

**2012 Edward Byrne Memorial Justice Assistance Grant (JAG) Program
Oklahoma District Attorneys Council
Program Narrative**

**1. STATE STRATEGY AND FUNDING PRIORITIES, AWARD PROCESS, AND
TIMELINE**

1A. Overview

Since 1986, the District Attorneys Council (DAC) has served as the state administering agency for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The DAC utilizes a board that provides general oversight for the JAG Program, approves the state strategy, prioritizes purpose areas for funding, reviews grant proposals, and determines awards. Comprised of 17 voting and non-voting members, the Justice Assistance Grant (JAG) Board represents a cross section of state and federal criminal justice agencies in Oklahoma.

The following agencies have representatives that serve on the JAG Board:

Voting Members

- A District Attorney
- Office of Juvenile Affairs
- Oklahoma Association of Chiefs of Police
- Oklahoma Bureau of Narcotics and Dangerous Drugs Control
- Oklahoma Department of Corrections
- Oklahoma Department of Education
- Oklahoma Department of Mental Health and Substance Abuse Services
- Oklahoma Department of Public Safety
- Oklahoma District Attorneys Council
- Oklahoma Sheriffs' Association
- Oklahoma State Bureau of Investigation
- The Office of the Attorney General
- The Office of the Governor

Non-Voting Members

- Drug Enforcement Agency
- U.S. Attorney for the Western, Eastern, and Northern Districts of Oklahoma

Through the dedicated and knowledgeable representatives that serve on the JAG Board, strategies and approaches have been developed and executed to prevent, as well as control, drugs and violent crimes and serious offenders. In this capacity, the Board leverages federal funding through the JAG Program in order to marshal the State's resources in responding to these criminal justice issues.

In 2011, the Justice Assistance Grant Board began the development of a four-year strategic plan for 2012 through 2016 to guide the expenditures of the Edward Byrne Memorial Justice Assistance Grant Formula Program grant funds. This will be the first year of the four-year plan.

1B. State Strategy Funding Priorities for FY 2012 JAG Funds

From a careful review of the data and analysis from the state strategy, the following goals were established:

1. Reduce the importation, manufacturing, distribution, and possession of illegal drugs and controlled substances throughout the state;
2. Reduce the trafficking of illegal drugs and controlled substances in and through the state;
3. Reduce the violence related to gangs through prevention, enforcement, and prosecution;
4. Assist local law enforcement through the procurement of equipment;
5. Encourage innovative law enforcement projects that address drugs and violent crime control that improves the functioning of the criminal justice system;
6. Encourage innovative prosecution projects that address drugs and violent crime control that improves the functioning of the criminal justice system;
7. Encourage innovative prevention projects that address drugs and violent crime control that improves the functioning of the criminal justice system;
8. Improve the integration of criminal history records between criminal justice agencies; and,
9. Reduce prison recidivism by providing effective drug and alcohol treatment for incarcerated juvenile and/or adult offenders.

Consistent with the above goals, it is anticipated that the following broad categories of programs may be funded: 1) Multijurisdictional Drug and Violent Crime Task Forces; 2) Gang-Related Enforcement and Prosecution Projects; 3) Violent Crime Initiatives; 4) Residential Substance Abuse Treatment for Incarcerated Offenders; 5) Female Offender Intervention and Diversion Program; and, 6) Equipment for Local Law Enforcement.

1C. Subgrant Award Process and TimeLine

The JAG Board utilizes two award processes. The first award process is for the regular JAG funds which include the state's portion of the allocation. The second award process is only for the pass through funds for the "less than \$10,000 jurisdictions" which is added to the state's award. This award process is referred to as the JAG Local Law Enforcement Grant.

For the regular JAG funding, a Notice of Availability of Funds is generally distributed in February to all current subgrantees and interested applicants. The DAC maintains a database of interested applicants who request information on the JAG grant throughout the year.

In February 2012, the DAC implemented a new web-based, on-line grant application system, referred to as OKGrants. The application period is open for thirty (30) days with applications generally due in March. The JAG Board meets in May to review and make award decisions. Awards are made for a 12-month period beginning July 1 and ending June 30. The JAG Program

award process is a competitive process in Oklahoma. In order to be eligible for funding, the applicant must be an eligible applicant under the grant program, be in good standing with all previous and current grant awards, and meet the requirements of the application process.

For the JAG Local Law Enforcement (LLE) Grant, a Notice of Availability of Funds is generally mailed to eligible recipients in July with applications due in August. Applications for JAG LLE funds will be made via the OKGrants systems as well. The JAG Board meets in August to review and make award decisions. Awards are for a 6-month period with the award period beginning January 1 and ending June 30. The JAG LLE Grant Program award process is also competitive. In order to be eligible for funding, the applicant must be an eligible applicant under the grant program, be in good standing with all previous and current grant awards, and meet the requirements of the application process. The need for the funding in comparison to all grant requests and the funding history are also considered.

For both award processes, the state administering agency (SAA) staff reviews the applications and provides information to the Board on programmatic and fiscal compliance. The JAG Board reviews the submitted applications prior to the Awards Meeting. The JAG Board then meets to make the funding decisions based on the strategy and the goals previously listed. At the Award Meetings, the Board provides an opportunity for applicants to address the Board to answer any questions that the Board may have and provide additional information as needed.

The applicants are notified of the award or denial. The applicants that are awarded funds are required to complete an award packet via OKGrants Grants Management System and attend a financial and administrative grant training prior to funds being released.

1D. Funding Priorities for FY2012 JAG Funds

The following summary provides a more detailed description of the projects that may be funded through the general JAG Program and the JAG Local Law Enforcement Grant Program:

❖ Multijurisdictional Drug and Violent Crime Task Forces

Currently in Oklahoma, there are 18 multijurisdictional drug and violent crime task forces (DVCTFs) and 3 multijurisdictional drug task forces (DTFs). The multi-faceted capabilities of the DVCTFs have created a unique localized drug enforcement response to the importation, manufacturing, distribution, and possession of controlled substances throughout the state. However, within the last two years, the majority of the task forces focus on more than just drug enforcement. Due to the level of expertise of the investigators on these task forces, rural law enforcement often turn to the task forces for assistance in a various type of crimes, such as the investigation of homicides, sexual assaults, robberies, property crimes, gangs, arsons, kidnappings, and child abuse cases.

❖ Gang-Related Enforcement and Prosecution Projects

Prosecution of gang-related crimes is complex by nature. Gang cases have many complex prosecutorial aspects, a detailed history both among and between gangs, and often rely heavily on circumstantial evidence. Understanding the unique challenges of prosecuting gang crimes in large locales such as Oklahoma and Tulsa Counties requires specialized Gang Prosecution Units.

❖ **Violent Crime Initiatives**

Capital murder cases are intricate, serious, and complicated cases to prosecute. There are a myriad of complex issues involved in capital crime cases, such as evidentiary issues dealing with the collection, preservation, and testing of biological evidence; identification and interrogation issues; mental retardation or mental health issues of the defendant; and, a multitude of motions, responses, and briefs just to name a few. Moreover, pursuant to state statute, an appeal is mandatory in capital litigation cases. On appeal, these cases are highly scrutinized with a process that takes years. When an error is found, the passage of time, erosion of memory, and dispersion of witnesses makes retrial extremely challenging. Due to the nature of these cases, it is imperative that these cases be prosecuted with the utmost integrity and strict adherence to legal procedures and guidelines set forth in statutory authority and case law.

In Oklahoma, the experience level of the prosecutors that handle these cases varies widely. The resources available to assist these prosecutors are extremely limited especially in rural district attorney districts. Consequently, there is a great need within Oklahoma's district attorney system to develop and provide support and resources to aid prosecutors in the handling of capital murder cases from the initial determination to seek the death penalty through trial with the Capital Litigation and Homicide Prosecution Initiative. This is accomplished through the Capital Litigation Resource Prosecutor Project which will aid prosecutors in the rural areas of the state in the effective prosecution of capital murder cases by providing technical and trial assistance, developing legal resources, and providing training for prosecutors and their prosecution team, including investigators and law enforcement.

❖ **Residential Substance Abuse Treatment for Incarcerated Offenders**

The need to provide drug and alcohol treatment services to incarcerated offenders continues to be a need. According to the Bureau of Justice Statistics, at least 95% of all State prisoners will be released from prison at some point and nearly 80% will be released to parole supervision. Untreated substance abuse offenders are more likely to relapse and return to criminal behavior. This often results in re-arrest and re-incarceration, jeopardizing public safety, and taxing the criminal justice system. Using evidence-based treatment while the offender is incarcerated is the best option. Funds may be used to provide drug and alcohol treatment for incarcerated offenders at seven Department of Corrections facilities, including Bill Johnson Correctional Facility, Eddie Warrior Correctional Facility, Elk City Community Work Center, William S. Key Correctional Facility, Mack Alford Correctional Facility, Lawton Community Corrections Center, and Mable Bassett Correctional Facility.

❖ **Female Offender Intervention and Diversion Program**

Oklahoma leads the nation in the rate of females incarcerated with an incarceration rate of 132 per 100,000, over twice the national average of 68 per 100,000. Based on a five-year average, 41% of the female offenders received by the Oklahoma Department of Corrections (DOC) served less than one year in prison. The relatively short length of time spent in custody results in minimal access to treatment programs, significant disruption of existing family systems, and significant cost to taxpayers compared to management of these offenders in the community. The purpose of the project is to reduce the number of women who become

incarcerated by offering structured supervision and comprehensive programming. The program is designed to provide gender-specific intervention, treatment, and support services utilizing appropriate criminal justice resources to yield reduced rates of incarceration for females.

❖ **Equipment for Local Law Enforcement**

As required by the federal guidelines, the State of Oklahoma passes a percentage of the JAG funding to local law enforcement in the “less than \$10,000 jurisdictions.” It is critical that local law enforcement and tribal law enforcement agencies have the resources needed to successfully perform their duties. The majority of jurisdictions continue to contend with shrinking budgets and limited financial resources. These hindrances negatively impact their ability to fulfill their responsibilities.

The JAG Board has historically utilized the set aside funding to procure equipment for eligible local and tribal law enforcement. The priorities for the equipment in 2011 was in-car mobile data systems and in-car and hand-held radios; however, the priorities for 2012 have not been set yet.

2. State Strategic Planning Process, Community-Engagement, Data and Analysis, Gaps in Resources, and Coordination

2A. State Strategic Planning Process and Community Engagement

In 2011, the JAG Board embarked on the development of the 2012-2016 Justice Assistance Grant State Strategy. Historically, the JAG Board has obtained input for the state strategy through a public forum where in-person presentations were provided to the Board by criminal justice professionals and other agency representatives. While the interaction between the interested professionals and the JAG Board has been important and beneficial, it was limiting because of the time constraints as well as the cost of travel, which presented hardships for some who wanted to attend the public hearing. A new, on-line survey format was used in 2011 and allowed a broader range of professionals to provide input without time and travel costs.

