

Alabama Department of Economic and Community Affairs

Law Enforcement / Traffic Safety Division



**Edward Byrne Memorial Justice Assistance Grant
State Strategic Plan
FY2014 – FY2018**

Executive Summary

The Alabama Department of Economic and Community Affairs / Law Enforcement Traffic Safety Division (ADECA/LETS) helps combat and prevent drug, gang, and violent crime by subgranting federal dollars from the Edward Byrne Memorial Justice Assistance Grant (Byrne JAG). In order to facilitate the efficient use of public funds, ADECA/LETS has developed a strategic plan to guide the funding priorities and to identify the problem areas that must be addressed by criminal justice stakeholders through these grant funds.

Supporting the multi-agency, multi-jurisdictional drug and violent crime task forces, their prosecution efforts, and statewide civil forfeiture projects continues to be the first priority. The collaboration of ADECA/LETS and subgrantees results in a efficient process including the interdiction and apprehension of drug and violent crime offenders by law enforcement personnel, followed by prosecution's efforts in conviction and asset forfeitures of these offenders.

The second priority is to support law enforcement education programs through Crime Prevention and Education Programs. Crime prevention and education programs (CPEPs) are an effective preemptive crime reduction component. CPEPs aim to mitigate nefarious activity through increasing community involvement, knowledge, and awareness. Successful CPEP implementation is achieved via cointegration of law enforcement and community members through augmented communication, law enforcement training, community meetings, as well as, a variety of other methods.

As a third priority of this program, ADECA/LETS plans to provide local law enforcement elements with funding to upgrade and/or enhance law enforcement equipment including, but not limited to: law enforcement computers, police radios, weapons and body armor, and other equipment deemed vital to effective police operations. The majority of these awards will come from funds identified as the "Less than \$10K" portion of the overall State allocation

The Division's coordination with federal, state and local criminal justice partners, along with the statewide strategic plan and program performance measures will allow Alabama to responsibly and effectively distribute public funds to combat drug and violent crime.

In addition to the funding priorities established for the implementation of the Edward Byrne Memorial JAG Program, Alabama also looks to its legislative body to draft and implement laws and regulations that assist law enforcement agencies. By enforcing the laws against illegal drug use, law enforcement reinforces societal disapproval of drug use and discourages potential users from illegal drug use or prescription drug abuse.

Sex Offender Registration and Notification Act (SORNA)

The Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006, required that the 50 states, District of Columbia (DC), 5 principal territories, and some federally recognized tribes substantially implement SORNA by July 27, 2011. SORNA mandated a 10 percent reduction in JAG funding if a state failed to substantially implement SORNA by the July 27, 2011 deadline.

On June 20, 2011, the Alabama Department of Public Safety and the Office of Prosecution Services submitted a substantial implementation package that included:

1. a completed Substantial Implementation Checklist-Revised
2. Alabama's Sex Offender Registration and Notification Act
3. Sex Offender Registry System Documentation
4. Alabama's Public Sex Offender Registry Website Documentation
5. Relevant Sex Offense Statutes
6. and an explanation of the State's working relationship with the Indian tribe located within the state.

The U.S. Department of Justice, Office of Justice Programs, Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) conducted an exhaustive review meant to detail every area in which the state has not met SORNA standards. The review of these materials followed the outline of the SMART Office Substantial Implementation Checklist-Revised, and contained 15 sections addressing the SORNA requirements. Under each section, was indicated whether Alabama met SORNA requirements of that section or deviated from the requirement in some way. In instances of deviation, the SMART Office specified that the departure(s) from a particular requirement does not substantially disserve the purpose of that requirement. In other words, Alabama was encouraged to work toward rectifying deviations from requirements in order to achieve full implementation of SORNA, however, it was determined that this was not necessary for substantial implementation purposes.

Our intent with respect to the Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006 is to continue to allocate funding toward the SORNA program currently being managed by the Alabama Department of Public Safety and to continue to guarantee their work in conjunction with the Alabama Office of Prosecution Services thereby ensuring our compliance with the Act.

Beginning with FY 2014 the Prison Rape Elimination Act (PREA) could have an effect on agencies Byrne JAG funding. BJA has informed the states that they will receive a 5% penalty on several DOJ funding sources received by the state if it is not in compliance with PREA. If penalized the State Administering Agency (SAA), ADECA, will apply for those penalty funds and direct them towards state correctional entities.

On May 15th, 2014 Governor Robert Bentley signed the documents that certified that Alabama is not yet fully compliant with the PREA standards. Prior to this, on March 3rd, 2014 ADECA staff met with the Alabama Department of Youth Services and the Alabama

Department of Corrections to determine the status of their efforts. This meeting and many months of work by both correctional agencies established plans to utilize penalty funds to move towards full compliance.

