

# “Show Me the Money”: The Connection Between Federal Funding and Support for Law Enforcement in Illinois

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The current adverse financial climate in the United States has reached crisis proportions. As with all other institutions across the nation, this financial crisis has had an effect on the criminal justice system. One indication of this impact was President Bush's 2008 decisions concerning the portion of federal funding allocated to fight crime nationwide. In January 2008, Congress cut funding for the Byrne Justice Assistance Grant (hereafter, the ADAA grant), which funded local and state drug enforcement efforts. In 2008, this fund was cut by two-thirds, from \$520 million to \$170 million. The Bush Administration argued that the program should end because crime was down and that the money was needed elsewhere (Martin, 2008).

A local law enforcement agent's comments show the immediate impact of this decision. A statewide drug enforcement coordinator for the Illinois State Police said, “[The cut in funds] couldn't have come at a worse time. . . . After all the success we've started to have, this could set the Midwest back a good 20 years in our fight against this drug [Methamphetamine]” (Martin, 2008).

An even more recent example of how the current economic crisis affects local criminal justice efforts can be found in President Obama's American Recovery and Reinvestment Act of 2009 (ARRA). This act was signed into law on February 17, 2009. The act was heralded as “an extraordinary response to a crisis unlike any since the Great Depression” (see U.S. Department of Justice, 2011). The component of this act that is germane to this investigation is the \$2.7 billion provided to the Office of Justice Programs (OJP) from which much of the federal funding comes that support local and statewide law enforcement efforts in the criminal justice community.

In this article, I look at how much funding Illinois received from the federal government in support of its criminal justice efforts. I specifically focus on law enforcement efforts in police and sheriffs' departments, which is where the system begins. I analyze federal funding trends with the goal of determining how the nation's economic situation has impacted support for law enforcement efforts. Local and state criminal justice agencies throughout the nation rely on these funds to help fight and manage crime. I track federal funds awarded to the Illinois Criminal Justice Information Authority (the Authority), which the governor of Illinois has designated as a State Administering Agency. I track federal funds awarded to the Authority to support law enforcement efforts over an 18-year period between federal fiscal years (FFYs) 1992 and 2009.

## Federally Funded Programs and SAAs

One way that federal funds are distributed at local and state levels to fight crime is through federal grant funds. Federal grants are transfers of money from the federal government to specific state agencies, referred to as SAAs (State Administering Agencies). SAAs are responsible for dispersing federal funds to support specific criminal justice activities and programs. Each state's SAA is responsible for applying for, receiving, establishing priorities for, allocating, and disbursing grant funds to eligible local and state agencies (Olson, 1991; see also the overview of the state and federal grants unit on the Authority's website: [www.icjia.state.il.us/public](http://www.icjia.state.il.us/public)). SAAs are also responsible for assuring that agencies that receive funds comply with state and federal regulations. For this article, I collected data from the Authority, Illinois's SAA. As an SAA, the Authority is responsible for disbursing federal grant funds in Illinois.

This article tracks funding received from the OJP and managed by the Authority. The Authority began operating in 1983 and functions under statutory mandate (see the Illinois Criminal Justice Information Act, Public Act 82-1039, eff. January 1, 1983). One of the Authority's mandated duties is the administration of federal funds to fight crime and to assist victims (Illinois Criminal Justice Information Authority [ICJIA], 1986).

The Authority started dispersing federal funds in 1985 after Governor Thompson selected it to administer funds from two new federal programs: (1) the Justice Assistance Act (JAA) and (2) the Victims of Crime Act (VOCA) programs—both of which were created under the Comprehensive Crime Control Act of 1984. The JAA provided money for fighting crime and improving the administration of justice, and the VOCA provided money for programs to assist and compensate victims of crime (ICJIA, 1986, p. 26). The Authority formed and staffed a special unit called the Office of Federal Assistance Programs, which later became known as the Federal and State Grants Unit (FSGU), to perform the duties associated with managing federal funds.

Amounts of federal funding dispersed through the Authority to fight crime and assist victims in Illinois have waxed and waned over time. However, analyzing trends in the amounts of the awards distributed from federal funds over time should show how current financial conditions have impacted this support. I begin my analysis with a brief description of federal funds awarded to and disbursed by the Authority for law enforcement efforts between FFYs 1992 and 2009.