The first survey was sent to criminal justice professionals and allied professionals throughout the state in order to obtain a broad array of input on priorities under each of the seven purpose areas and gather feedback on the goals established in the 2008-2011 State Strategy. The survey was reviewed by the National Criminal Justice Association, then reviewed and approved by the JAG Board in August 2011.

In September 2011, the JAG Strategy Plan Survey was implemented via Survey Monkey. The first notice of the survey was disseminated on October 10, 2011. A second reminder requesting completion of the survey was sent on October 20th with notice of a November 4th closing date. A total of 239 responses were received on the general JAG Strategy survey with the majority, or 48%, of the respondents from a rural area. Nineteen percent (19%) identified themselves as living in an urban area and 33% indicated that their community was both urban and rural. The category with the highest response rate to the survey was state or local law enforcement at 110 respondents. That was closely followed by 92 state or local prosecution offices. The remaining respondents were individuals from corrections, mental health, courts or the judiciary, private

non-profits, federal agencies, tribal governments, and victim service agencies. Of the respondents, 88.7%, or 196, were not a representative or a designee on the JAG Board. Twenty-five (25) of the 30 members or designees on the JAG Board responded to the survey. *Detailed results of this survey are provided in detail in Section 2B – Data and Analysis: JAG Strategy Survey Plan Results, pages 7-13.*

A second survey, the JAG Local Law Enforcement Survey, was specifically targeted to law enforcement. The purpose of the survey was to obtain information regarding the types of equipment needed by local law enforcement. The JAG Local Law Enforcement survey was also implemented via Survey Monkey. The first notice of the survey was disseminated on November 30, 2011.

For the JAG Local Law Enforcement Survey, which specifically targeted input from local law enforcement regarding equipment needs, a total of 103 responses were received with the majority, or 52%, of the respondents from a rural area. Fourteen percent (14%) identified themselves as living in an urban area and 34% indicated that their community was both urban and rural. Fifty-eight percent (58%) indicated their agency was a police department, 27% were from sheriff departments, 1% was tribal law enforcement, and 14% marked the “other” category. This other category included security, fire marshals, Department of Corrections, Highway Patrol, and campus police. The majority (57) of the respondents indicated that they were the chief or sheriff; while the remaining respondents were deputies, reserve deputies, officers, or reserve officers. Over half, or 55%, had received a JAG Local Law Enforcement Equipment grant within the past five years. *The results of this survey are provided in detail in Section 2B – Data and Analysis: JAG Local Law Enforcement Survey Results, pages 13-14.*

In addition to the surveys, the Federal Grants Division staff in the DAC compiled current and pertinent data for the JAG Board to review in conjunction with the information from the survey. Data was collected from a variety of sources on drug usage in Oklahoma, the availability and cost of the primary drugs of choice in the state, and the sources of supply. Information was also gathered on treatment admissions and deaths resulting from drug use. Data on trends in juvenile crime, arrests, trends in prison population, and gang-related crimes was compiled. By obtaining this information, the priority areas for funding through the JAG Program can be identified. *A sample of information from the compilation of data from the State Annual Report is provided in Section 2B – Data and Analysis: Compilation of Data Review, pages 15-33.*

2B. Data and Analysis

In preparing the 2012-2016 JAG Strategic Plan, a comprehensive review of data was used. In addition to the two surveys which were implemented to engage various disciplines in communities throughout the state, the District Attorneys Council staff also compiled state and national data for each of the allowed purpose areas of the grant. The 2012-2016 Oklahoma State Strategy for the Edward Byrne Justice Assistance Grant is a 90-page document, of which 75 pages is devoted to the data compilation.

The first section of the plan provides a detailed review of the two surveys. The information below briefly summarizes the JAG Strategy Plan Survey Results and the JAG Local Law Enforcement Survey Results.

❖ JAG Strategy Plan Survey Results

The survey contained two segments. The first section of the survey was designed to obtain feedback on five broad “project areas” in each of the seven (7) allowed purpose areas under the JAG Program. Respondents were asked to rank these project areas on a rating scale from first (1st) to fifth (5th) in order of importance. An example of a project area would be Drug Enforcement Projects under Purpose Area 1: Law Enforcement Program. This type of question was repeated for each of the remaining six (6) purpose areas. For example:

Question 4: Other than general funding for your agency, please rank in order of importance the areas of need for Purpose Area 1 – Law Enforcement Programs:

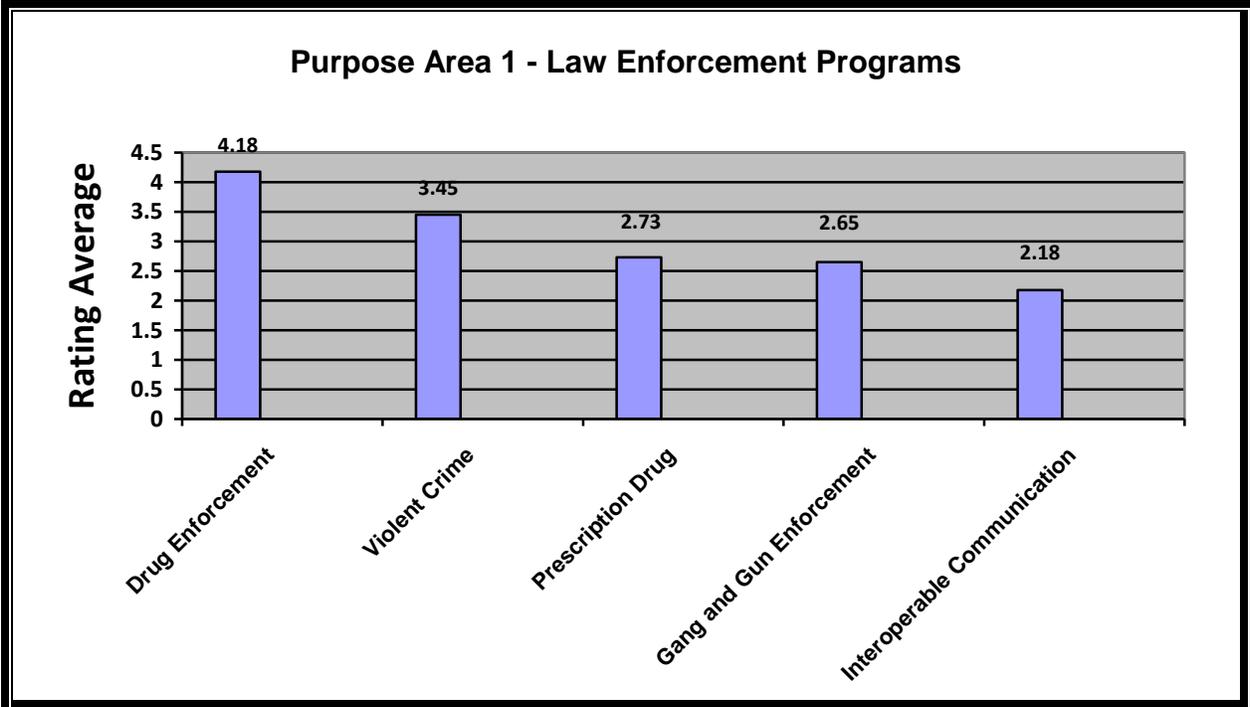
- Drug Enforcement Projects
- Gang and Gun Enforcement Projects
- Interoperable Communication Projects
- Prescription Drug Projects
- Violent Crime Projects

The second segment of the survey focused on obtaining input on each of the previously established goals that were identified in the 2008-2011 State Strategy. Respondents were asked to rank each goal on a rating scale from Extremely Important to Extremely Unimportant. For instance:

Question 11: In a previous strategic plan, funding to reduce the importation, manufacture, distribution, and possession of illegal drugs and controlled substances throughout the state has been one of the goals identified by the JAG Board. When considering the needs in your community or service area, how important is this goal?

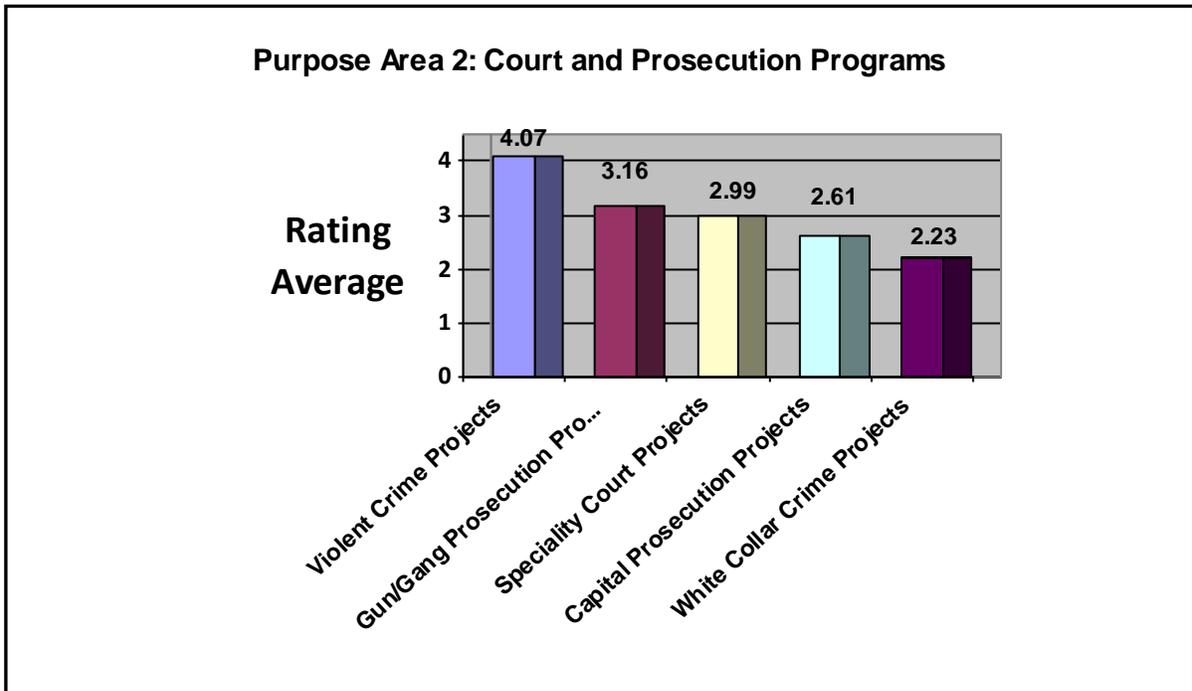
Purpose Area 1: Law Enforcement Programs

Of the 232 respondents, the top-ranked area of importance was Drug Enforcement Programs, which received nearly fifty-two percent (52%) of the responses. This was followed by Violent Crime Projects, Prescription Drug Projects, Gang and Gun Enforcement Projects, and Interoperable Communications Projects, respectively. The following chart identifies the average ranking of each of the project areas in this category on a scale of one to five, with five as the highest.



