

**FFY 2014 JUSTICE ASSISTANCE GRANT APPLICATION
WASHINGTON STATE**

PROGRAM NARRATIVE

State JAG Strategy

The current strategy adopted by the Justice Assistance Grant (JAG) Advisory Committee (to the Washington State Department of Commerce) is a reflection of the current economic situation of the state and the criminal justice community within the state. The strategy is to concentrate all available revenue to maintain the state's network of multi-jurisdictional drug-gang task forces to the maximum extent possible, rather than to dilute the impact of the funds to multiple diverse program types.

The multi-jurisdictional drug-gang task force program is supported by three activity types:

- Local Participation, defined in terms of investigative strength (officers, administrative support, prosecution) and participating agencies.
- Washington State Patrol Participation (assignment of law enforcement personnel to local task forces, under local supervision).
- Project Evaluation (Peer Review of operational elements, Administrative and Compliance Monitoring, Performance Reporting, Data Assessment).

The funding concepts for these three activity types are:

- Washington State Patrol (WSP) participation funding is to be maintained at essentially a fixed level to maintain prior state staffing/implementation levels, with other state funding supporting any additional costs required to maintain that level of support.
- Evaluation is maintained at essentially a fixed level to continue the Peer Review Evaluation Program. This program both assesses task forces' performance (adoption of best practices; and highlights organizational and procedural weaknesses), and trains leadership on task force management (by incorporation of task force leadership in the reviewing team).
- The local participation component receives the balance of the pass-through funding. The available funding is initially divided evenly between the existing multi-jurisdictional drug-gang task forces as base funding. Those task forces able to maintain program compliance with the revised program model will receive all of their base funding, as well as a proportionate share of the funding deducted from the base of non-compliant task forces. Those task forces not able to maintain program fidelity with the revised task force model will have their base reduced proportionate to their drop below the model's staffing and participation standards. Proportionate reduction applies only up to the point that residual operations fail to maintain any of the value-added benefits of the task force model, and/or officer safety and prosecution capacity is threaten. At that point, those projects are considered ineligible for funding.

Maintenance of the state patrol's participation is essential to a number of task force's ability to comply with the program model as smaller agencies have to recall officers to cover essential patrol duties. For those task forces classified as "rural," state patrol participation will count as "Local" participation for the purpose of model compliance. Beyond program compliance, State Patrol participation yields another benefit to the local task forces in that the JAG funds effectively leverage state funds to fully support the number of state officers dedicated to the program (i.e. the task forces gain more officer for each grant dollar expended through the state patrol than through direct award to a local sub-recipient).

The graduated penalty for not complying with the revised program model has several aspects regarding task force performance:

- It penalizes poor performance/participation.
- It keeps the penalty proportionate to the reduction in model compliance.
- It maintains a base of task force funding from which the program may more easily recover (i.e. essential organizational infrastructure remains which may serve as a base for re-qualification, whereas restructuring from zero is a three- to four-year process at best).
- It establishes a minimal program model compliance level below which the value added and officer safety benefits inherent in the task force model are lost, and JAG funding is lost.
- It mitigates, or at least delays, the negative impact of a task force's collapse on their neighbors (i.e. creation of an enforcement void in which drug trafficking organizations and gangs may spread their impact into adjacent jurisdictions).

How Local Communities are Engaged in the Planning Process

Local communities, as geographic communities/jurisdictions are not primarily engaged in the planning process. However, communities of interest (e.g. victims, prosecution, courts, intervention, etc.) are engaged in the process through their primary state level interest groups/networks (see Stakeholders below).

Stakeholders Participating in the Planning Process

The Justice Assistance Grant Advisory Committee is comprised of representatives of the following interest/stakeholder groups. Many of these groups' active leadership constitute the representation of regional associations and interest groups.