### **“Show Me the Money”: A Historical Account of the Flow of Federal Funds for Law Enforcement in Illinois**

Federal funding has been awarded to the State of Illinois and other states across the nation for a variety of criminal justice efforts. In addition to supporting law enforcement efforts, money has been spent to fund programs to fight drug abuse and juvenile delinquency, to manage and defend the public from offenders, to provide help to addicted offenders, to improve technology, and to assist crime victims. Table 1 lists all federally funded grant programs managed by the Authority between 1992 and 2009.

**Table 1. Federal Grant Programs Administered by the Authority, FFYs 1992-2009**

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ADAA	Anti-Drug Abuse Act of 1996 (Byrne Formula Grant Program)
CMA	Congressionally Mandated Awards
JABG	Juvenile Accountability Block Grant
JAG	Justice Assistance Grants Program
JITI	Justice Information Technology Integration Implementation Subgrant
LLEBG	Local Law Enforcement Block Grant
NCHIP	National Criminal History Improvement Program
NFSIA	National Forensic Sciences Improvement Act
NSOR	National Sex Offender Registry Program
PESAR	President Elect Security Assistance Reimbursement
PSN	Project Safe Neighborhoods
RSAT	Residential Substance Abuse Treatment for State Prisoners Program
SJS	State Justice Statistics Grant
SIS	State Identification Systems
VAWA	Violence Against Women Formula Grants
VOCA	Victims of Crime Act
VOITIS	Violent Offender Incarceration and Truth-in-Sentencing Incentive Grant

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Source: ICJIA, 2010

Two of the longest-running federal grant programs managed by the Authority are the ADAA and VOCA grant programs. Funding for law enforcement activities has primarily come from just three of the grant programs listed in Table 1: (1) ADAA, (2) LLEBG, and (3) JAG. The purpose of the ADAA grant has undergone several transitions and shifts in its crime-fighting focus. The origins of ADAA as a source of funds in Illinois date back to the start of the Authority when it received funds from two new federal grants awarded to Illinois to aid its crime fighting efforts.

After Congress and President Reagan approved the Comprehensive Crime Control Act of 1984, two federal programs were created to support local and state crime fighting efforts. In Illinois, the Authority administered these programs. Funds for these two federal programs were allocated from Public Law 98-473, which included the JAA, which was designed to fight crime and improve the administration of justice, and the VOCA, which allotted money to programs to assist and compensate victims of crime. The Authority only managed VOCA funds designated to assist victims of crime, not those meant as compensation.

The Authority designated JAA funds to programs in Illinois that concentrated on four specific areas: (1) crime prevention with a statewide, multimedia public information campaign featuring the McGruff crime dog; (2) information systems to support computerized workload and management systems for criminal justice workers; (3) identifying and processing serious offenders<sup>1</sup>; and (4) training in specialized areas such as with state attorneys to better prosecute arson and drug cases.

In FFYs 1985 and 1986, JAA and VOCA funds were the only federal funds for criminal justice programs in Illinois administered by the Authority. However, in October of 1986, President Reagan signed the Anti-Drug Abuse Act of 1986, which ushered in the modern day War on Drugs.<sup>2</sup> Under the ADAA, Illinois received

federal funding to bolster the enforcement of drug laws and the prosecution of drug offenders (ICJIA, 1998, p. iii).

The Authority implemented the law enforcement component of the new ADAA-funded federal program, at that time officially known as the State and Local Law Enforcement Assistance Act (SLLEAA). A majority of SLLEAA funds distributed in Illinois were used to improve crime labs and establish and expand multi-jurisdictional enforcement units, known in Illinois as Metropolitan Enforcement Groups (MEGs), and drug task forces. By 1989, both JAA and SLLEAA programs were incorporated into a single ADAA program. This combination enhanced the focus on drug law enforcement, creating many new jobs, including drug chemists to manage the workload in the new and improved drug crime labs (ICJIA, 1989, p. 11), state attorneys and investigators hired to work exclusively on drug cases and asset forfeitures (p. 18), and new police officers and ancillary staff hired to man the MEGs and drug task forces (p. 10).

During FFYs 1988 and 1989, the Authority funded a variety of drug prosecution programs to help state's attorneys meet the new challenges brought on by the large influx of drug cases, and it established the first multijurisdictional drug prosecution effort in Illinois (ICJIA, 1989, p. 18). In response to increases in arrests for drug law violations and to manage the unprecedented growth in the prison population, corrections officials began to express a pressing need for more prisons to house offenders (p. 21).

Over the following years, between 1989 and 1995, the Authority continued to administer ADAA and VOCA funds as the war on drugs intensified. One unintended consequence of the War on Drugs was monumental workload increases within every component of the criminal justice system.