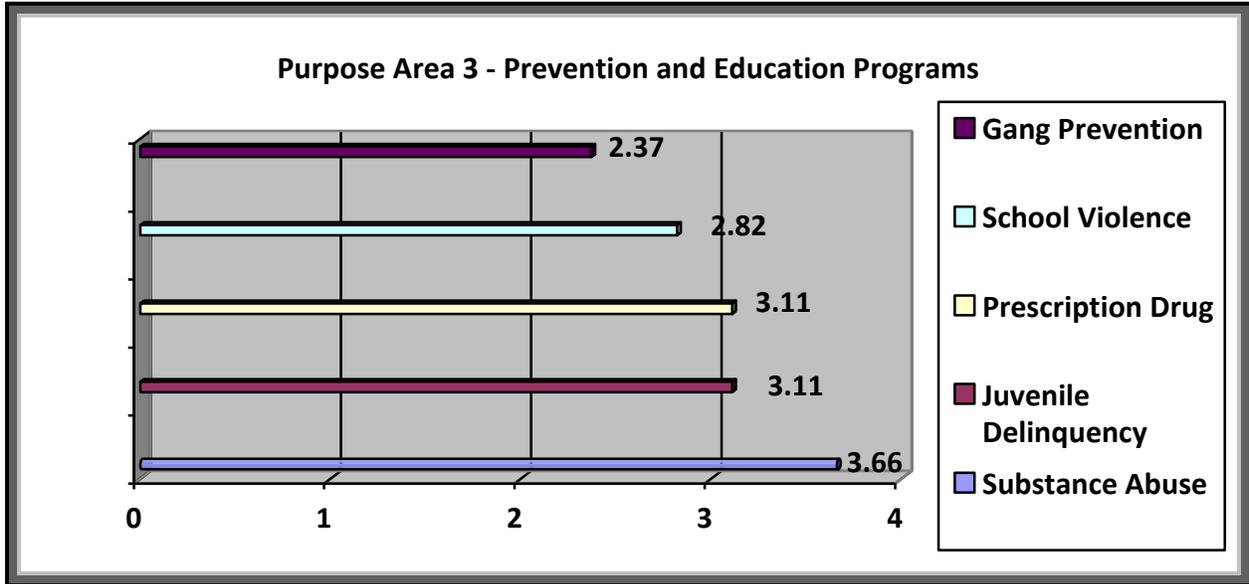
Purpose Area 2: Court/Prosecution Programs

In this category, the respondents ranked Violent Crime Prosecution Projects as the highest followed by Gun/Gang Prosecution Projects, Specialty Court Projects, Capital Prosecution Projects, and White Collar Crime Projects.



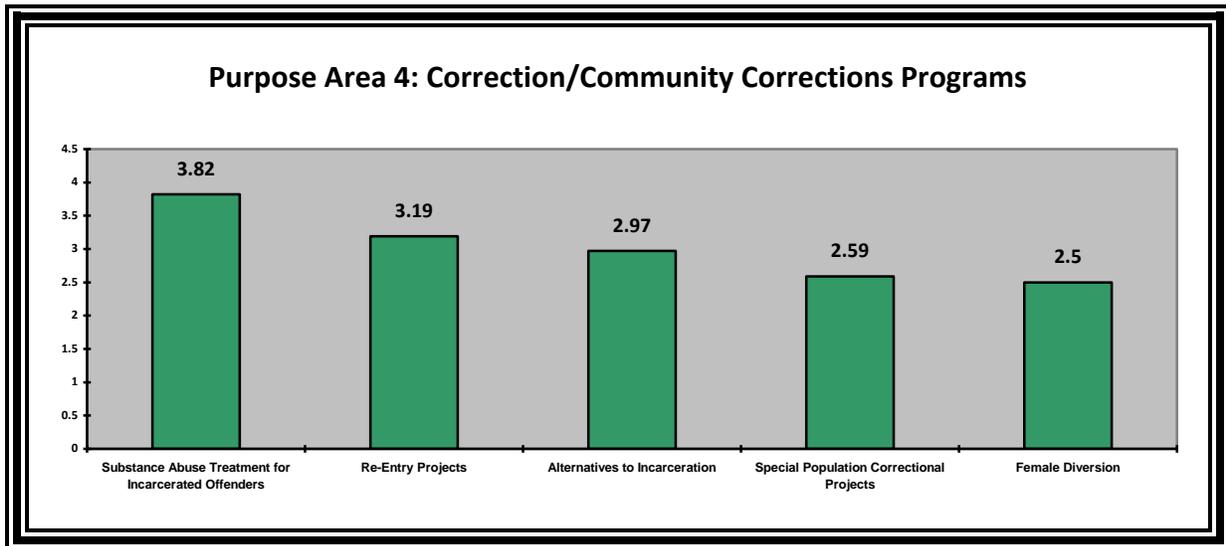
Purpose Area Three: Prevention and Education Programs

In Purpose Area Three, 224 respondents provided input and ranked Substance Abuse Prevention Projects as the highest. This project area was followed by Juvenile Delinquency Prevention Projects and Prescription Drug Prevention Projects; School Violence Projects; and, finally, Gang Prevention Projects.



Purpose Area 4: Corrections/Community Corrections Programs

Two-hundred and twenty-three (223) respondents provided input. By a substantial margin, Substance Abuse Treatment for Incarcerated Offenders was ranked first as a project area for funding. The following areas ranked second through fifth: 2) Reentry Projects; 3) Alternatives to Incarceration; 4) Special Population Correctional Projects, such as Geriatrics, Incarcerated Parents, Veterans, or those with mental health needs; and, 5) Female Offender Diversion Projects.



Purpose Area 5: Drug Treatment Programs

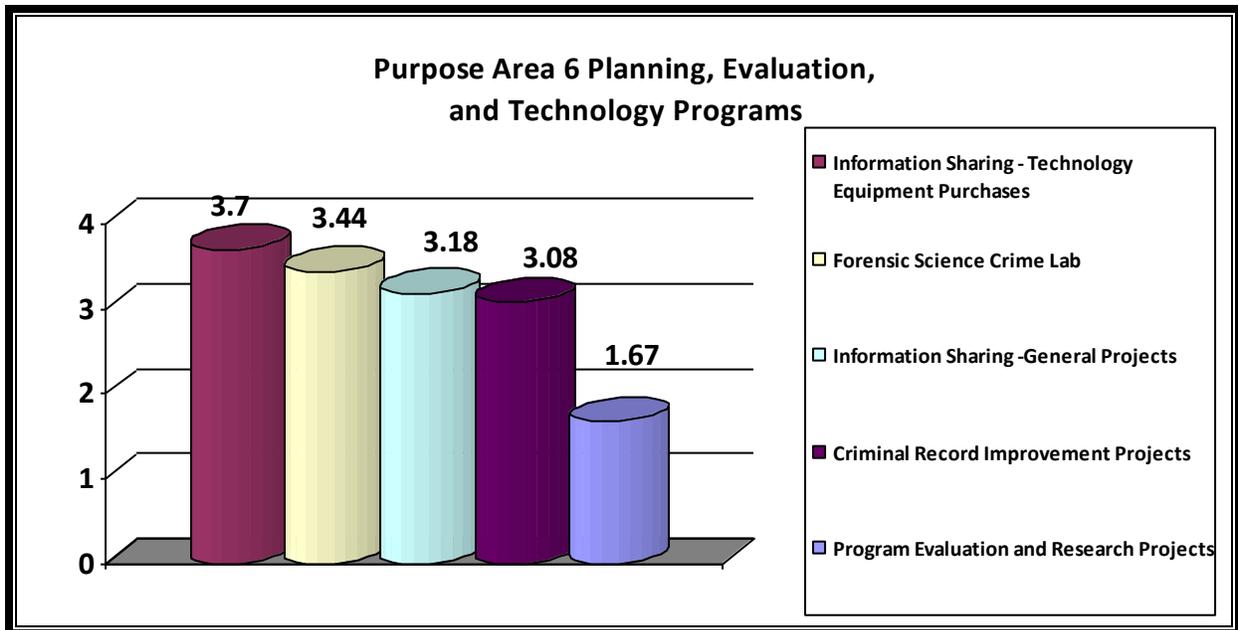
In this category, 220 respondents provided input. By a significant margin, the area of need with the highest ranking was treatment programs which target teens and their families, closely followed by community-based treatment projects. Residential In-Patient Treatment was ranked third, followed by Corrections-Based Treatment Projects and Outpatient Treatment Projects.

Purpose Area 5 Drug Treatment Programs		
Project Areas	Ranking	Rating Average
Family Treatment Projects (Targets Teens and Their Families)	1	3.32
Community-Based Treatment Programs	2	3.28
Residential In-Patient Treatment Projects	3	3.14
Corrections-based Treatment Projects	4	2.87
Outpatient Treatment Projects	5	2.42

Purpose Area 6: Planning, Evaluation, and Technology Programs

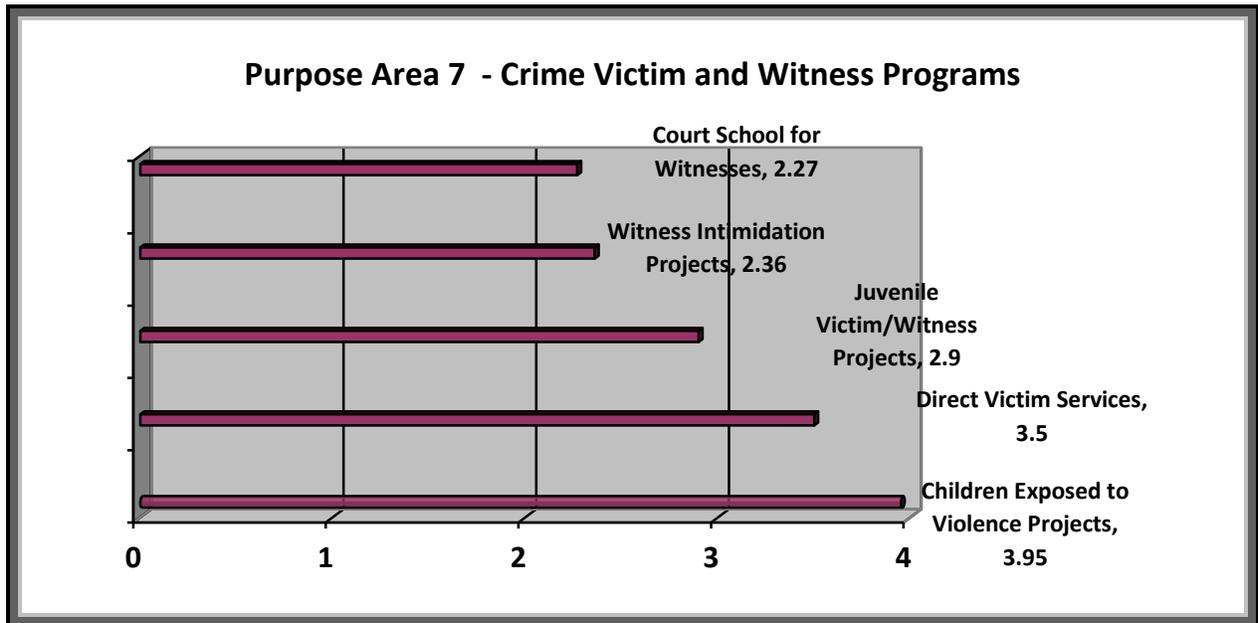
In this category, 218 respondents provided input and 21 respondents skipped the question. The areas of importance in this Purpose Area ranked as follows:

1. Information Sharing Projects, such as Technology Equipment Purchases and Information Sharing Projects
2. Forensic Science Crime Lab Projects
3. Information Sharing – General Projects
4. Criminal Records Improvement Projects
5. Program Evaluation and Research Projects



Purpose Area 7: Crime Victim and Witness Programs (other than victim compensation)

In this category, 217 respondents provided input and 22 respondents skipped the question. The highest response in this category was Children Exposed to Violence Projects, followed by Direct Victim Service Projects, such as Advocacy and Accompaniment of victims. The project area which was identified as third was Juvenile Victim/Witness Projects, fourth was Witness Intimidation Projects, and fifth was Court School for Witness Projects.



Feedback on Existing Goals for the JAG Program

The final section of the survey was developed to determine support, or lack thereof, for the existing goals which were established in the 2008-2011 JAG State Plan. Each goal was identified and respondents were asked to determine the importance of this goal in relation to the needs in their community or service area.

Question	Goal	Extremely Important or Important	Unimportant or Extremely Unimportant	Comments
11	Reduce the importation, manufacturing, distribution, and possession of illegal drugs and controlled substances throughout the state.	97.7%	2.3%	<i>“This should be the primary focus of the JAG.” “All crime relates back to drugs whether direct or indirect.”</i>
12	Reduce the trafficking of illegal drugs and controlled substances in and through the state.	96.8%	3.2%	<i>“Most effective use of the funds since including violent crimes.”</i>

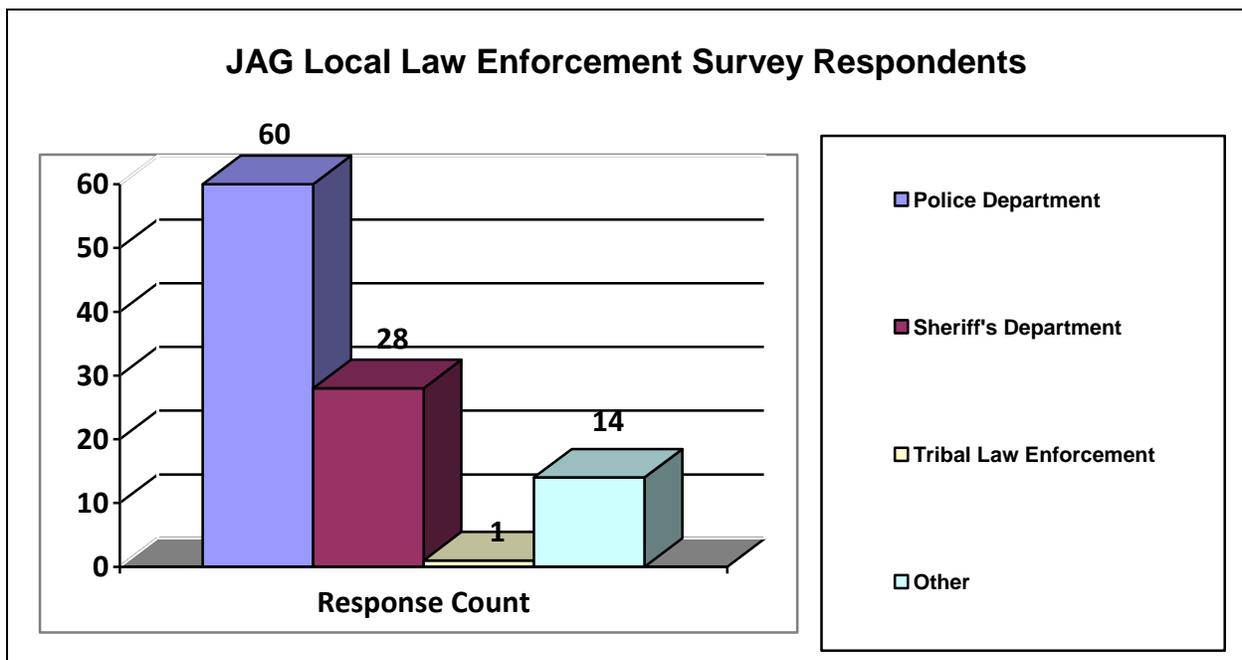
13	Reduce the violence related to gangs through prevention, enforcement, and prosecution.	81.8%	18.2%	<i>“Gangs are becoming more powerful and consolidating their efforts in small towns.”</i>
14	Assist local law enforcement through the procurement of equipment.	94.9%	5.1%	<i>“Small departments are in extreme need of the equipment.”</i>
15	Encourage innovative law enforcement projects that address drugs and violent crime control that improves the functioning of the criminal justice system.	94.4%	5.6%	<i>“Proven likelihood of success should be required.”</i>
16	Encourage innovative prosecution projects that address drugs and violent crime control that improves the functioning of the criminal justice system.	91.2%	8.8%	<i>“Proven programs with defined goals and requirements only.”</i>
17	Encourage innovative prevention projects that address drugs and violent crime control that improves the functioning of the criminal justice system.	92.6%	7.4%	<i>“Prevention should be a priority.”</i>
18	Improve the integration of criminal history records between criminal justice agencies.	94%	6%	<i>“Too many fusion centers already. There is a need but this should be a very minimal resource investment.”</i>
19	Reduce prison recidivism by providing effective drug and alcohol treatment for incarcerated juvenile and/or adult offenders.	85.1%	14.9%	<i>“Funding should be based on previous success and proven results, not just investing money.”</i>

❖ JAG Local Law Enforcement Survey Results

The survey contained two segments. The first section of the survey was designed to obtain feedback on the type of equipment that is needed in the field. Respondents were asked to rank categories of equipment in order of importance from one being most important to eight being least important. The second segment of the survey focused on obtaining information on the FCC-mandated deadline for radio narrowbanding and information on reserve officers and deputies.

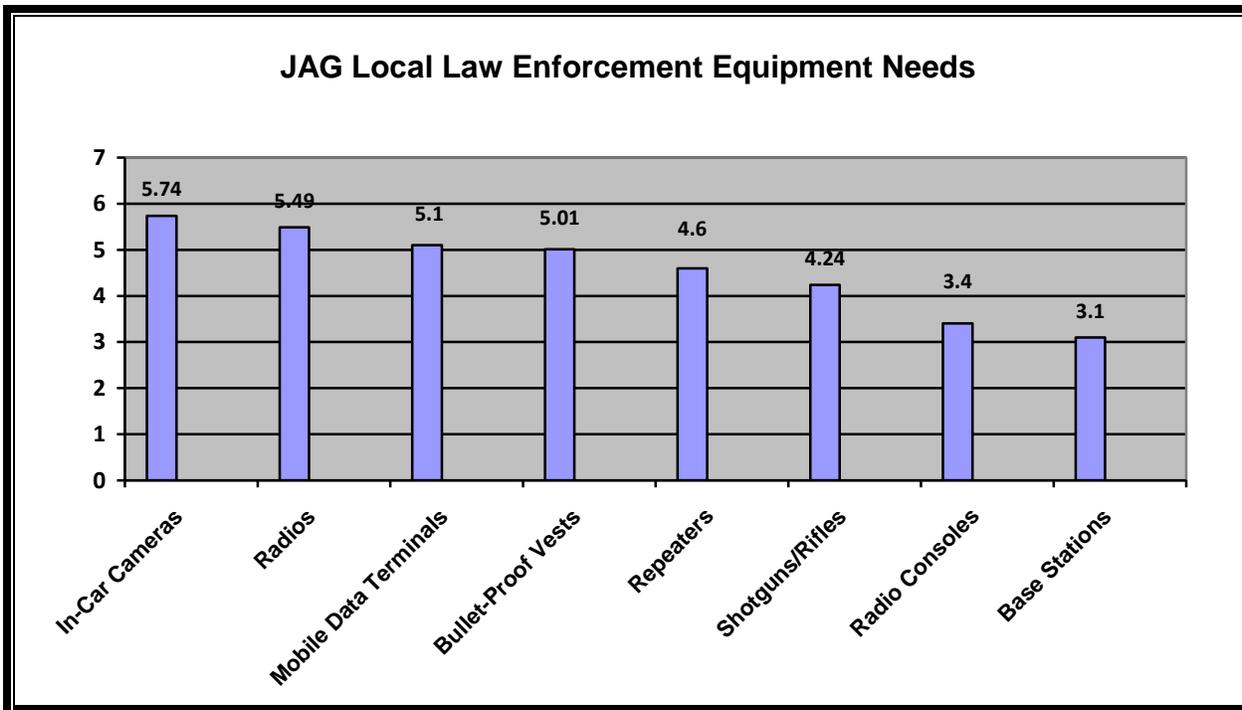
The survey was widely distributed to current JAG LLE grant recipients. In addition, the survey was forwarded by the Oklahoma Sheriff's Association, the Oklahoma Regional Community Policing Institute, and the Oklahoma Association of Chiefs of Police.

Because of this wide dissemination, determining the exact response rate of the survey is difficult. The response rate, also known as completion rate or return rate, is computed based on the number of people who answered the survey divided by the number of people who received the survey invitation or announcement.



Equipment Needs

Respondents were asked to rank the type of equipment that is in most need in their community. The equipment ranked most needed was In-Car Cameras, followed by Radios. The equipment that ranked third was Mobile Data Terminals.



Comments:

Respondents had the option of adding additional equipment that was not listed. The following equipment was identified. The number in parenthesis indicates the number of times it was listed.

- Vehicles (2)
- Portable Breath Testers (1)
- Smart Phones for all on-duty personnel (1)
- Emergency lighting (1)
- Radars (1)
- Livescans (1)
- Electronic Control Devices (1)

❖ **Compilation of Data Review**

The Data Review Section of the 2012-2016 Oklahoma State Strategy for the Edward Byrne Justice Assistance Grant utilized data from various sources for each of the seven allowable purpose areas under the JAG Program. More than 60 resources were used and are cited in the appendix of the document. The following is a *sample* of the numerous resources which were used in the data review section:

- Center for Disease Control and Prevention, *Youth Risk Behavior Surveillance 2009*, www.cdc.gov/datastatistics.
- Office of the Chief Medical Examiner Annual Report: 2008, January 1 – December 31, State of Oklahoma.

