		536
April-June -----			80	70		546

We recommend approval of the proposed seven additional attorneys for the Civil Law Division.

Division of Criminal Law and Enforcement

The Criminal Law and Enforcement Division has requested the following new positions for 1957-58:

Criminal Law:	Number	Amount
Sacramento:		
Deputy attorney general III-----	1	\$8,940
San Francisco:		
Deputy attorney general III-----	1	8,940
Los Angeles:		
Deputy attorney general III-----	1	8,940
Deputy attorney general II-----	1	6,672
Subtotals -----	4	\$33,492

Bureau of Criminal Statistics:	Number	Amount
Sacramento:		
Senior research technician-----	1	\$8,112
Associate research technician (effective January 1, 1958)-----	1	6,672
Assistant research technician (effective January 1, 1958)-----	2	10,992
Junior research technician-----	1	4,512
Graphic artist-----	1	4,404
Senior clerk-----	1	3,900
Senior typist-clerk-----	1	3,900
Tabulating machine operator-----	1	3,810
Intermediate stenographer-clerk (1 effective January 1, 1958)-----	2	5,184
Intermediate clerk-----	5	15,470
Subtotals -----	16	\$66,956

Bureau of Criminal Identification and Investigation:	Number	Amount
Sacramento:		
Fingerprint:		
Senior fingerprint technician-----	2	\$9,580
Junior identification technician-----	2	6,912
Special Services:		
Senior modus operandi technician-----	1	6,060
Intermediate modus operandi technician-----	2	9,480
Junior identification technician-----	2	6,912
Intermediate typist-clerk-----	2	6,588
Intermediate clerk-----	5	16,470
Record:		
Intermediate typist-clerk-----	1	3,294
Intermediate clerk-----	6	19,764
Laboratory:		
Intermediate stenographer-clerk-----	1	3,456
Subtotals -----	24	\$85,516

Division of Criminal Law and Enforcement—Continued

Bureau of Narcotic Enforcement:	Number	Amount
Los Angeles:		
Narcotic pharmacist-inspector -----	2	\$12,120
Sacramento:		
Intermediate stenographer-clerk -----	0.5	1,728
San Diego:		
Supervising narcotic inspector -----	1	7,008
Narcotic chemist-inspector -----	1	6,060
Narcotic pharmacist-inspector -----	1	6,060
Intermediate stenographer-clerk -----	1	3,456
San Francisco:		
Intermediate stenographer-clerk -----	1	3,456
Subtotals -----	7.5	\$39,888
Totals—Division of Criminal Law and Enforcement -----	51.5	\$225,852

Positions added to the Division of Criminal Law since 1947-48 are shown in the following table:

Attorney Positions Authorized—Division of Criminal Law, 1948-1957

	Junior counsel positions or higher	Legal assistants or law clerks	Total
1947-48 (authorized) -----	8.0	1.0	9.0
1948-49 (authorized) -----	8.0	1.0	9.0
1949-50 (authorized) -----	8.0	1.0	9.0
1950-51 (authorized) -----	8.0	1.0	9.0
1951-52 (authorized) -----	16.0	0.5	16.5
1952-53 (authorized) -----	17.0	0.0	17.0
1953-54 (authorized) -----	17.0	0.0	20.0
1954-55 (authorized) -----	20.0	0.0	20.0
1955-56 (authorized) -----	20.0	0.0	20.0
1956-57 (authorized) -----	20.0	0.0	20.0

Criminal Cases

Quarter	Filed	Closed	Carried over
1954			
June 30 -----	--	--	371
July-September -----	353	256	468
October-December -----	316	302	482
1955			
January-March -----	332	335	479
April-June -----	317	338	458
July-September -----	379	302	535
October-December -----	333	341	527
1956			
January-March -----	412	395	544
April-June -----	410	444	510

We recommend approval of the four additional attorneys requested for the Criminal Law and Enforcement Division.

The additional personnel requested for the Bureau of Criminal Statistics is justified on a work load basis and the necessity for a more detailed analysis of data developed by the bureau.