- Governor's Office
- Association of Counties (County Commissioners)
- Washington Association of Prosecuting Attorneys
- Office of the Administrator of the Courts
- Washington Association of Sheriffs and Police Chiefs (a Sheriff and a Police Chief)
- Violent Crime Victims Services
- County Human Services (Prevention)
- Public Health Services (Treatment/Intervention)
- Corrections
- Washington State University (multiple disciplines/interests)
- US Attorney's Offices (non-voting)
- Department of Commerce (grant management, requested data and analysis)

Data and Analysis Utilized to Support the Plan

- Historical Local (city/county aggregate) Criminal Justice Revenues (the 'State Fact Book', online)
- Comparative program performance
- Comparative program participation and staffing
- Summary of local task force future staffing/participation, and local expectations on program continuation
- Informal extrapolation of last full Needs and Gaps Analysis

Gaps in Criminal Justice Resources

In September-October 2012, prior to the board's recommendations on November 6, 2013, the Department of Commerce conducted an informal Needs and Gap Analysis of the Criminal Justice System's primary components. While essential funding of each primary component has been negatively impacted by reductions in both the state/local revenue, and in federal grant funds, the primary funding streams of each remain in place.

Of these components, the single component most in need of Justice Assistance Grant funding in Washington State is drug investigations above the level that may be adequately conducted by local agencies. This component receives only a little more than \$500,000 in state funding a year, which is in danger of elimination or radical cuts as the state seeks to balance its budget. This precarious funding leaves JAG as the sole external funding available to stabilize/maintain the multi-jurisdictional drug-gang task force program. It was estimated at that time that one-third of the existing task forces in the state were in danger of folding if funding could not be maintained.

Multi-jurisdictional gang investigation and enforcement was the criminal justice system component with the next greatest need for external funding. However as the majority of regional gang oriented task forces were still in the formation and maturing stage, the essential choice was to support only the mature multi-jurisdictional narcotics enforcement (with a broadened focus to include gangs), or to drop that effort to support a gang enforcement focus with projects still in the development stage. With the added consideration that it takes two to three years for an on-going multi-jurisdictional program to mature and produce beyond the capacity of its individual components, and that this cycle would have to begin from scratch if allowed to lapse, multi-jurisdictional gang enforcement funding was been held in abeyance unless/until there is a significant increase in both general and grant funding.

A new Needs and Gaps Analysis has been initiated and will be provided to the Justice Assistance Grant Advisory Committee for use in formulating the FFY'15 JAG program recommendations. This analysis is conducted on a biennial basis, set one year behind the state legislatures budget cycle.

Note: A key difference between Washington State's criminal justice budget/strategy and those of most other states is that the chief law enforcement agencies of the state are the county sheriffs, not an agency of the state government. As such the primary responsibility for funding law enforcement initiatives is normally considered a county, not a state function. The state normally accepts funding responsibility for specific initiatives implemented at the local level only when the underlying issues addressed normally cross boundaries or are clearly beyond the normal capacity of local governments to address.

JAG Fund Coordination with State and Related Justice Funding

Application of Justice Assistance Grant funds is made in conjunction with several other funds in several ways.

- First, intentionally not duplicating the effort of any criminal justice system components primary funding.
- Second, not diluting the impact of the JAG funds by merely polishing the programs supported by other primary funding streams. In essence, our strategy avoids adding the cherry onto the frosting on top of the cake. That may be a nice touch and beneficial, but it lacks the impact that may be made by applying a concentration of funds elsewhere.

- Third, reinforcing and amplifying existing efforts to support approved criminal justice system components. The Washington State Patrol systemically lacks the capacity to dedicate assignment of its personnel to more than a few of the task forces, regardless of how good it may be. However, application of JAG funds in conjunction with that of the state patrol enables the state to provide officers to the majority of task forces, on a per officer cost basis to the JAG fund that is less than the cost of locally hired officers.
- Fourth, providing a base for other program support and assistance. By holding the local task forces together and ensuring sound management and reporting, JAG funds provide a base to which other funds—notably those of the Western States Information Network (WSIN), the Northwest High Intensity Drug Trafficking Area (NWHIDTA), and those of the state’s fusion center—may reinforce and amplify.

Additional Strategic Planning/Coordination Efforts of the State Administering Agency (SSA) with Other Criminal Justice Agencies

The current strategy, by concentrating its efforts in one primary program area, does not in and of itself require the breadth and depth of coordination undertaken when supporting multiple program areas; and JAG administrative funds are not sufficient to undertake such efforts not related to the supported program. However, the SAA is actively involved in the following strategic planning/coordination efforts:

- WSP—Task Force Training—Commanders and Supervisors: The SAA requires the leadership of supported task forces to attend the semi-annual conferences coordinated by the Washington State Patrol. Coordination generically includes new trends and concerns of the SAA, WSP, WSIN, NWHIDTA, Drug Enforcement Administration (DEA), and Oregon’s narcotics task force program. In so doing local/state/national trends, best practices, and lessons learned are incorporated and presented.
- WSP—Task Force Training—Drug/Gang Basic: The SAA periodically surveys the task forces it supports to ensure that assigned personnel are properly trained. When data indicates that training is lagging due to a lack of training opportunities (vs. local funding and supervisor attentiveness) the SAA coordinates with WSP to take the lead and to coordinate additional training opportunities—whether through the standard DEA Drug Basic sessions or by locally conducted equivalent training (curriculum, speakers, facilities to standard).
- WSP—Peer Review Evaluation: The SAA funds and coordinates with WSP for the operational and management evaluation of the task forces it funds. WSP in turn brings in other city and county law enforcement managers to review operational records and protocols—which the SAA is not qualified to assess—and keeps the SAA out of case sensitive records while providing the evaluated agencies an added incentive to respond/comply.
- Washington Association of Sheriffs and Police Chiefs (WASPC): The SAA is partnering with WASPC to address the state’s shortfalls in complying with the provisions of the Sex Offender Registration and Notification Act.
- WSIN: The SAA requires the task forces it supports to utilize the Western States Information Network’s event and suspect deconfliction and intelligence functions, and has coordinated with WSIN a standardized utilization report to avoid the variances in data reporting that have previously crept in as task forces individually attempted to interpret their use with our standardized performance measurements.
- NWHIDTA: The SAA sends a representative to participate in NWHIDTA’s Law and Justice Committee along with DEA, Federal Bureau of Investigation, Border Patrol, US Attorney’s Offices, WSP, and other agencies to review drug trends and initiatives.
- United States Attorney’s Office for Eastern Washington: The SAA functions as the fiscal agent for the US Attorney’s Office to contract, report on, and evaluate Project Safe Neighborhoods projects in Eastern Washington.

Plan for Collecting/Submitting Performance Measurement Data

The SAA will conduct a pre-contracting review of the Performance Management Tool (PMT) and other reporting/data requirements of the Justice Assistance Grant in April-May 2013, and release a revision of its Periodic Activity Report (PAR) prior to the beginning of the first quarter of the July 2013 – June 2014 sub-award cycle. The sub-award application and the associated certification and assurances packages will also be reviewed/revise in April-May 2013 to capture baseline data prior to the contracting decisions.

All sub-recipients are required to submit a PAR by the middle of the month following the end of each calendar quarter. Upon receipt each sub-recipient's report, the data is reviewed for completeness, and several validity checks are made to check for report consistency/accuracy. Those data elements required for the PMT are entered into that system. Should a sub-recipient's report not be received in time for the SAA to enter it into the PMT in timely fashion, the sub-recipient is deemed to be out of compliance, and is denied reimbursement for that quarter.

Funding Priorities

The funding priorities for the FFY 2014 Justice Assistance Grant are:

1. Multi-Jurisdictional Drug-Gang Task Forces
2. Washington State Patrol Participation in Multi-Jurisdictional Drug-Gang Task Forces
3. Evaluation
4. Administration

Description of the Programs to be Funded

1. Multi-Jurisdictional Drug-Gang Task Forces:

The defining characteristics are:

- Created and operated in accordance with a formal interagency agreement defining roles and responsibilities of participating agencies, supervision and management of assets.
- Multiple local agencies participating through the assignment of personnel to the task force.
 - Local agency participation/personnel dedication is considered fulfilled by contribution from local agencies of funding sufficient for another participant to receiving those funds to hire/dedicate personnel to the task force which would otherwise not be so assigned.
 - For task forces characterized under a 'counties like us' grouping as 'rural', Washington State Patrol participation/personnel dedication will satisfy the requirement for one local agency.
- At a minimum, the following number and types of personnel dedicated to the task force:
 - Four law enforcement officers.
 - Half-time support staff.
 - Either half-time prosecutorial support or demonstration that no task force generated case is not prosecuted due to lack of prosecutorial support.
- The primary mission: the investigation and disruption of drug trafficking, gang and violent criminal organizations, at investigative levels above the sustainable capacity of individual local jurisdictions.