- Council of State Governments, Justice Center, *Justice Reinvestment in Oklahoma: Initial Work Group Meeting*, June 23, 2011
- Federal Bureau of Investigation, *Crimes Rates Fall Again*, May 23, 2011. www.fbi.gov/news/stories/2011/may/crimes_052311/crime_052311.
- Jurist Legal News and Research, *DOJ Reports Drop in Violent Crime for 2010*, www.jurist.org/paperchase/2011/09/doj-reports-drop-in-violent-crime-for-2010.php.
- National Criminal Justice Association, *Cornerstone for Justice: Byrne JAG and its Impact on the Criminal Justice System*, 2010.
- Office of National Drug Control Policy, News and Public Affairs, *Early Marijuana Use a Warning Sign for Later Gang Involvement: New Report Shows Teens Who Use Drugs Are More Likely to Engage in Violent and Delinquent Behavior*, June 19, 2007. <http://www.whitehousedrugpolicy.gov/news/press07/061907.html>
- Office of National Drug Control Policy, Drug Policy Information Clearinghouse, *State of Oklahoma: Profile of Drug Indicators*, May 2007.
- Oklahoma Administrative Office of the Courts, *The Supreme Court of Oklahoma, Annual Report 2010*, July 1, 2009-June 30, 2010.
- Oklahoma Bureau of Narcotics and Dangerous Drugs Control, *Cocaine Fact Sheet*, 2007. http://www.ok.gov.obnidd/Drug_Fact_Sheets/Cocaine_Fact_Sheet.html

The data was used to develop a section for each of the seven allowed purpose areas under the JAG Program. The following is an *excerpt* from the 2012-2016 Oklahoma State Strategy for the Edward Byrne Justice Assistance Grant for the Purpose Area One: Law Enforcement and Purpose Area Two: Prosecution and Court Programs. The full strategic plan contains such data analysis for all *seven* allowable purpose areas.

Purpose Area One: Law Enforcement Programs Overview

Overview

The primary purpose of the Justice Assistance Grant (JAG) is to prevent and control crime. At the very core of this goal are initiatives which provide, expand, or enhance the abilities of law enforcement.

According to the Council on Law Enforcement Education and Training (CLEET), Oklahoma has 434 local police and sheriff's departments and 23 tribal law enforcement agencies as well as several state agencies that have law enforcement functions. Throughout the state, there are 10,514 full-time and reserve police officers and sheriff's deputies responsible for covering more than 68,000 square miles in Oklahoma. In order to protect the public it is critical that local, state, and tribal law enforcement agencies have the resources needed to successfully perform their duties.

The majority of local jurisdictions in Oklahoma continue to contend with shrinking budgets and limited financial resources, hindrances which negatively impact their ability to fulfill their responsibilities. The considerable reduction in federal funding through the Department of Justice and the Department of Homeland Security in the past several years has made the situation increasingly more difficult.

In a time when technology is progressing rapidly and where state and federal law enforcement agencies are generally able to take advantage of the latest technological advancements, local law enforcement is struggling to maintain the basics. It is not uncommon for rural law enforcement to deal with significantly aging fleets and equipment that has not been replenished and is past its prime usage.

In addition to supporting the need for equipment for law enforcement, the JAG Board has also focused on initiatives which address drugs and violent crime. The following data and information is provided to assist the JAG Board in setting goals and objectives for this purpose area.

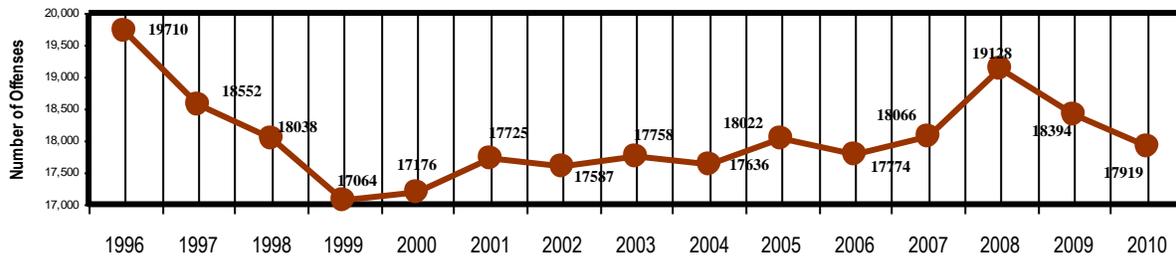
VIOLENT CRIME

Over the last several years, the national rate of violent crime rate has dropped. While Oklahoma has also realized a drop in violent crime, it is less robust than the national average. In 2009, Oklahoma experienced a 3.8% drop in violent crime. While this downward movement is a positive trend, the national decrease in violent crime was 5.5%. *In essence, Oklahoma's reduction in violent crime is not keeping pace with the national decrease in violent crime.*

The Oklahoma State Bureau of Investigation (OSBI) is responsible for the collection of Uniform Crime Report (UCR) data. OSBI's UCR Report provides information on the Violent Crime Index as well as statistics on non-violent crimes. Law enforcement agencies throughout the state provide data to OSBI to aggregate. The results serve as indicators of the state crime trends. The following information is obtained from the four (4) offenses which comprise the Violent Crime Index. These offenses include: 1) Murder; 2) Rape; 3) Robbery; and, 4) Aggravated Assault.

According to UCR data between 1996 and 1999, there was a steady decline in the number of violent crimes reported in Oklahoma. From 2000 through 2007, the number of violent crime remained relatively stable. However, in 2008, the violent crime increased to levels not seen since 1996. In 2010, consistent with national data, there was a 2.6% drop in the number of violent crimes to 17,919.

VIOLENT CRIME STATISTICS IN OKLAHOMA
Uniform Crime Report
1996-2010



Homicide

The drop in the number of homicides from 2009 to 2010 is significant and represents a 16.6% reduction, the largest drop of the four Violent Crime Index offenses. Oklahoma County, having the largest population has the highest per capita rate of homicides at 57.49 per 1,000 people. However, the per capita rate is closely followed by Comanche County at 57.36. The overall state rate is 38.68 per 1,000 people. Following Oklahoma and Comanche Counties, the counties with the highest per capita rate of homicide per 1,000 residents are: Tulsa at 49.52; Seminole County at 44.97; Carter at 44.77; Pottawatomie at 42.30; and Bryan County at 35.33.

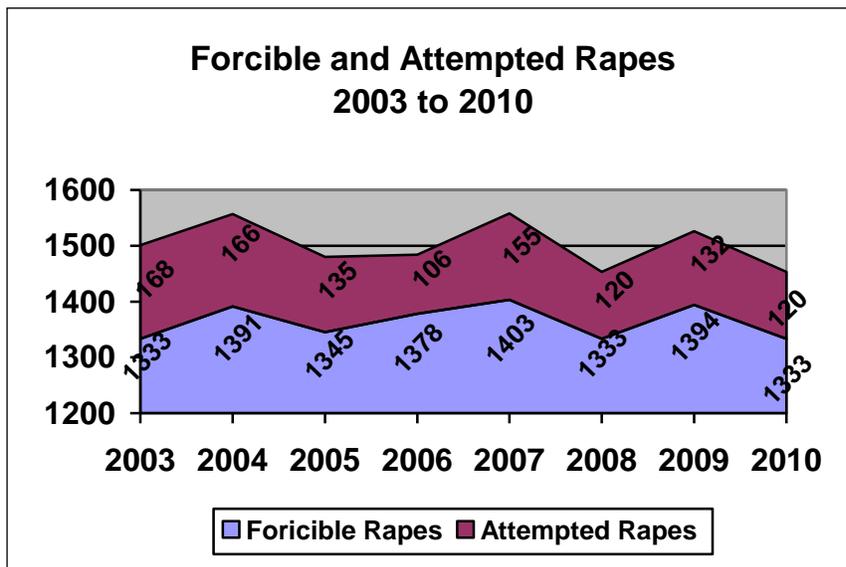
According to the OSBI, the 15 to 19-year old age group accounted for the highest percentage of murder victims with 26 victims. This was followed by the 30 to 34 year-olds with 25 victims, and 20 to 24-year-olds and the 25 to 29 year-olds at 24 victims each. Male victims outnumber female victims approximately three to one. Homicides accounted for 1.1% of all violent crimes.

Firearms were employed in 56% of all reported murders. The use of a knife or other cutting device was involved in 16.2% of the murders. The murder of one family member by another accounted for 17% of all murders. Of the 191 offenses, 10% resulted from a spouse, ex-spouse, or boyfriend, killing their intimate partner.

HOMICIDES IN OKLAHOMA 1996 - 2010	
YEAR	TOTAL
1996	223
1997	229
1998	204
1999	231
2000	181
2001	185
2002	163
2003	206
2004	187
2005	187
2006	207
2007	222
2008	212
2009	229
2010	191

Rape

Rape is defined as “the carnal knowledge of a female forcibly and against her will, regardless of age.” However, statutory rape statistics are not included in this category. Forcible rape differs from other violent crime in that the victim, in many cases, is hesitant to report the offense to the police. It should be noted that because the crime of rape is so significantly underreported, this data is under representative of the true picture of rape in Oklahoma.



The UCR data divides rape into (1) rape by force and (2) attempts to rape. In 2010, there were 1,453 reported forcible rapes *and* attempted rapes, a 4.8% decrease from the number reported in 2009.

This crime accounted for approximately 8.2% of all

violent crimes that were reported. A total of 566 rapes were cleared by arrest or exceptional means, resulting in a clearance rate of 38.6%.

Robbery

Robbery is defined as “the felonious and forcible taking of property from the care, custody, or control of a person or persons by violence or putting the person in fear and against his or her will.” In order for the crime of robbery to take place, the victim must be present. Robberies are reported in the following categories: gun, knife or cutting instrument, other dangerous weapon, and strong-arm robbery.

A total of 3,320 robberies were reported by law enforcement agencies in 2010, a reduction of less than 1% compared to 2009 data. Robberies accounted for 18.5% of all reported violent crimes and 2.3% of all index crimes. There were 851 robberies cleared, resulting in a clearance rate of 25.6%.

The highest percentage of persons arrested for robbery was in the 25 to 29-year olds. The largest number of offenses, 994 or 30%, occurred on the highway (street, alleys, etc.), followed by robberies within residences. Armed robbery with any type of weapon occurred in 61.7% of the offenses.