Following are some of the projects which are under way and justify in part the additional positions.

Division of Criminal Law and Enforcement—Continued

1. The analysis of new measurements of recidivism now being developed relating to arrests and dispositions of parolees, the determination of violation rates based on total arrests, major arrests, and minor arrests, by offense groups, by recidivism, and any other available factors of significance. This analysis is being made on the basis of 6, 12, and 24 months experience on parole.

2. The analysis of evaluation reports now being furnished by the Division of Adult Paroles on all parolees under supervision in California. These reports are completed at the end of each 6-, 12- and 24-month period. Nineteen evaluation items are coded and punched on a special set of punch cards. The research unit would have the problem of analyzing these items as related to the behavior of parolees, their violations and any other significant available data.

3. The continuation of the Special Intensive Parolees Unit case study, based on 30 subject-case loads under supervision for six months, from January 1, 1956, to June 30, 1957. Analysis will have to be made on this material in January, 1957, and June, 1957, with final analysis in January, 1958.

4. The research and analysis that arises out of the Pilot Intensive Counseling Organization project will be carried on by this unit. Parole reports are now, for the first time, beginning to be received on the few Pilot Intensive Counseling Organization cases that have been released from the institutions. The earliest analysis of this material would be in 1957, and particular analysis would be made every six months during the course of the project.

5. The intensive treatment project is on the way at San Quentin and is to be established at Chino and Soledad. It is obvious that this project has so many factors relating to institutional treatment and institutional behavior that much anticipated analysis has not yet been outlined in detail.

Future projects suggested by the bureau:

1. Study of the psychotherapeutic treatment given at the Medical Facility.

2. Study of the special treatment for sex deviates given at the Medical Facility.

3. Study of special treatment given narcotic addicts at the Medical Facility.

4. Study of vocational training and its relationship to institutional behavior.

5. The effectiveness of treatment of the Outpatient Clinic in Los Angeles.

6. A study that was commenced two years ago and has not been completed is the study of post-discharge behavior on the part of persons discharged from prison on parole. Data have been collected from criminal records for a period of three years following discharge. Such a study should also be undertaken for Youth Authority discharges.

The additional positions requested for the Bureau of Criminal Identification and Investigation are based on increases in work load. The number of transcripts to be typed for 1957-58 is estimated to be 385,958 which is an increase of 49,572 over the actual number of 336,386

Division of Criminal Law and Enforcement—Continued

transcripts typed in 1955-56. The number of fingerprints to be processed in 1957-58 is estimated to increase by 23,128. It is estimated that there will be 1,387,110 name searches in 1957-58. This is an increase of 170,952 over the estimated number for 1956-57. Filings and searches and expected to increase in the Record Folder Unit. Time spent in the field, attending court and examining evidence at crime scenes has increased in the Laboratory Section. Services to local law enforcement units are in greater demand. A total of 1,500 blood alcohol determinations are to be made in the laboratory. The two polygraph specialists worked 338 hours of overtime from January 1, 1956, through June 30, 1956.

Additional positions requested for the Narcotic Enforcement Bureau are based in part on increased case load and the demand from local law enforcement agencies for assistance.

Four of the proposed new positions requested will be assigned to the proposed independent office to be established in San Diego. At present there are two, one narcotic inspector and one narcotic specialist assigned to San Diego. This staff is augmented from time to time by personnel from the Los Angeles office which incurs additional expense for travel and per diem.

The following case load for San Diego, Riverside and Imperial Counties has been present.

1952	1954	1956
24	48	57

The increase and number of cases do not appear significant. However, there is no suitable yardstick that can be applied to work load of this nature. Personnel and time required vary by case.