In 1996, the Authority began administering an additional source of federal funding supporting law enforcement efforts in Illinois. The Local Law Enforcement Block Grant (LLEBG) was created under the Omnibus Federal Fiscal Year 1996 Appropriations Act or Public Act 104-134, which authorized the U.S. Department of Justice's Bureau of Justice Assistance to make funds available to units of local government. Whereas ADAA funds were meant to enable the enforcement of Illinois drug laws and help decrease the likelihood of violent crime (ICJIA, 1998, p. 14), the purpose of the LLEBG was to reduce crime and improve public safety (p. 16).

The federal granting agency dispersed the majority of LLEBG funds to eligible units of local government based on a formula that considered population and crime rates. This investigation does not include information regarding the units that received this direct funding nor about the uses of this funding. However, it does include information about LLEBG funds that were disbursed by the Authority to local units that were not eligible for direct funding.

Illinois received \$24.4 million in LLEBG funds; \$23.3 million of it was awarded directly to units of local government that met the qualifications of the population/violent crime rate formula. The Authority was authorized to disperse the remainder of the funds to units that did not qualify for direct federal funding.

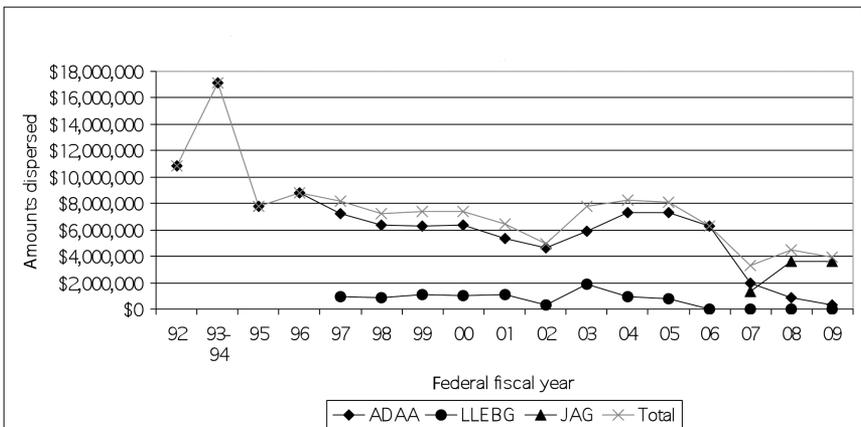
These funds, which were awarded to police and sheriffs' departments that served smaller populations, are included in this analysis.

The LLEBG funds that were managed by the Authority were originally open to police departments, sheriffs' departments, state's attorneys' offices, chief justices, and probation departments. However, only two nonpolice/sheriffs' departments received funds from the Authority during the entire length of the grant program.

Justice Assistance Grants (JAGs) are the most recent addition to federal funding used by local and state units of government to address national law enforcement issues. The JAG program is unique in that it was designed to streamline justice funding and grant administration (ICJIA, 2006, p. 16). To this end, the JAG program blends funding for ADAA and LLEBG programs to allow agencies the flexibility to prioritize justice funds to address their greatest needs (p. 16). JAG funds can be used for a variety of purposes, including not only law enforcement but also prosecution and courts, prevention and education, corrections and community corrections, and drug treatment programs as well as for planning, evaluating, and improving technology.

JAG funds not only represent a consolidation and shift in the purpose and use of federal funding to local and state governments, but they also illustrate that there has been a significant reduction in funds to states, including the funding received to support law enforcement efforts. In FFY 2004, ADAA and LLEBG awards allocated<sup>3</sup> to the Authority amounted to \$19.6 million, whereas in FFY 2005, the JAG allocation totaled only \$14.3 million. This consolidation resulted in a 25% reduction in funds (ICJIA, 2006, p. 16), which was followed by an even greater reduction the following FFY. In FFY 2006, JAG allocations were \$8.5 million, which was a 40% reduction in funding from FFY 2005 (ICJIA, 2007a, p. 17). Figure 1 illustrates the amount of funds dispersed by the Authority in support of law enforcement efforts from FFYs 1992 to 2009.

**Figure 1. Federal Funds Dispersed by the Authority to Support Law Enforcement**



Funds dispersed directly to police and sheriffs' departments or to agencies that support law enforcement activities are counted as *law enforcement efforts*. Law enforcement efforts receiving federal funding from awards distributed by the Authority in Illinois have been funded primarily through ADAA, LLEBG, and JAG programs. However, not all agencies that received funds from these programs were police or sheriffs' departments, nor did they perform activities supporting law enforcement. For example, in FFY 1992, ADAA funds were not only used to support the Adams County Sheriff's Department's work alternative program and several multijurisdictional drug enforcement groups, they were also used, among other things, to fund specialized probation training conducted by the Cook County Adult Probation Department.

