

The 2022-23 Budget:

Highway Violence Task Force

FEBRUARY 2022

Summary. The Governor proposes \$4 million General Fund for the California Highway Patrol (CHP) to support the Highway Violence Task Force. Although providing resources to CHP to address highway violence has merit, it is unclear whether the proposal is the most effective solution given the limited understanding of the factors associated with highway violence and the high levels of vacancies at CHP. In addition, we find that the Motor Vehicle Account (MVA) is a more appropriate funding source than the General Fund to address highway violence. To the extent that the Legislature considers highway violence a priority, we recommend the Legislature consider research-based alternatives, fund the various activities from the MVA, and require reporting on the prevalence and associated factors of highway violence.

Background

Shootings Are a Growing Problem on State Highways. In recent years, the number of shootings occurring on state highways has increased. According to CHP, the number of highway shootings increased from 210 in 2019 to 471 in 2021. Shootings have increased in all CHP geographic divisions across the state, except the Northern division, which is a relatively rural area. (The operations of CHP are divided across eight geographic divisions throughout the state.) In 2021, CHP began collecting statewide data on other forms of violent crime on the state highway system, such as non-shooting homicides and thrown objects. CHP reported 355 of these types of crimes in 2021.

Role of CHP in Addressing Highway Violence.

The primary mission of CHP is to ensure safety and enforce traffic laws on state highways and county roads in unincorporated areas. When a violent crime occurs on state highways, CHP officers in the near vicinity—who generally are on road patrol duty—get called to the scene. These officers often become the primary investigators of the crime that occurred, and lead in collecting evidence, investigating criminal offenses, and submitting associated reports. If the investigating officer needs additional support or resources, or if the investigation requires in-depth or lengthy examination to complete, CHP’s Investigative Services Unit can provide investigative support, depending on the circumstances. In response to the rising incidence of highway shootings, CHP has recently established the Highway Violence Task Force, aiming to deter highway violence and bolster investigative resources.

Governor’s Proposal

Provides \$4 Million for the Highway Violence Task Force. The Governor’s budget includes a total of \$10.6 million General Fund support over three years—\$4 million in 2022-23 and \$3.3 million in 2023-24 and 2024-25—for CHP to support its Highway Violence Task Force. Of the \$4 million proposed for 2022-23, \$2.2 million would support overtime costs to fund additional CHP officers on road patrol duty, particularly in locations where higher rates of violent crime are occurring. (As we discuss in more detail below, CHP is proposing to use overtime due to its high vacancy rate for uniformed officer positions.) The proposed amount also includes \$879,000 for seven Associate Governmental Program Analyst positions and \$995,000 for training, information technology (IT), and equipment to support criminal investigations.

Assessment

Providing Resources to CHP to Address Highway Violence Has Merit. To the extent that it is an increasing problem, highway violence presents an important concern for CHP, as it is one of the department's primary responsibilities to ensure safety on state highways and unincorporated county roads. As such, providing some amount of additional resources for CHP to further investigate and deter violent crime seems reasonable. Furthermore, the limited-term nature of this proposal provides the Legislature a natural opportunity in three years, after funding for this proposal would conclude, to assess whether this proposal has produced desired outcomes, whether any modifications are needed, and the extent to which ongoing funding is warranted.

Limited Information on Why Highway Shootings Are Increasing. In 2020, CHP began tracking information on the associated factors of each highway shooting when such determinations can reasonably be made. From January 2020 through October 2021, CHP reported that 25 percent of the shootings with available data were associated with road rage and 8 percent were associated with gang-related crimes. Although these initial data are valuable, longitudinal data are needed to better understand the factors driving the increase in highway shootings and the extent to which the relative impact of each factor has changed over time. A better understanding of the problem can inform more targeted and effective solutions. Funding for investigative supports included in the Governor's proposal, such as training, IT, and equipment, could help gather more comprehensive crime analytics and analyze the factors behind the rising incidence of highway shootings.

Unclear Whether Funding Overtime Is Most Efficient Solution. More than half of the requested funding is dedicated for overtime, which is intended to increase CHP road patrol presence in areas with high incidences of shootings to deter potential criminal activity. However, CHP is facing high vacancy rates for its uniformed road patrol officers. As of January 1, 2022, 14.5 percent of CHP's authorized uniformed positions were vacant. CHP is currently using salary savings from these vacant

positions to pay for necessary overtime to maintain current levels of service to the public. Given that CHP is not fully staffed and already requiring some level of overtime for officers due to the vacancies, addressing highway shootings mainly through the increased use of overtime might overextend the current CHP workforce.

MVA Is More Appropriate to Support Proposed Activities. The state collects various fees for vehicle registration, driver's licenses, as well as special permits and certificates, primarily to support the state administration and enforcement of laws regulating the operation and registration of vehicles used on public roads and highways. Revenues collected from the various fees are deposited into the MVA. As the primary law enforcement entity of the state highway system, CHP receives nearly all of its funding from the MVA. Because the Governor's proposal would fund further enforcement of laws on state highways, we find it would be more appropriate to fund the proposed activities from the MVA, rather than the General Fund as proposed by the Governor.

Recommendation

Modify Proposal if Addressing Highway Violence Is a Priority. To the extent that the Legislature considers highway violence a priority and wants to dedicate the same overall amount of resources as the Governor proposes, we recommend modifying the Governor's proposal in ways to ensure the funded activities will be most effective at meeting their objectives. Specifically, we recommend the following:

- ***Consider Funding Research-Based Alternatives.*** We recommend the Legislature consider options that research has found to be effective at reducing violent crime. For example, researchers have found that certain infrastructure modifications—such as installation of cameras or lighting—can reduce crime without requiring additional law enforcement presence. Accordingly, funding the installation of cameras on highway ramps to provide law enforcement with more resources to identify and apprehend suspects could be a more effective approach than that proposed by the Governor. In addition, these

types of solutions might be more efficient alternatives compared to funding overtime, given that CHP is experiencing high rates of vacancies and is not fully staffed. In order to effectively weigh the trade-offs of different alternatives, the Legislature could request that CHP assess specific alternatives and present a modified proposal later this spring.

- **Approve Positions and Funding for Investigative Supports.** We recommend the Legislature approve the proposed \$879,000 for seven Associate Governmental Program Analyst positions and \$995,000 for training, IT, and equipment to support criminal investigations. As we discuss below, these additional resources could help provide additional information regarding the associated factors of highway shootings and help inform future legislative policy and funding decisions regarding the Highway Violence Task Force.
- **Shift Fund Source to the MVA.** We recommend the Legislature change the fund source of this proposal from the General Fund to the MVA. Given that this proposal is intended to directly benefit users of the state

highway system, it would be more appropriate to use MVA for these activities. Our recommendation would “free up” \$4 million in General Fund resources in 2022-23 that the Legislature could redirect to its other priorities.

- **Require Reporting on Prevalence and Associated Factors of Highway Violence.** With the additional investigative support positions and resources, CHP reports it would be able to better identify suspects and their vehicles, more effectively identify crime patterns, investigate links between interrelated crimes, as well as collate and analyze crime data in real time. We recommend the Legislature require CHP to report by January 1, 2024 on the numbers and locations of highway shootings, the associated factors in these shootings, as well as the outcomes of the investigatory resources (such as the number of arrests, training provided, and the benefits of requested software and equipment). This report would allow the Legislature to determine whether future resources are needed to continue the Highway Violence Task Force after the expiration of the limited-term funding proposed.

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