

P R O G R E S S   R E P O R T  
of the  
CRIME COMMISSION STUDY COMMITTEE  
to the  
SECOND SESSION  
of the  
SIXTY-FIFTH GENERAL ASSEMBLY  
MEETING IN THE YEAR 1974

P R O G R E S S   R E P O R T  
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CRIME COMMISSION STUDY COMMITTEE

December 19, 1973

At its July 11, 1973 meeting, the Legislative Council, pursuant to Senate File 581, which was enacted during the 1973 Session of the Sixty-fifth Iowa General Assembly, approved the appointment of a seven-member Crime Commission Study Committee. In addition to the authority given the Study Committee to review the operations of the Iowa Crime Commission, the Legislative Council assigned to the Study Committee the task of investigating procedures used by state departments and political subdivisions in the procurement of supplies, equipment and contract services, including competitive bidding. Senate File 581 provides that the membership of the Committee shall consist of legislative members of the Joint Subcommittee on Transportation and Law Enforcement of the Standing Committees on Appropriations. The following members were appointed to the Study Committee:

Senator Clifton C. Lamborn  
Senator Eugene M. Hill  
Senator William P. Winkelman  
Representative Norman G. Jesse  
Representative Lester D. Menke  
Representative Louis A. Peterson  
Representative B. Joseph Rinas

At its organizational meeting on October 18, 1973, the Study Committee elected Senator Clifton C. Lamborn as Chairman and Representative Lester D. Menke as Vice Chairman.

Mr. George W. Orr, Executive Director, and Mr. James Dysart, Financial Administrative Officer, of the Iowa Crime Commission presented a review of the Crime Commission's activities in carrying out the national crime reduction program under the federal Omnibus Crime Control and Safe Streets Act of 1968 as amended in 1973. The presentation included the distribution to Study Committee members of a number of charts relating to the expenditures of federal funds by program. A copy of the five-year fiscal review of the Iowa Crime Commission's activities is on file in the office of the Legislative Service Bureau. In regard to the funding of various programs listed in the fiscal review, the Study Committee questioned whether expenditures for new weapons to be used by police can actually be related to any reduction in the crime rate in Iowa and further expressed its concern over the lack of funding and planning for programs which it considers to have more priority. Mr. Orr told the Study Committee that while the Law Enforcement Assistance Administration's action grants for police equipment were easily obtained, state legislation, including necessary appropriations, is needed to implement more complex and integrated programs such as community-based corrections and the training of law enforcement officers. As a result of testimony

received, the Study Committee determined that more information on these two programs should be obtained.

#### I. COMMUNITY-BASED CORRECTIONS

At its second meeting, on October 24, 1973, the Study Committee toured the Fort Des Moines Residential Corrections Facility, the Des Moines Regional Police Academy, and the -Iwa Law Enforcement Academy at Camp Dodge. Pursuant to a discussion at the Fort Des Moines facility with Mr. Bernard Vogelgesang, Director of the Fifth Judicial District Department of Court Services, and the director and other staff of the facility, the Study Committee concluded the following:

1. Of the five types of community-based programs authorized to be established by Senate File 482, the residential facility is the most costly to operate.

2. Whereas the clients at the Fort Des Moines facility are able to contribute to the operating costs of the facility because community resources, including employment opportunities, are available to them, inmates at state institutions operated by the Department of Social Services cannot make such contributions because such state facilities are located in areas where opportunities for employment are scarce.

3. Although the philosophy of the corrections program at Fort Des Moines might be implemented on a statewide basis, some sort of minimum security facility must be provided to enable clients on parole or pretrial release to be rehabilitated within their home communities.

#### II. TRAINING OF LAW ENFORCEMENT OFFICERS

In the course of the Committee's study of the current status of the training of law enforcement officers in Iowa, the following question was raised and discussed:

Should law enforcement officers and recruits for officer training be required to receive their basic training at a centralized state facility?

Several Committee members have suggested that the use of regional facilities, including area schools, for both basic training and in-service specialized training would be more economical to operate and would provide greater opportunity for the training of more officers on the job. Although it was learned by the Study Committee that there has been an attempt on the part of the Iowa Crime Commission to reserve funds in the case of a state appropriation to the Iowa Law Enforcement Academy at Camp Dodge, the financial administrative officer of the Crime Commission also told the Study Committee that funds could be made available through the Com-

mission for training of officers at area schools if the course of study related specifically to law enforcement.