In another example, the Illinois Law Enforcement Training and Standards Board, which is not a police or sheriffs' department, received funds for law enforcement officer training. This activity was counted as a law enforcement effort in this investigation. All LLEBG funds administered by the Authority went directly to police and sheriffs' departments, with some exceptions in FFYs 1997 and 2006. In FFY 1997, two county state's attorney's offices received funding; and in FFY 2006, two cities/villages received LLEBG funding. Because there was no indication that these amounts were used to fund law enforcement efforts, they were not counted as law enforcement efforts.

One obvious trend that emerges from Figure 1 is the seemingly steady decline in funding for law enforcement efforts. The spike in the trend for FFYs 1993 and 1994 is artificial because it combines funds dispersed over a two-year period. If the total amount were divided between the two years, the trend line would be smooth. The average of \$8.5 million dispersed for law enforcement in FFYs 1993 and 1994 is still less than the \$10.9 million dispersed in the previous year (FFY 1992), yet more than the \$7.8 million dispersed the following fiscal year (FFY 1994).

Until LLEBG funds were made available and distributed in FFY 1997, ADAA was almost the only source of federal funds distributed by the Authority that directed funds specifically toward law enforcement efforts in Illinois.<sup>4</sup> As Figure 1 illustrates, the advent of LLEBG funds did not significantly increase the amounts of money directed through the Authority for support of law enforcement in Illinois. Despite a slight increase in funding between FFYs 2002 and 2005, which placed the support of law enforcement efforts closer to the original FFY 1992 levels, funding for law enforcement continued to decline. Even with the JAG program consolidation of ADAA and LLEBG funds, money dispersed for law enforcement continued to be lower than in previous years.<sup>5</sup>

As Figure 1 indicates, the money dispersed for law enforcement efforts through the JAG program was significantly less than the amounts dispersed from the ADAA program, which also supports the conclusion that funding for law enforcement in Illinois has steadily diminished over time. Based on dollar figures alone, it appears that support for law enforcement efforts in Illinois, as seen through the funding practices of Illinois's SAA, has dwindled.

Dispersal of federal funding in support of law enforcement efforts, as seen in Figure 1, is just one way of measuring the status of federal support for local and state law enforcement. There are two parallel speculations concerning funding

trends for law enforcement that are not as obvious as declines in dollar amounts but may be equally valid contributors to supporting law enforcement in Illinois. First, the overall tracking of federal funding for law enforcement activity does not demonstrate the idea that an overall shift in focus has occurred in the criminal justice system, a shift that has moved away from law enforcement toward other components of the system and toward other pressing issues in the criminal justice community such as corrections and the management of the post-War on Drugs' ex-offenders who are being reinstated into the community.

Second, in connection with the first speculation is something that Figure 1 does not show, which is the shift in the philosophical approach to criminal justice from the swift and sure punishment that characterized the 1980s War on Drugs to a more rehabilitative and therapeutic approach, which seems to characterize the contemporary purpose of federal funding for law enforcement. These two shifts are more qualitative in nature, but they would theoretically have implications for the amount of federal funding available to support local and state law enforcement efforts.

A closer look at the distribution of ADAA and JAG funds to nonpolice and sheriffs' departments to support functions other than law enforcement tests this first proposition, concerning a shift in focus in criminal justice away from law enforcement. For example, in FFY 1992, 53% of all ADAA funds were dispersed to law enforcement agencies or for law enforcement efforts compared to just 27% in FFY 2007<sup>6</sup> (ICJIA, 1992, pp. 27, 28; ICJIA, 2007b, pp. 22-25).

ADAA funding has never been limited to law enforcement but has always been used to fund activities throughout the criminal justice system. However, in the late 1990s, ADAA funds distributed by the Authority became more diversified, as more non-law enforcement programs, which had not previously been awarded this funding, were funded during this period. For example, ADAA funds were used in FFY 1998 for activities such as the Drug and Violent Crime Appeal Backlog Reduction Panel Project, sponsored by the State Appellate Defender's Office, and for the Violent Crime Defense Program awarded to various local public defender's offices.

