
The Necessity for Neutrality of Criminal Justice Planning and Coordination Staff

by Michael R. Jones

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Several questions often arise in jurisdictions in which criminal justice system coordination and policy planning is about to be undertaken for the first time, or in jurisdictions in which coordination and planning have been in existence for a number of years but in which there are one or more new major decision makers (e.g., County Commissioner, Sheriff, District Attorney, Judge). One of these questions typically is, “Why must Criminal Justice Planning staff be neutral?”

The best answer to this question is articulated in a U.S. Department of Justice publication¹ by Bob Cushman, one of the founders and top national experts on local criminal justice system planning and coordination, when describing how a criminal justice coordinating committee (CJCC) is staffed:

“The CJCC staff should be characterized by credibility, neutrality, and stability. Credibility with justice agencies and local government officials comes with demonstrated competence and neutrality and from the legitimacy associated with formal authorization to serve in an interagency and interjurisdictional role. Neutrality must be conscientiously practiced by the staff director and subordinates but can be promoted by insulating the CJCC staff from local politics (basing staffing on the merit system rather than on political appointments). Stability of the unit, essential to the continuity of long-range planning, is enhanced by protection from political involvement, by strong enabling legislation, and by efforts to institutionalize planning within the local government infrastructure.”

When the staff positions are first created or when there is a newly elected official (e.g., Sheriff or District/State’s Attorney), one question sometimes raised is the value of placing the staff in one of the elected offices. Elaborating on Cushman’s information above, this placement is counterproductive or fatal to the local planning and coordination effort in a jurisdiction for the following reason: The Sheriff and District/State’s Attorney are constitutionally and statutorily independent offices. In this regard, their offices’ policies, procedures, and staff do not fall under one another’s or any other office’s/agency’s authority (e.g., County Commissioners/Supervisors). If planning staff were placed in one of these elected offices, the positions designated for the staff could be assigned to perform work that primarily furthers the mission or political agenda of that office rather than work that equally benefits, for the most part, the other major system stakeholders. Moreover, the positions could be used for other roles (e.g., law enforcement, investigations) rather than systems planning and coordination. Such reassignment would not only eliminate any existing planning staff, but the overall planning and coordination capacity for the local jurisdiction. Several decades of history have shown that coordinating committees that are not supported by staff who are solely dedicated to supporting

¹ Cushman, R. C. (2001). Guidelines for developing a criminal justice coordinating committee. U.S. Department of Justice. Washington, D.C.

the policy planning work of the local coordinating committee quickly become ineffective and nonexistent.

In rare instances, the request for the placement of newly acquired planning staff or the transfer of the staff to one of these elected offices is used by the office as a tactic to prevent, hinder, or terminate the systems planning and coordination capacity in a jurisdiction. When this is the case, it is incumbent upon the other justice system stakeholders to respond to the office's request and discuss the office's degree of commitment to the systemic policy planning process. Lastly, to contribute to the neutrality and stability of the local planning and coordination effort, the most appropriate ongoing placement for staff is in a unit of general government under county administration, because county administration exists in part to support all county departments and elected offices that have a stake in the local criminal justice system.

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