Aggravated Assault

Aggravated assault is defined as “an unlawful attack or an attempt to attack through force or violence to do physical injury to another”. An aggravated assault may be committed with a gun, knife, or other cutting instrument, other dangerous weapon, or through the aggravated use of hands, fists, or feet. All assaults where no weapon is used and which results in minor injuries are classified as non-aggravated and are not counted in the index crime totals.

A total of 12,941 aggravated assaults were reported by law enforcement agencies in 2010. Aggravated assaults account for 72.2% of all violent crimes and 8.9% of the index crimes. A total of 6,272 aggravated assaults were cleared by arrest or exceptional means, representing a clearance rate of 48.5%. Again, the 25 year-old to 29-year-old age group accounted for 17.6% of the persons arrested for aggravated assault.

DRUG MARKET ANALYSIS AND DRUG-RELATED CRIME IN OKLAHOMA

According to a 2010 report from the North Texas High Intensity Drug Trafficking Area (HIDTA), Mexican Drug Trafficking Organizations (DTOs) use the Dallas/Ft. Worth to Oklahoma corridor to store and distribute illicit drugs destined for drug markets throughout the United States and to consolidate drug proceeds to smuggle into Mexico. With multiple intersecting interstates and its central location in the country, Oklahoma is a main corridor for the transport and shipment of drugs.

The North Texas HIDTA encompasses fifteen northern Texas Counties and six Oklahoma counties. The National Seizure System data for 2009 indicates that illicit drugs originating from within the North Texas HIDTA were destined for states such as Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, South Carolina, and Tennessee.

As a major supplier of wholesale quantities of illicit drugs, some of the DTOs work with members of African American and Hispanic Street gangs to distribute methamphetamine, marijuana, and cocaine at the retail level.

Drug Arrests in Oklahoma

Historically, one of the primary focuses of the JAG funding has been drug task forces. However, in 2009, the vast majority of the task forces expanded their scope to become Drug and Violent Crime Task Forces (DVCTFS) in order to be more representative of the types of cases that they were already working. A drug and violent crime task force is defined as a multijurisdictional task force that includes (a) full-time officers; (b) from a variety of different law enforcement agencies; (c) within a specific geographic region; (d) that conduct drug and violent crime investigations and drug enforcement activities; and, (e) that conduct investigations across a geographic region that spans individual departmental jurisdiction.

In addition to investigating drug enforcement cases, the DVCTFs have also investigated the following types of cases: a) Homicides; b) Shooting with Intent to Kill; c) Sexual Assault; d) Child Physical and Sexual Abuse; e) Explosives; f) Robberies; g) Property Crimes; h) Arson; and, i) Kidnapping.

In 2009-2010, there were 18 multijurisdictional Drug and Violent Crime Task Forces (DVCTFs) and 3 Drug Task Forces (DTFs) operating in the state. Only three (3) of the 21 Task Forces exclusively investigate drug cases.

In funding the Task Force, a minimal number of personnel accomplished these activities. In 2010, 106 full-time personnel were funded, including 16 Project Coordinators/Directors, 83 investigators, 4 secretarial staff, and 3 prosecutors. An additional 15 part-time positions were also dedicated to this project.

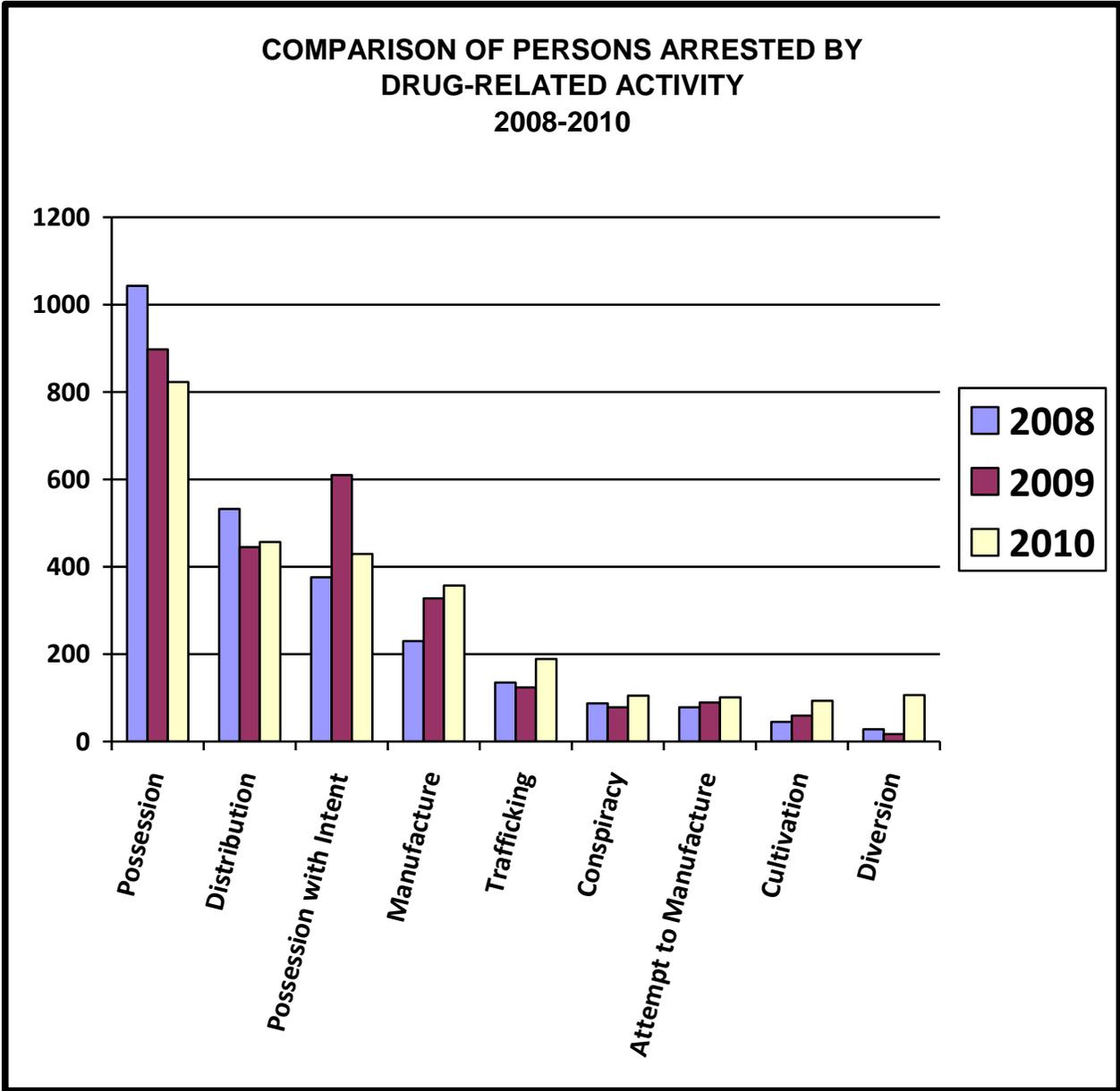
These Task Forces report a total of 5,486 arrests for the two-year period. Of the DVCTF/DTF arrests, 2,994, or 55%, were arrested for methamphetamine, or methamphetamine-related violations, compared to 26% arrested for marijuana violations. Arrests for amphetamine and/or methamphetamine have ranked the highest in the number of arrests, followed by marijuana since at least 2006. In 2009 and 2010, these two drugs accounted for 72% of the total number of drug arrests.

**Persons Arrested By Task Forces for Illegal Substance and Violation
July 1, 2009 through June 30, 2011**

Drug	Possession	Possession with intent	Trafficking	Distribution	Manufacture	Conspiracy	Cultivation	Diversion	Attempt to Manufacture	Total	Percentage of Arrests by
Amphetamine Methamphetamine	885	480	138	362	691	131	12	91	204	2,994	55%
Marijuana	546	422	74	252	2	22	148	0	0	1,466	27%
Cocaine-all except Crack	28	17	21	38	0	5	0	0	0	109	2%
Pharmaceuticals	181	67	3	176	3	7	0	32	0	469	9%
Crack Cocaine	59	28	34	86	0	27	0	0	0	234	4%
Heroin	53	22	53	9	0	0	0	0	0	137	2%
Designer Drugs Such as Ecstasy	7	43	8	5	0	3	0	0	0	66	1%
Hallucinogens	3	1	0	5	0	1	0	0	0	10	<1%
PCP	1	0	0	0	0	0	0	0	0	1	<1%
Total	1,763	1,080	331	933	696	196	160	123	204	5,486	
Percentage of Arrests by Violation	32%	20%	6%	17%	13%	4%	2%	2%	4%		

However, an extremely important trend is found in a three-year comparison, which indicates that there is an increase in the number of arrests by DVCTFs for more serious drug-related crimes, such as manufacturing, trafficking, attempt to manufacture, cultivation, and diversion.

For all drug related activity, 32% of the arrests were for possession, down from 33% in 2008 and 48% in 2007. Drug task forces typically do not focus on simple possession offenses, but sometimes these types of cases occur as a result of executing search warrants at dwellings which may be occupied by several individuals. In the course of investigations, individuals may be found in possession of small amounts of illegal drugs.



The Drug Task Forces seized a significant amount of illegal drugs in their investigations from July 2009 to June 2011. Based on local street value information from the Task Forces, \$13,403,520 in illegal drugs was seized.