An examination of the purposes for federal grant funding tests the second proposition: that a shift has occurred in the philosophical approach to criminal justice from punitive to rehabilitative and treatment-oriented. The original purpose of the ADAA was to help finance and enforce the national War on Drugs. Language used in a letter written in 1989 by the Chairman and Executive Director of the Authority to the Illinois Governor and General Assembly illustrates this (ICJIA, 1989). According to the authors, "the 1980s have brought renewed emphases on a more traditional approach: providing justice that is certain, swift, and appropriate for both criminal offenders and the innocent people they victimize" (p. ii). The letter illustrates the focus on law enforcement efforts as seen in the following excerpt: "In terms of enhancing the *certainty* [emphasis in the original] of justice in Illinois—that is, increasing the probability that offenders are identified and apprehended—the state's record is good. . . . [A]rrests in Illinois are up, especially arrests of those offenders who traffic in and abuse illegal drugs" (p. ii).

In contrast, JAG, the new version of ADAA, takes the opposite approach. Although it is designed to streamline funding and grant administration, it has seven priority areas. The first six are (1) prevention programs, (2) early intervention, (3) treatment, (4) best practices research for drug treatment and prevention, (5) integrated justice systems, and (6) information. Priority number seven is to support efforts with law enforcement, prosecution, and probation. In addition, a stated requirement for using funds from the JAG Prevention and Education Program is that they should be allocated to support prevention programs that help youth recognize risks associated with violent crime and drug use (ICJIA, 2007a, pp. 16, 17).

The above suggests that, not only has there been a tangible decrease in monetary support for law enforcement efforts, but there has also been a shift in public policy concerning criminal justice away from funding law enforcement and toward funding other aspects of the criminal justice system. ADAA funds signaled the start of the modern day War on Drugs and brought attention and funding to the front-end of the criminal justice system, namely law enforcement. However, because of the changing perspectives within the criminal justice community, the political agenda appears to be accommodating contemporary issues such as the release and re-entry of ex-offenders back into their communities and police officer safety.

The nation's financial crisis has had a direct impact on the amounts of federal dollars allocated to local and state criminal justice efforts, which is linked to the amount of money available to law enforcement. However, the changes that have occurred within the criminal justice community have also had an effect on federal funding for law enforcement and are autonomous with the financial crisis. This additional change has to do with a shift in national policy away from the punitive law enforcement philosophy of the War on Drugs toward a philosophy that adapts to current issues in the criminal justice system. As seen in the purpose areas of the current federal funding that includes money for law enforcement (JAG), the focus is now on treatment, training, and intervention in addition to enforcement. This multifaceted focus indicates a different philosophy from the strong focus on law enforcement in the 1980s and 1990s. This shift in focus caters more to rehabilitative efforts, aimed at ex-offenders and drug addicts who violate drug laws, and to prevention efforts to avoid violations of the law than in times past. This change in direction may also represent the subtle and gradual dismantling of the national War on Drugs policy.

### **“Show Me the New Money”: A Brief Look into the Future of Law Enforcement Support**

In response to the increasing disparity in federal funding that was being experienced by criminal justice systems in states throughout the nation, President Obama implemented legislation that attempts to offset the federal funding shortages experienced by local and state crime-fighting agencies which is called the American Recovery and Reinvestment Act of 2009 (ARRA). The ARRA was passed in response to the nation's economic crisis (ICJIA, 2010, p. 16), and it was designed to create new jobs and save existing ones, spur economic activity, invest in long-term economic growth, and foster unprecedented levels of accountability and transparency in government spending (p. 16). According to the U.S. Department of Justice's OJP (2011), the purpose of ARRA funds is to “assist state, local and tribal law enforcement and for other criminal and juvenile justice activities that help to prevent crime and improve the criminal justice system in the United States

while supporting the creation of jobs and much needed resources for states and local communities.”

Illinois received \$50.2 million in ARRA JAG funds (ICJIA, 2010, p. 16), \$5 million in ARRA Violence Against Women Act funds, and \$1.3 million in ARRA Victims of Crime Act funds. This recent legislation places us at the start of a new era of federal funding for law enforcement in Illinois. There are early signs that law enforcement efforts funded in the past (i.e., multijurisdictional task forces) will continue to receive funding. For example, a spreadsheet showing the plans for spending FFY 2009 ARRA JAG funds is posted on the Authority’s website. Twenty-five percent of the funds are earmarked for law enforcement efforts that include equipment and support to multijurisdictional task forces and funding to support law officer safety.