2. Washington State Patrol Participation—Multi-Jurisdictional Drug-Gang Task Forces:
Assignment of experienced detective and/or supervisory personnel to work within regional multi-jurisdictional drug-gang task forces, and under the supervision of the local agency/executive board having oversight and responsibility for that task force. Assigned individuals are to provide consistency of assigned investigators, minimize the training time required for newly assigned investigators, and facilitate the acquisition of additional resources (equipment) when required.
3. Evaluation:
 - Peer Review Evaluation: Management, operation, and administrative task force review by a team consisting of at least a sheriff/police chief, task force supervisor, task force office manager, prosecutor, peer review coordinator, and a SAA representative. Such a review involves interviewing everyone in the task force—its supervisory chain and the majority of its executive/governing board; and reviewing of all policy and procedures, case records, cross-walking funds and evidence through initial disbursement, informant, the buy, seizure/arrest records, evidence room records/inventory, and cash returns. Each on-site review lasts between two and three days, and each task force is subject to such a review at least every 36 months.
 - Peer Review Follow-Up: Not later than six months after the Peer Review Evaluation an on-site follow-up is conducted to assess the corrective actions and procedural modifications made in response to the Peer Review Evaluation.
 - Self-Assessments: One and two years after the Peer Review each task force conducts a self review of its operations addressing the same elements targeted in the Peer Review Evaluation, and goes over the current status of each operational aspect of the task force with WSP's evaluator and Commerce's Program Manager(s).
 - Administrative/Compliance Monitoring: A review conducted by SAA staff of federal grant and state program pre-requisites, including fiscal management, property management, DUNS Numbers and CCR Registration, multiple Civil Rights and related issues, and sub-recipient compliance. Dependent upon recent program requirement changes and the date of the last/next Peer Review, select operational concerns may also be reviewed. These reviews are normally conducted within a month prior to a Peer Review Evaluation, with the results furnished to the Peer Review Team. A second administrative/compliance review is conducted approximately 18 months later (half way between Peer Reviews).
 - Report and Application Analysis: Individual, systemic, and comparative analysis of application (baseline) and quarterly activity reports. Systemic analysis is conducted on a cyclic basis—prior to contracting and following the end of each calendar quarter—to assess the validity of data and catch common errors before data system entry/submission, and to ensure that comparative analysis is conducted on standardized data. Comparative analysis is normally conducted on a 'Counties Like Us' basis and seeks to bring both outstanding and apparently poor performance to SAA and the sub-recipient's attention. Individual analysis is conducted to gain a more thorough understanding of a specific sub-recipient's performance and its underlying causes.
4. Administration:
Administration essentially consists of all other things necessary to administer the program, and includes but is not limited to the following primary functions:
 - Supporting the Justice Assistance Grant Advisory Committee.
 - Preparing program applications and contracts, and their supporting databases/files.

- Establishing quarterly activity report templates and supporting data files; entering sub-recipient reports; data extraction/entry into the Performance Management Tool (PMT); and annual data entry into the Grant Management System (GMS).
- Coordinating with other agencies related to the criminal justice system and this grant program (primarily WSP, (NWHIDTA), and (WASPC).
- Technical assistance to program sub-recipients.
- Review and processing of sub-recipient reimbursement requests.

Sub-Grant Award Process

The normal process for sub-recipient selection is not being used this year as all the areas capable of supporting multi-jurisdictional drug-gang task forces are already participating in the program. Even if a new area was to become capable of supporting a task force, the limited funding available is not sufficient to maintain the existing task force network and add a new task force.

Therefore, the 19 existing task forces will be offered a funding base (1/19th of the task force pass-through funding) as a planning figure in the application. If any existing sub-recipient cannot meet the task forces' program model, it will be offered reduced funding depending upon its level of participation/staffing, with funding being zeroed out at the level where the expected task force performance level does not have any advantage over that of the aggregate individually assigned officers. Any applicant facing a reduction will be informed and offered a brief period in which to revise their application, if possible, before their funding is reallocated.

Any reduction in the base funding for a task force will be proportionately re-distributed to those sub-recipients which do comply with the task force model.

A special condition will cause a quarterly program model compliance review, and reduce funding available for the reported quarter according to the same scheme used at the time of application. Compliance with the program model after contracting will not increase funding levels since the individual task force's reduction has already been re-allocated.

The application/pre-award process requires each sub-recipient to complete a basic grant application providing enough data to determine whether they comply with the task force model, and to establish a performance/data baseline. Accompanying the application document will be a certification/assurance package addressing all federal/program pre-requisites for funding.