The Alabama Department of Corrections (ADOC) will use the opportunity provided by the U.S. Department of Justice's FY 2014 PREA Program: Demonstration Projects to Establish "Zero Tolerance" Cultures for Sexual Assault in Correctional Facilities Competitive Grant Program, provided by the Prison Rape Elimination Act (PREA) to implement a project to achieve full PREA compliance and enhance sexual safety at Julia Tutwiler Prison for Women (Tutwiler) and all facilities under the responsibility of ADOC. ADOC is responsible for the management and supervision of adult offenders, convicted as felons, within the state.

As a priority consideration, the ADOC project will focus its efforts on Tutwiler. This project will focus on the more complex PREA standards, including cross gender supervision, staffing and supervision, and gender-specific challenges when working with women offenders, such as, addressing trauma and the implications for enhancing sexual safety in facilities for women. The project will improve operational practice and policy support, and will develop its leaders through training and coaching, while using all available resources to achieve sexual safety at each of its facilities.

The ADOC has identified five areas that will enhance the establishment of a "zero tolerance" culture for sexual assault and address PREA compliance in the correctional facilities: 1) assist with PREA readiness by completing Sexual Safety and PREA Readiness assessments at male facilities, 2) identify and address barriers to a healthy reporting culture, 3) improve the effectiveness of data analysis and PREA compliance by establishing a position of Assistant State PREA Coordinator, 4) conduct PREA Audit Support and Corrective Action activities, and 5) the introduction and implementation of trauma informed care and operational practice at Tutwiler.

The Alabama Department of Youth Services (ADYS) reports the following regarding PREA Compliance:

ADYS has been working diligently with three state operated juvenile facilities as well as with the contract service providers to implement the PREA standards and prepare for PREA audits. ADYS has set up PREA files on each standard and have invested many hours in providing training for staff and juveniles. ADYS put out an RFP in February for a certified PREA auditor for its Autauga Campus. ADYS selected an auditor and is preparing for Legislative Contract Review in May with a projected date in late June for an audit. The Vacca Campus will be audited in June of 2015 and the Mt. Meigs Campus will be audited in 2016, the third year of the PREA audit cycle. ADYS has been working with contract service providers for two years assisting them with general PREA compliance, completing facility vulnerability assessments and conducting mock PREA audits of its facilities and files.

Drug Use Trends in Alabama

Drug Use in Alabama

According to data collected among the state funded DTF's and the Gulf Coast HIDTA (High Intensity Drug Trafficking Areas) the following drugs have impacted Alabama the most:

1. Cocaine

- a) Continues to be the primary drug threat to the urban areas of the state of Alabama.
- b) Wholesale distributors transport cocaine into the state in its powder form, the majority of which is converted locally into crack.
- c) Crack cocaine distribution and abuse is associated with more incidents of violent and property crimes than any other drug.
- d) Cocaine is primarily transported into areas of Alabama by Mexican Drug Trafficking Organizations (DTOs) and also by Black DTOs often affiliated with smaller street level groups of individuals who distribute crack.
- e) Investigations show that the majority of cocaine entering Alabama comes from the Atlanta, Georgia area. Couriers utilize methods such as commercial, rental, and private vehicles to transport cocaine.

2. Methamphetamine

- a) Methamphetamine continues to be a major drug threat to the rural areas of the state.
- b) Methamphetamine distribution and abuse continue to peak in Alabama.
- c) Methamphetamine generates violent crime and affects public safety, public health, and environmental concerns during its production and distribution.
- d) Powder methamphetamine is widely available throughout the state.
- e) House Bill 363 was passed April 2012, requiring that drugs containing meth precursors like ephedrine or pseudoephedrine be sold only in pharmacies and that they be kept behind the counter. As a result, local methamphetamine laboratories have decreased, and smaller one-pot laboratories have increased.
- f) The production of methamphetamine is a major drug threat, contributing to the commission of violent and property crimes.
- g) Powdered methamphetamine is being converted to ice methamphetamine throughout the state.
- h) Mexican DTOs are the primary wholesale distributors of methamphetamine in Alabama.
- i) The use and distribution of methamphetamine continue to rise among the Black DTOs in Alabama.

3. Heroin

- a) Heroin is increasingly becoming an alternate drug of choice for hydrocodone users.
- b) Heroin is becoming increasingly available in the college areas as well as urban areas in the state.
- c) Alabama treatment programs have reported an increase in admissions for heroin abuse.