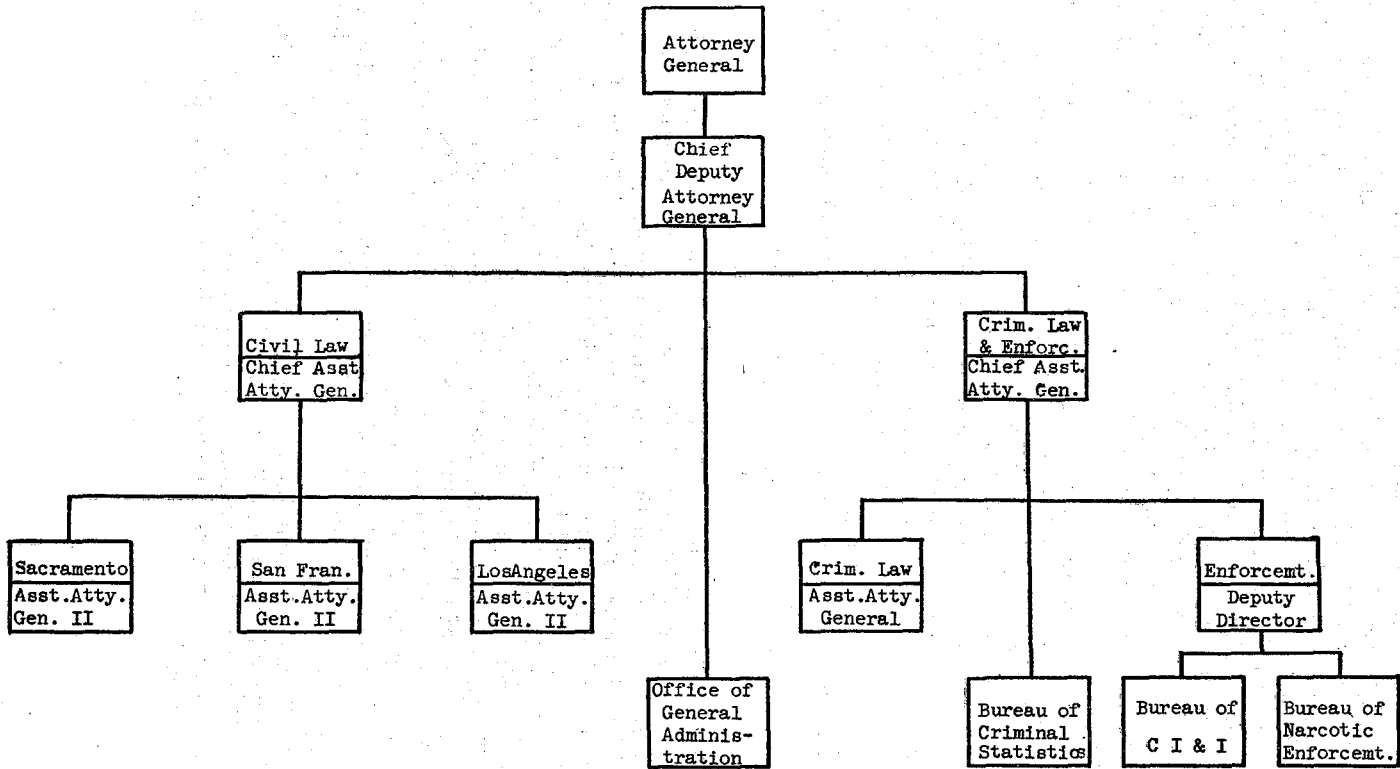
The additional pharmacist inspectors requested for the Los Angeles office are based on the assumption that the Narcotic Act is not being enforced as it should be and that illicit drug violators are not being brought to justice. The bureau also cites a backlog of 60 cases in the Los Angeles office which have accumulated since 1953.

The positions requested for San Francisco are clerical and are for the purpose of relieving inspectors from clerical duties.

We recommend approval of the additional personnel for the Narcotics Bureau for the following reasons.