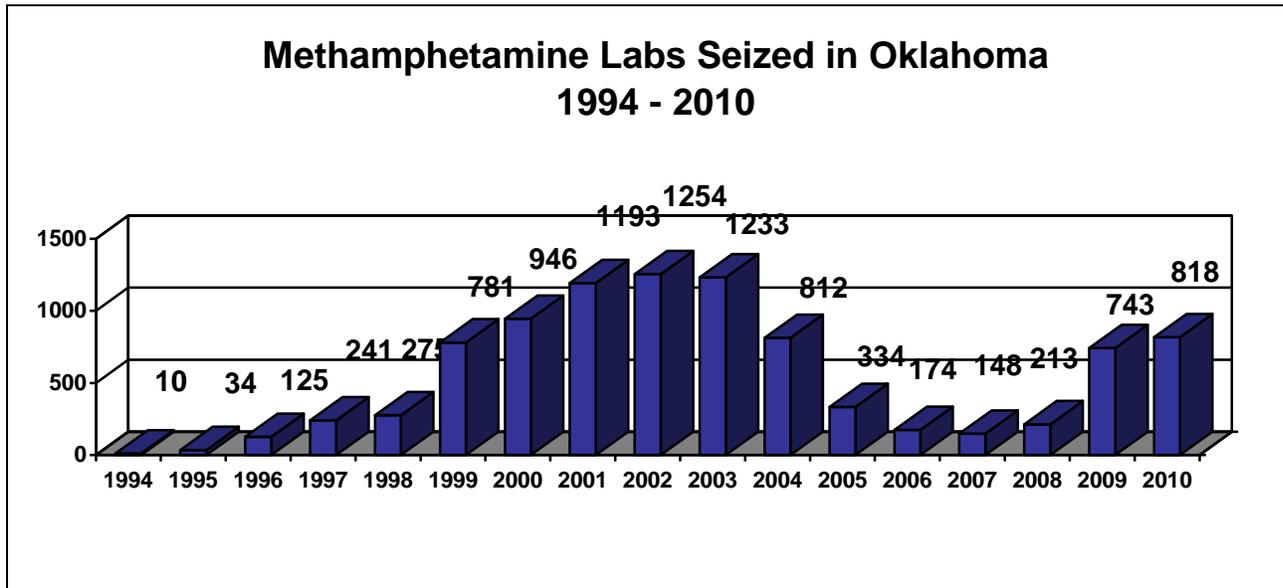
TYPE OF DRUGS SEIZED	AMOUNT OF DRUGS SEIZED	EQUAL WEIGHT EXAMPLE	DEA ESTIMATED STREET VALUE	LOCAL STREET VALUE
Hallucinogens	1 pound	A 16 oz. can of tomato sauce.	\$15 a dosage unit x 2265 dosage units in a pound	\$33,975
Crack Cocaine	5 pounds	A sack of potatoes.	\$100 per gram x 453 grams in a pound x 5 pounds	\$226,500
Heroin	256 ounces	The size of a bowling ball.	\$2,000 per ounce x 256 ounces	\$512,000
Cocaine	63.5 kilos	An average woman.	\$25,000 per kilo x 63.5 kilos	\$1,587,500
Amphetamine/ Methamphetamine	257 pounds	The weight of an American black bear.	\$9,000 per pound x 257 pounds	\$2,313,000
Marijuana	8,114 pounds	The weight of two compact vehicles.	\$1,000 per pound x 8114 pounds	\$8,114,000
Diverted Pharmaceuticals	16,936 dosage units (pills)	A 30-day prescription lasting nearly 47 years.	\$15 per dosage unit x 16,936 units	\$254,040
Designer Drugs	24,167 dosage units (pills)	A 30-day prescription lasting nearly 67 years.	\$15 per dosage unit x 24,167 units	\$362,505
TOTAL				\$13,403,520

A very important element of DVCTFs is the *integration of their services* within the local law enforcement system *within their community*. Many local law enforcement agencies rely heavily not only on the DVCTF's expertise but their manpower and equipment. Throughout the state, the Task Force investigators provided assistance in 4,517 incidents to local law enforcement during the two-year period. Examples of assistance include helping an agency write or serve search or arrest warrants, manhunts, photographing crime scenes, sharing intelligence, lending surveillance equipment, conducting interviews or interrogations, completing field tests on suspected contraband, etc. The technical assistance and expertise provided by the Drug Task Forces is invaluable to local law enforcement. In addition to the arrests and assistance to local law enforcement, the Task Force investigators also:

- Served **1,360 search warrants**, of which 755 were related to methamphetamine investigations;
- Responded to **547 lab seizures**;
- Assisted in the clean-up of **352 drug-related dumpsites**;
- Assisted **154 minors** at the scenes;
- Provided **295 drug-awareness and drug prevention programs** throughout the state;
- Provided **training for 10,470 community members and or professionals**; and,
- Provide **training for 2,693 law enforcement professionals**.

The North Texas HIDTA reports that the most significant drug threat to the North Texas region (which includes Oklahoma) is methamphetamine. Many think that the methamphetamine problem had been addressed with the passage of Oklahoma’s pseudoephedrine control bill in 2004. Certainly, a significant decline, nearly 90%, in the number of methamphetamine lab seizures was realized between 2005 and 2008.

However, since 2008, there has been a steady increase in the number of methamphetamine lab seizures. The reason for the increase is a new methamphetamine recipe which uses smaller amounts of pseudoephedrine, thus allowing meth cooks to avoid Oklahoma’s pseudoephedrine purchase limits. Known as the “One Pot” lab, this new recipe is responsible for a dramatic increase in meth lab seizures: 213 labs in 2008 to 743 labs in 2009 and 818 in 2010.



GANG ACTIVITY IN OKLAHOMA

According to Oklahoma statute, a criminal street gang is defined as any ongoing organization, association, or group of five or more persons that specifically either promotes, sponsors, or assists in, or participates in, and requires as a condition of membership or continued membership, the commission of one or more of the criminal acts as defined by statute. Until as recently as 2006, it appeared the majority of Oklahoma law enforcement officials did not fully

comprehend the nature or degree of gang-related criminal activity occurring within Oklahoma's borders. Unfortunately, gangs are rapidly evolving into highly organized and sophisticated criminal organizations. Geographically, they seek to stakeout territories for drug distribution and other gang-related criminal activities and are a factor in the drug and violent crime that is occurring in our state.

In an attempt to obtain a perspective of the gang problem in Oklahoma, the Oklahoma District Attorneys Council, in collaboration with the three U.S. Attorneys, implemented Oklahoma's first comprehensive gang survey in 2007. The survey was replicated in 2009 which validated the data collected in 2007.

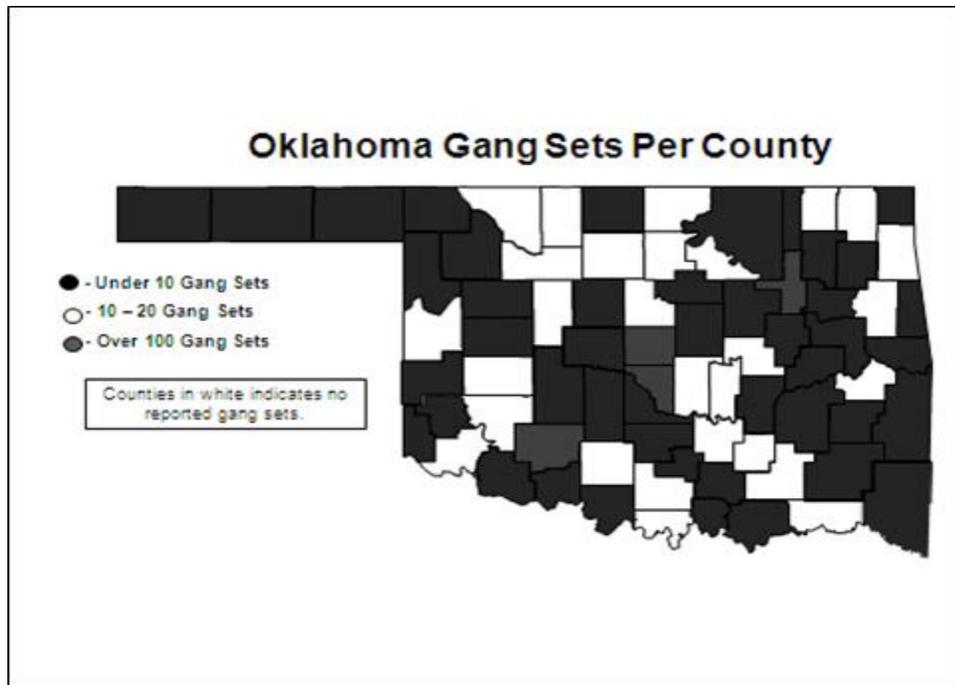
The *Oklahoma Gang Survey* was mailed to every major law enforcement agency in Oklahoma. Officers who did not respond received a second, follow-up mailer and were urged to complete the survey at various summit meetings, seminars, and conferences. In 2007, 635 were distributed and 345 gang surveys were returned which represents an ***overall officer response rate of 54.3%***. The 2009 survey showed a 5.5% increase in the response rate to 59.5%. This is generally considered an exceptionally high survey response rate.

A snapshot of law enforcements' perception of gang-related criminal activity in Oklahoma was compiled through the data that was collected. Emphasis is placed on the word "perception" in that the numbers are law enforcement "estimates" based on training, experience, and expertise in identifying characteristics of gang members. A more accurate gauge of gang-related criminal activity would be an evaluation of all arrestees based upon a standardized, certification (validation) format. However, Oklahoma law enforcement agencies have not yet adopted a statewide standardized gang certification instrument.

The survey found that gangs are dynamic and rapidly change in magnitude and complexion. Generally, street gangs are most often divided into smaller subgroups commonly classified as "sets". A gang set is an autonomous subgroup that may or may not be affiliated with a larger, national or international gang. Active gang sets and associated criminal activity were reported in urban, suburban, and rural areas stretching across the entire state.

Gang sets are often identified by territorial boundaries such as residential areas or street names, like the 107 Hoovers; or barrios (neighborhoods), like the Compton Crips. The sets or cliques will mark their territory, most often with graffiti, and violently defend that territory against aggressive acts by rival gangs. In many cases, gangs respect the territory of another gang unless there is a profit to be made through some criminal activity.

Law enforcement agencies reported that the number of gang sets in Oklahoma increased by 1.99% from 2007 to 2009, with 1,026 individual gang sets reported in 2009 and 1,006 gang sets reported in 2007. The increase could be due to more comprehensive training and improved awareness on the part of law enforcement officers. The gang sets also may have been in existence in 2007, but were not reported on the 2007 gang survey. Or, there may be an actual growth in the number of gang sets in Oklahoma due to expansion of regional gang sets.



The 2009 survey revealed an associated membership of approximately 13,477 gang members within the reported 1,026 gang sets, thus reflecting a slight increase of (0.26%) over the 2007 membership estimate of 13,512 gang members. This increase seems minimal compared to a report from the Federal Bureau of Investigation which reported that gang members increased a shocking 25% from 800,000 in 2005 to more than 1,000,000 in 2008.

In the Oklahoma Gang Survey every effort was made to identify and eliminate any duplicate counts created by law enforcement agencies operating within the same county and any duplicate counts created by gang sets operating in multiple counties. In addition, the estimates provided by Oklahoma law enforcement agencies are most likely *underreported* due to the fact that 83% of responding officers had never received any formal or informal training on identification, apprehension, or prosecution of gang members.

Similarly, 94% of responding agencies did not have gang units or designated individuals responsible for tracking gang-related activity within their jurisdiction. In rural areas, this number jumped to 98% of agencies that did not have a gang unit or a designated individual to track gang-related criminal activity.

As a result of the general lack of training of officers and the lack of tracking of gang activity by agencies, arrestees who perpetrated crimes might never have been identified as actual gang members. Therefore, the numbers of gang sets and gang members were most likely underreported by Oklahoma law enforcement officers.

Of the 1,006 gang sets operating within Oklahoma's borders, Oklahoma, Tulsa, Cleveland and Comanche counties reported the largest number of gang sets. Considering the population distribution of Oklahoma City, Tulsa, Norman and Lawton, this is not surprising. What is

surprising is that each of the four counties reported more than 100 gang sets operating within its borders.