- d) Areas in and around Birmingham have experienced an increase in heroin related deaths resulting from overdoses.
- e) Intelligence reports indicate that heroin is being transported into the state from Atlanta, Georgia and Detroit, Michigan.

4. Diverted Pharmaceuticals

- a) The abuse of diverted pharmaceuticals is at epidemic proportions in the state of Alabama.
- b) Treatment centers in Alabama reported the highest number of admissions for pharmaceuticals abuse in 2012.
- c) The availability of pharmaceuticals remains high in Alabama. Reports indicate that abusers frequently have easy access to prescription medications through family and friends.
- d) The most commonly abused pharmaceuticals in Alabama have been reported as hydrocodone, oxycodone and alprazolam.
- e) Treatment centers in Alabama reported admissions for opana (oxymorphone) abuse showed a significant increase in 2012.
- f) An increase in the number of pain management clinics in Alabama and the surrounding states have contributed to easy access for abusers of pharmaceutical drugs.
- g) Federal legislation is aiding area law enforcement in curtailing the utilization of the Internet to purchase pharmaceuticals. Prior to the enactment of this legislation, pharmaceuticals were easily obtained without a prescription or consultation from a licensed physician via the Internet.

5. Marijuana

- a) Marijuana continues to be a widely abused drug in Alabama.
- b) Intelligence indicates Marijuana remains a “gateway” drug for teens and young adults who are beginning to experiment with drugs.
- c) Vast rural areas throughout Alabama provide ideal cover and concealment to marijuana growers. This contributes heavily to the large quantities of marijuana produced in the state.
- d) Mexico-produced marijuana is transported into and through Alabama along primary transportation routes.
- e) Hydroponic and medicinal marijuana are being shipped via postal service from California to all areas of Alabama.
- f) Mexican DTOs are the primary distributors of marijuana in the local retail market. Recent shipments of marijuana from surrounding states provide additional availability for individuals within Alabama. The number of indoor marijuana grow sites has increased and is being cultivated by Mexicans utilizing seeds from Mexico.
- g) Modern indoor cultivation techniques have contributed to the production of a higher grade of marijuana.

6. Other Dangerous Drugs

- a) The availability of club drugs continue to show a slight increase in small quantities throughout the state, especially in university towns.

- b) Synthetic drugs such as spice have become more popular over the past year in Alabama, and are smoked as an alternative to marijuana.
- c) Bath salts such as Ivory Wave are consumed as a synthetic methamphetamine.
- d) The availability of MDMA (Ecstasy) is moderate across the state and is the most prevalent and popular of the “club drugs” in Alabama.
- e) Synthetic substances that mimic marijuana or other drugs, often referred to as "spice", "bath salts" or various other names, are being created with chemical compounds which had not been identified and prohibited as controlled substances under state law.
- f) Alabama State Senate Bill 208 and House Bill 158, often referred to as the “Spice Bills”, were passed in 2012. Both laws regulate synthetic marijuana and other similar substances.

ONDCP High Intensity Drug Trafficking Area (HIDTA) County Info

The High Intensity Drug Trafficking Areas (HIDTA) program enhances and coordinates drug control efforts among Federal, state, and local law enforcement agencies. In designated HIDTA counties, the program provides agencies with coordination, equipment, technology, and additional resources to combat drug trafficking and its harmful consequences in critical regions of the United States.

HIDTA Counties in Alabama

Gulf Coast HIDTA: Baldwin, Jefferson, Madison, Mobile, Montgomery, and Morgan counties

- The Gulf Coast HIDTA is in the process of implementing a five-state regional license plate reader (LPR) data storage project, which will aggregate LPR data for participating law enforcement agencies. This will result in cost savings to participating agencies and increased information sharing.
- The Gulf Coast HIDTA funds five Alabama task forces located in Birmingham, Huntsville, Mobile, and Montgomery. Over 27 participating agencies contribute 76 full-time drug enforcement officers to these task forces dedicated to identify, target, disrupt, and dismantle the most significant drug trafficking organizations operating in the state and beyond.

Strategy Development Coordination

In the development of Alabama’s FY2014-2018 State Strategy, a variety of information-gathering techniques were used to identify successful federal, state and local efforts and to respond to the specific needs and concerns throughout Alabama. The process attempted to include as many points of view as possible and all significant competing interests. This information was compared to the criminal justice data gathered during the past years. This plan examines the nature and extent of the problem, drug trends in the state, summarizes current efforts and promotes coordination of drug and violent crime control efforts. The

Strategy also identifies priorities of proposed funding designed to meet the challenge of controlling violent crime and substance abuse.