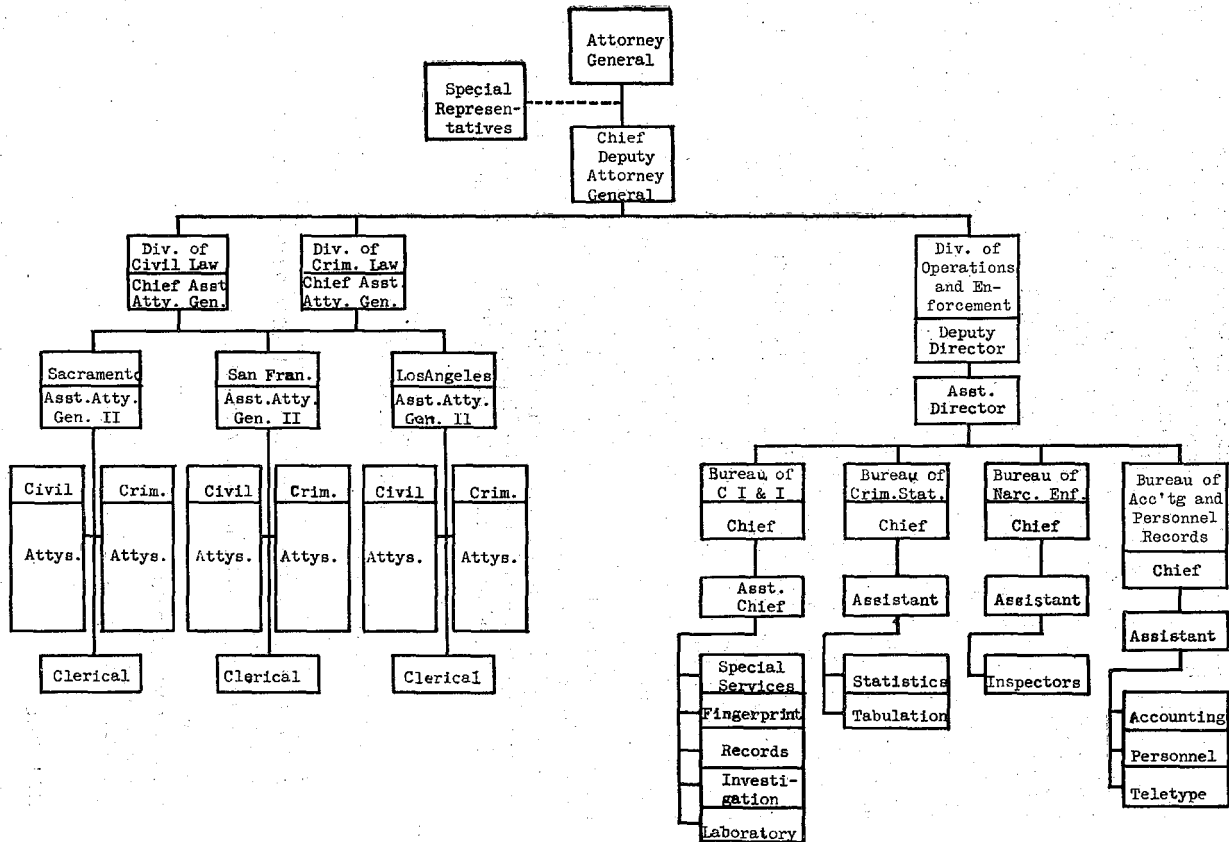
1. The present staff required to cover the entire State is not excessive.
2. Augmentations to this staff in the past five years have been insignificant.
3. There has been an increase in population and entry into California which would increase traffic in this field of crime.
4. The bureau demonstrates an increase in work load.
5. There are increased requests for assistance from local law enforcement agencies.

TABLE I
 EXISTING ORGANIZATION CHART FOR DEPARTMENT OF JUSTICE



460

TABLE II
 PROPOSED ORGANIZATION CHART FOR DEPARTMENT OF JUSTICE



461

Proposed Reorganization of the Department of Justice

Table I shows the present organization which consists of the Office of General Administration, and the three divisions of Civil Law, Criminal Law, and Enforcement. The Office of Administration has the functions of accounting, personnel and the state-wide teletype system. Under the present structure this division has operated without sufficient supervision. The heavy work load performed by the Chief Deputy Attorney General for the Attorney General does not leave him sufficient time for supervisory duties of this nature.