One related item of interest which could be an indication of changed thinking in contemporary criminal justice culture is found in the “New Projects” section of a report prepared by the Authority’s research unit to members of the Authority’s governing board, which was presented at their March 2011 meeting. According to this report, the research unit is conducting drug task force research. The rationale provided for conducting drug task force research is that, after a review of literature concerning MEGS and drug task forces, much is still not known about their processes and outcomes. The information gathered from this research will be used to inform Authority grant reviews and grant administration processes for this program area. A final report concerning multijurisdictional task forces will be published in early 2012. The task force research illustrates the possible shift away from law enforcement as well as a shift in the political agenda driving federal funding for criminal justice issues. With it, the major mechanism used for implementing the War on Drugs, which was supported with original ADAA funds, is coming under scrutiny during a time when the Authority determines the best way to spend increasingly sparse federal dollars.

Future and continued programs administered by the Authority using federal funds are indicative of the direction in which federal funding will flow in terms of financing criminal justice efforts. Based on grant information posted on the Authority’s website, the Authority has so far received 2011 federal funds for only three programs—VOCA, RSAT, and Forensic Science. None of these programs explicitly support the kinds of law enforcement efforts that have been supported in the past, and one of them, RSAT, supports ex-offenders in their transition to the community and in their battle with substance abuse through rehabilitation and treatment. This is possibly another clue that supports the speculations presented in this essay of a shift in criminal justice policy and philosophy that is moving away from stringent and punitive criminal justice practices such as those enforced during the War on Drugs era, which heavily backed law enforcement or policing efforts, toward the management of post-War on Drugs ex-offenders’ reinstatement back to communities along with a more rehabilitative and therapeutic approach to criminal justice.

## **Discussion and Conclusion**

This article is a preliminary look at the connection between federal funding and support for Illinois law enforcement efforts. There are many questions that remain unanswered about federal money and support for local and state law

enforcement. For example, it would be interesting to know what percent of all ADAA funding administered in Illinois was dispersed specifically to police and sheriffs' departments or law enforcement efforts over time and whether the proportion dispersed to law enforcement increased, decreased, or remained consistent. In addition, because JAG funding is a consolidation of the two major sources of federal funding to law enforcement in Illinois, it would be interesting to compare how the \$50 million in ARRA JAG funds will be dispersed with how ADAA, LLEBG, and JAG funds were dispersed over time, and whether the same areas of focus in law enforcement will be retained or if money will be spent in support of law enforcement activity in a new way. For example, will more federal dollars be used to support officer safety or community policing than in the past?

This analysis shows that federal funding for law enforcement efforts has declined over time and that the financial crisis had much to do with it. However, the economic crisis may not be the only force behind the decrease in funds for law enforcement. Perhaps a shift in public policy and a shift in focus away from law enforcement to other components of the system played a key role in this decline in financial support.

## Endnotes

- <sup>1</sup> Programs receiving JAA funds were required to concentrate on serious and repeat offenders. The JAA provided assistance to local authorities to better identify and process violent and repeat offenders.
- <sup>2</sup> President Richard Nixon identified drug abuse as "a serious national threat" in 1969 calling for a national anti-drug policy at the state and federal level. President Nixon was the first to coin the phrase "war on drugs" when in 1971 he officially declared a war on drugs and identified drug abuse as public enemy number one (National Public Radio [NPR], 2011).
- <sup>3</sup> Allocated funds are not the same as dispersed funds. Dispersed or distributed funds are taken from allocated funds. Allocated funds are the total funds set aside for distribution to local and state units of government via the Authority. Dispersed or distributed funds are the funds that were actually received by the local and state units.
- <sup>4</sup> Other federal grant programs, such as NCHIP and VOCA, dispersed funds to police and sheriffs' departments in support of their designated purposes (i.e., to improve criminal records and service victims of crime). These funds are not included in the definition of law enforcement efforts in this article because the grants' primary function was not to support law enforcement, as was the case with the ADAA and LLEBG and is the case with JAG.
- <sup>5</sup> It should be noted that only around 5% of LLEBG funds were managed by the Authority. As such, Figure 1 does not represent the full support provided to law enforcement during the life of the LLEBG program. However, funding from the LLEBG program came to an end with the passage of legislation that created JAG. Forty percent of JAG funds are awarded directly to units of local government, while 60% is transferred to SAAs for dispersal to local units.
- <sup>6</sup> It should be noted that on April 2011, the Authority dispersed an additional \$810,000 of FFY 2007 ADAA funds to 42 local law enforcement agencies for much needed vehicles (Monti-Evans, 2011).

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