In April 2014, ADECA, with the assistance of the National Criminal Justice Association (NCJA), released a statewide survey to all identified stakeholders within our state law enforcement and criminal justice systems. ADECA realizes that the seven Byrne JAG purpose areas represent many perspectives of the criminal justice system. And in recognition of this, we made every attempt to engage all system stakeholders to be certain that we are hearing from and capturing their opinions when preparing our annual program applications for Byrne JAG Formula Grant Funds and as we develop a strategic plan for a future of declining and uncertain funding.

In late May 2014 the survey was completed and the results are being analyzed by NCJA staff. The results will isolate each purpose area and help to clearly identify the priority needs are based upon the responses to the survey questions. These results will be used in conjunction with data that is collected on an annual basis through various reporting mechanisms. Results and data will then be used to guide the decision making process as it relates to funding for programs.

Conducting a survey allows all participating stakeholders in the systems to voice their opinions and become an integral part of the planning process. This allows for more transparency between the state and local government and other system-involved organizations.

Program Priorities

Program Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions of Alabama. ADECA / LETS, as the State Administering Agency (SAA) for this program, ensures that JAG funds support a broad spectrum of stakeholder prioritized components of the criminal justice system. These have included multi-jurisdictional drug and violent crime task forces, crime prevention programs, courts, corrections, treatment, and justice information sharing initiatives. ADECA/LETS has consolidated and prioritized funding to the top three priorities, identified as, integral to a statewide effort to fight drug trafficking and associated crimes. These priorities are based on public and stakeholder input, as well as results-driven policies that have proven successful through many years of program implementation.

Priority #1: Support and Promote Multi-Jurisdictional Drug and Violent Crime Task Force Operations

Our first priority is continued support for multi-agency, multi-jurisdictional drug and violent crime task forces, related prosecution efforts, and statewide civil forfeiture projects. Multi-

Jurisdictional Task Forces are one of the few law enforcement structures that, in Alabama, have proven to be most effective at the local level in addressing complex drug trafficking organizations, coordination, and cross-jurisdictional investigations. The collaboration among local, state, and federal law enforcement officers has resulted in a strong network of effective crime fighting and prosecution.

Currently there are 28 task force groups operating in Alabama that receives funding from ADECA/LETS. Common task force goals include providing expertise in drug interdiction, disrupting drug smuggling, and cooperating with federal and State authorities in national anti-drug efforts. The task force groups investigating and prosecuting violent crime provide additional resources.

High crime rates resulting from illegal drug use, illegally acquiring funds to support drug addictions, and violent threats to public safety, are all major forces demanding a productive response to illegal drug activities. Marijuana eradication is addressed primarily with federal and State resources other than Alabama's FY2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds.

Priority #2: Support and Promote Law Enforcement Education Programs

Our second priority is to collaborate with qualified training providers to offer timely, effective training courses to law enforcement agencies. These classes are based on surveys of training needs. Based on the survey of needs, courses will be offered at convenient locations around the state.

In 1997, when Alabama began requiring most of the state's law enforcement officers to receive at least twelve hours of continuing education annually maintain certification, a serious financial burden was imposed on the more than five thousand officers in medium and small departments. The problem was compounded by cutbacks in traditional no-cost training by federal agencies. The need is now being moderately met through free training sponsored by ADECA/LETS through subgrants awarded to state universities or other qualified providers who offer facilities, simple registration, training materials, and tracking hours of attendance. This enables the vast majority of the law enforcement community to enhance their knowledge and skills, and retain certification.

Priority #3: Support Law Enforcement Equipment Enhancements / Upgrades

The third major priority will be support for law enforcement equipment upgrades and/or enhancements. New and/or upgraded equipment and technologies can offer law enforcement agents many useful methods for combating criminal activity, with such tools as GPS and advanced communications systems. Technologies such as body armor and less-lethal projectiles also improve safety for both police and the public. As rapidly as technology advances, criminals are able to take advantage of new technology to perpetrate more

advanced crime. Police must be able to access similarly advanced crime fighting technology in order to maintain their grip on criminal activity.

ADECA/LETS utilizes a portion of its funding to provide local law enforcement with grants to upgrade and/or enhance equipment and new technologies, including, but not limited to: computers, police radios and other communications equipment, weapons and body armor, and other equipment deemed vital to effective police operations.

Financial assistance is based on the needs of each individual law enforcement community and must be justified in the narrative portion of the subgrant application or both necessary and cost effective.

ADECA/LETS is committed to helping make new equipment and technology available to law enforcement agencies throughout the state, both objectively and to the greatest extent possible within available funding parameters.