### III. FEDERAL AUDIT OF THE CRIME COMMISSION

In connection with the Committee's investigation into other programs funded through "block" grant programs of LEAA, the Crime Commission staff provided Study Committee members with copies of active grants approved by the Commission. The grants were studied by the Committee in light of the 1973 audit by the LEAA of the Crime Commission and the review by the Comptroller General of the United States of the LEAA audit. At its third meeting, the Study Committee met with Mr. Dysart in the offices of the Iowa Crime Commission for the purpose of ascertaining whether the Crime Commission has followed through on the criticisms contained in the audit. It was learned at this meeting that a significant reorganization of the Commission has taken place which has resulted in the establishment of eight planning areas and the promulgation by the Commission of the requirement that financial reports be submitted by area crime commissions on a quarterly basis. Through the reorganization, the Iowa Crime Commission has been able to meet the criticism in the audit that the Commission did not require or obtain formal plans from local units of government and that therefore expenditures by these units cannot be documented. It was also learned that:

1. Job classifications have been established for positions with the Iowa Crime Commission.
2. Procurement procedures, including competitive bidding practices, have been implemented in compliance with federal guidelines.
3. The Iowa Crime Commission not only performs a post-audit of grants distributed to local units, but also audits subgrantee programs during implementation of the grants.

### IV. BIDDING PROCEDURES

For the purpose of carrying out the directives of the Legislative Council that the Study Committee conduct a study of procurement practices used by state departments and political subdivisions, the Study Committee created a Bidding Procedures Subcommittee composed of the seven members of the Study Committee. From testimony received from the Iowa Department of General Services, the Iowa State Association of Counties, the Iowa Crime Commission, and the State Comptroller, the Subcommittee learned that although there is a lack of uniformity in the writing of bid specifications, the majority of counties in this state are doing an excellent job in writing specifications which result in obtaining the most competent bid. However, the Subcommittee has also discovered that where awards are required to be made on the basis of the lowest bid and the equipment purchased barely meets minimum

specifications, the original cost of purchasing the equipment is often a small percentage of the total cost of owning and operating the equipment.

Testimony received by the Subcommittee indicates that although awards to bidders cannot often be made on the basis of factory specifications because of the time and work involved, the purchasing departments throughout the state should have available meaningful data on which to base procedures for accepting bids and awarding contracts.

#### V. CONCLUSION

Although the Study Committee is scheduled to meet again on bidding procedures, it has concluded thus far that:

1. Cost accounting procedures based on an analysis of contracts awarded in this state should be implemented on a statewide basis to permit purchasing agents of state departments and political subdivisions to make a more accurate evaluation of the total cost, in terms of both funds and reliability, of various supplies for which bids are let.

2. All personnel in the purchasing divisions of state departments and political subdivisions should be required to comply with standards of conduct in the management, contracting, and expenditure of funds. The Study Committee does not at this time recommend legislation which would establish a code of ethics for personnel or agents in purchasing departments, but does recommend that such a code be promulgated by state departments and associations representing political subdivisions to assure that integrity is maintained during the interval between the release of a solicitation for bids and the actual award.

On the basis of its review of the operations of the Crime Commission, the Study Committee has concluded and is reporting to the Sixty-fifth Iowa General Assembly meeting in 1974 that:

1. LEAA's distinction between questionable and unallowable expenditures of the Iowa Crime Commission has caused confusion as to the amount of expenditures considered illegal or improper by LEAA. The LEAA draft audit reported \$1,060,217 as questionable expenditures, but LEAA's final report stated that expenditures of \$618,000 of federal funds were questionable. In addition, the Comptroller General of the United States has written that, in questioning the expenditure of \$456,000 of the \$618,000 of questionable expenditures, the auditors either misinterpreted LEAA guidelines or applied LEAA guidelines issued after the money was spent. On the basis of information provided by Iowa, in response, to prove that \$618,000 was spent legally and properly, LEAA determined that only \$47,000 should be refunded to the federal government and only because the state could not prove the expenditure was legal. The Study Committee concludes that findings

in LEAA's draft audit questioning certain expenditures in the state of Iowa were indiscreetly made public before LEAA had considered the state's response to those findings in preparing its final report. A review of the LEAA audit of the Iowa Crime Commission as prepared by the Comptroller General of the United States is on file in the office of the Legislative Service Bureau.

2. The Study Committee is not convinced of the need for a centralized live-in state facility to provide basic training for all law enforcement officers and plans to meet again during the 1974 Session in order to formulate a recommendation pertaining to the development of facilities in this state for the training of law enforcement officers.