Under the Division of Criminal Law and Enforcement there is the Bureau of Criminal Statistics, Bureau of Criminal Identification and Investigation and the Bureau of Narcotic Enforcement. The attorney in charge of this division is completely occupied supervising the legal activities and has attempted to supervise the enforcement activities. However, this has not been a satisfactory arrangement.

Table II shows the organization chart recommended by the Attorney General's office. This organizational structure has three basic functions, viz., Division of Civil Law, Division of Criminal Law and the Division of Operations and Enforcement.

The Civil Division and Criminal Division will have the legal functions. The new Division of Operations and Enforcement will have the enforcement functions of the Bureau of Criminal Identification and Investigation, Bureau of Narcotics, Bureau of Criminal Statistics and the housekeeping functions of accounting, personnel and the teletype service for the two enforcement bureaus and the administrative traffic.

In our opinion, the establishment of this new division should provide a more efficient operation for the Department of Justice and we believe the Civil and Criminal Law divisions will operate more efficiently.

Department of Justice
OTHER CURRENT EXPENSES

ITEM 139 of the Budget Bill

Budget page 520
Budget line No. 57**FOR FEES TO SPECIAL COUNSEL EMPLOYED PURSUANT TO SECTION 12520 OF THE GOVERNMENT CODE, FROM THE GENERAL FUND**

Amount requested -----	\$2,500
Estimated to be expended in 1956-57 Fiscal Year -----	2,500

Increase -----	None
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RECOMMENDATIONS

Amount budgeted -----	\$2,500
Legislative Auditor's recommendation -----	2,500

Reduction -----	None
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ANALYSIS

The amount requested is for the purpose of making investigations for the discovery and recovery of property to which the State may be entitled by escheat. The amount also provides funds to conduct criminal prosecutions in counties where the district attorney is disqualified to conduct the prosecution.

We recommend approval as budgeted.

**Department of Justice
OTHER CURRENT EXPENSE**

ITEM 140 of the Budget Bill

Budget page 520
Budget line No. 64

FOR LITIGATION AND LEGAL SERVICES IN CONNECTION WITH ACTIVITIES OF THE COLORADO RIVER BOARD OF CALIFORNIA, DEPARTMENT OF JUSTICE, FROM THE GENERAL FUND

Amount requested -----	\$613,708
Estimated to be expended in 1956-57 Fiscal Year -----	608,511
Increase -----	\$5,197

RECOMMENDATIONS

Amount budgeted -----	\$613,708
Legislative Auditor's recommendation -----	613,708
Reduction -----	None

ANALYSIS

The amount proposed in the 1956-57 Fiscal Year for expenditures for this item was originally \$341,868. Due to hearing commenced by the special master, who is appointed by the Supreme Court, in San Francisco during the current fiscal year this estimate was entirely inadequate and therefore a deficiency appropriation of \$252,223 was requested for the current fiscal year and this increase in expenditures is anticipated to continue through the 1957-58 Fiscal Year.

The major items of expenditures causing this deficiency are as follows:

Furniture and equipment rentals -----	\$11,000
Anticipated miscellaneous rentals and costs as case progresses -----	1,595
Printing of exhibits and letterheads, etc. -----	50,000
Telephone -----	8,319
Freight and cartage -----	1,500
Cost of suit -----	53,045
Travel -----	39,514
Consulting services -----	83,355
Rent—office space -----	23,875

This litigation is of the utmost importance to the water supply of the State and should, we believe, be adequately financed.

We recommend approval as budgeted.

**Department of Mental Hygiene
GENERAL SUMMARY**

Budget page 534
Budget line No. 24

FOR SUPPORT OF THE DEPARTMENT OF MENTAL HYGIENE FROM THE GENERAL FUND

Amount requested -----	\$85,655,867
Estimated to be expended in 1956-57 Fiscal Year -----	78,537,454
Increase (9.1 percent) -----	\$7,118,413