Equally surprising is the fact that no county reported to have between 21 and 99 gang sets operating within their jurisdictions. Nine counties reported between 10 and 20 gangs. These are Carter, Cherokee, Garfield, Jackson, Kay, Love, Pontotoc, Pottawatomie, and Seminole Counties. Forty-five (45) counties reported 10 or less gang sets operating within their jurisdictions, including Adair, Beaver, Beckham, Bryan, Caddo, Canadian, Cimarron, Cotton, Creek, Custer, Dewey, Ellis, Garvin, Grady, Grant, Greer, Harmon, Harper, Hughes, Jefferson, Johnston, Kingfisher, Latimer, LeFlore, Lincoln, Marshall, Mayes, McClain, McCurtain, McIntosh, Murray, Muskogee, Okmulgee, Osage, Ottawa, Payne, Pittsburg, Pushmataha, Rogers, Sequoyah, Texas, Tillman, Wagoner, Washington, and Woodward counties.

Not surprisingly, Oklahoma City accounted for 16.8% and Tulsa accounted for 17% of Oklahoma’s total gang sets. Jointly, these two cities account for 33.8% of Oklahoma’s gang sets; however, this is somewhat explained in that the two metro areas also account for 25.7% of Oklahoma’s population. The median number of gang sets for Oklahoma and Tulsa counties is 299 gang sets compared to the median number of 13.1 gang sets for the remaining Oklahoma counties.

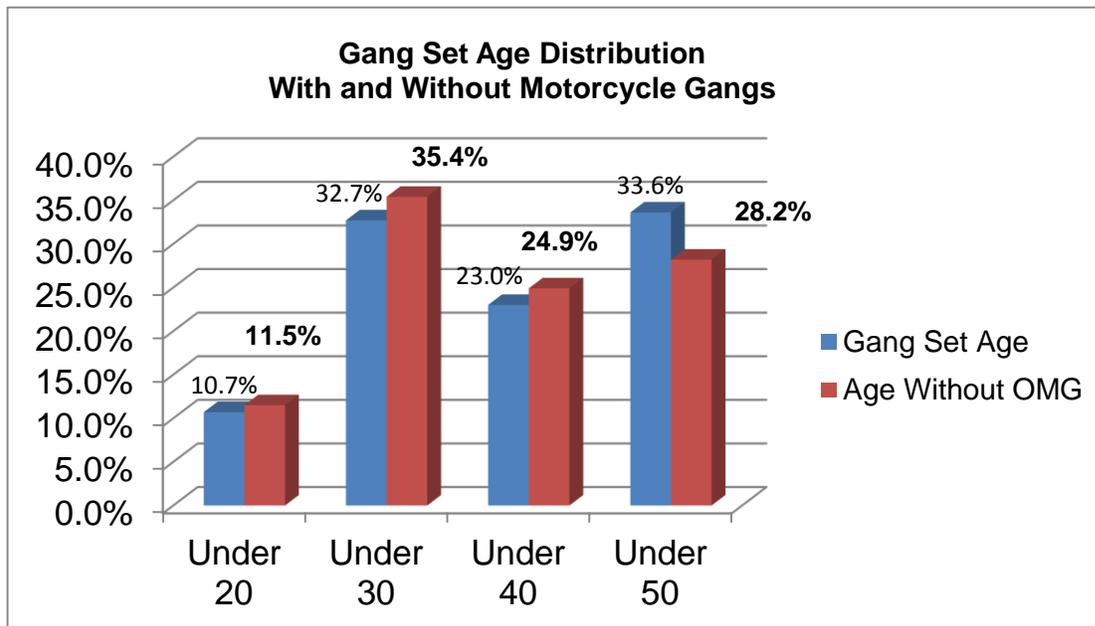
Oklahoma gangs are responsible for a broad range of criminal activity. Drug possession and trafficking, violent assaults, larceny, weapons offenses, burglaries, and auto thefts appear at the top of crimes committed by gangs in Oklahoma. Some crimes were not included on the list of crimes when the original survey was implemented.

CRIMES COMMITTED BY OKLAHOMA GANG SETS*			
Ranking	Primary Crimes	Number of Gang Sets Reported Committing the Crime	Percentage
1	Assault	424	70%
2	Drug Possession	365	60%
3	Larceny/Theft	344	57%
4	Weapons Offenses	296	49%
5	Vandalism	280	47%
6	Burglary	253	42%
7	Drug Trafficking	245	41%
8	Auto Theft	187	31%
9	Robbery	169	28%
10	Murder	94	16%
11	Other	77	13%
12	Sexual Assaults/Rapes	70	12%

**The data pertains only to those law enforcement agencies reporting gang problems Gang Set Response n=602.*

Many Oklahoma counties are encountering the presence of third-generation gang members, reporting that many gangs have been operating in their jurisdictions for over 30 years. From the survey, officers indicated that children are exposed to gang activity at an early age due to not only the ever-growing numbers of gang members in Oklahoma, but also due to parents, siblings, or other family members who are reported to be known gang members.

In reviewing the age range for the gangs, a general survey indicates that the largest age group associated with gangs is 50-years old. This aging and stability of gang sets contribute to the fact that many Oklahoma gang members were somewhat older than what might be expected. According to the survey, only 10.7% of Oklahoma gang sets were classified as gang sets with gang members predominately under twenty years of age. At the opposite end of the spectrum, 56.6% of Oklahoma gang sets reported members over 30 years of age. However, Oklahoma's older outlaw motorcycle gang sets skew the numbers to some degree. When removed, 46.9% of Oklahoma's gang sets are predominantly composed of members aged 30 and under.



Regardless of whether the outlaw motorcycle gangs are included or removed, Oklahoma gang sets appear to be well established and capable of extremely sophisticated criminal operations. This maturity and sophisticated structure further contributes to the ability to conceal the actual gang leadership that stands to profit from the gang's criminal activities, thus making gang-related criminal activities more difficult to detect and eliminate.

Interviews with gang members indicate that the reasons behind joining a gang are generally not conscious and vary with the individual. It is suggested that one of the many reasons for joining a gang is the identity that is obtained through the gang culture. Often, gang members perceive that by joining a gang there is protection against the outside world. This may very well be true when multiple rival gangs operate within a community. Protection from violence and attack is provided through gang membership and involvement.

Studies also indicate that a family structure is often lacking in the lives of the youth that become involved with gangs. If a sense of family is lacking, the closeness and protection that would typically be available within the family is instead offered through gang involvement. This is often more attractive than any negative consequences that may be a result of gang association. There is often an intimidation factor involved, as well. Young new members may be forced to join in order to fend off assaults and threats of assaults, either to themselves or family members. Due to Oklahoma's massive interstate highway system, transient and migrant gang activity is expected to rise. Seventy-eight percent (78%) of responding agencies reported that their gang members migrated into their jurisdictions from other states. Most frequently, Chicago, Los Angeles, Kansas City, Little Rock, San Antonio, and New Orleans were the primary cities from which gang migration was reported, with California and Texas being the largest feeder states. Mexico and El Salvador were also cited as countries from which gang members migrate to Oklahoma.

Purpose Area Two: Prosecution and Court Programs

Overview

Traditionally, criminal court in the U.S. is an adversarial system in which those accused of crime take part in a truth-finding process involving a prosecutor, a defense attorney, and a judge. The prosecutor's primary function is to seek justice and protect the public safety and welfare of the community. The prosecutor is an advocate for justice, the victim, and the community they serve. Their obligation is to protect the innocent, convict the guilty, guard the rights of the accused, and enforce the rights of the public. It sometimes takes a creative approach to meet all these goals and expectations. In recent years, especially with drug crimes, prosecutors have begun to test new techniques for not just prosecuting the cases presented, but to try to break the cycle of crime. This has ushered in a new era of cooperation with defense attorneys.

The U.S. Constitution guarantees that those accused of committing a crime have the right to the "assistance of counsel" and a defense attorney's primary responsibility is make sure that offenders' rights have not been violated and that they are afforded due process. However, they also see the need to break the cycle of crime and recognize that their clients need an advocate as much as they need a lawyer. Alternatives to incarceration for non-violent offenders that involve treatment programs for drug and mental health issues are a workable, cost-effective alternative to jail or prison.

Some cases which meet specific criteria are assigned to Specialty or "Problem-Solving" Courts within the criminal court system. These specialty courts focus on the needs of a particular group of offenders or victims. They are designed to address the root causes of crime by focusing on the underlying problems of litigants which may not be addressed in a traditional court setting. There are a number of specialty courts currently operating in Oklahoma, including adult and juvenile drug courts, mental health courts, veterans' drug court, and family drug courts.

When the adversarial system is balanced and functioning smoothly, offenders receive the services they need to increase the likelihood they will not reoffend, and jails and prisons are not used for supervision of offenders who are more appropriately managed in the community. While the JAG Program is one of the very few federal grant programs which support the efforts of local law enforcement, it is also in place to recognize the necessity of collaboration and cooperation

within all aspects of the criminal justice system in order to improve public safety. The JAG Program’s second purpose area focuses on prosecution and court programs that complement the enhanced efforts made by law enforcement.

PROSECUTION

In Oklahoma, there are 27 elected district attorneys who represent between one and five counties in their individual districts. In addition to the elected district attorneys, there are 273 prosecutors, 112 investigators, 27 victim-witness coordinators, 44 victim-witness assistants, and more than 627 support staff within the District Attorneys system throughout the state.

The purpose of the district attorneys system is to represent the state in the prosecution of criminal offenses. “While the underlying methods have remained virtually unchanged since our nation’s founding, criminal courts have evolved over time through new laws, court decisions, and a new approach to crime fighting, ultimately moving toward a system that is more equitable and efficient,” according to the National Criminal Justice Association.

In 2010, there were over 100,000 cases filed by Oklahoma’s District Attorneys. All of the District Attorney Offices, except Oklahoma and Tulsa counties, utilize JustWare Case Management software. Oklahoma and Tulsa Counties utilize other case management systems.

According to statistics from JustWare, 81,505 cases were filed by prosecutors in the 75 participating counties in 2010. According to the Oklahoma Supreme Court Network, Tulsa County filed 5,027 felonies and 6,040 misdemeanors, a total of 11,067 cases, in 2010; and Oklahoma County filed 8,177 felonies and 5,004 misdemeanors, a total of 13,181 cases.

Oklahoma Felony and Misdemeanor Filings 2010	
Tulsa County	11,067
Oklahoma County	13,181
All Other Counties	81,505
TOTAL	105,753

CAPITAL CRIME IN OKLAHOMA

Oklahoma is comprised of twenty-five (25) rural district attorney districts and two (2) metropolitan district attorney districts, Oklahoma and Tulsa counties. The twenty-five (25) rural district attorney districts represent seventy-five (75) of the seventy-seven (77) counties in Oklahoma. As is the case with all criminal cases, capital murder cases are generally handled by the individual District Attorney's office in which the cases are filed. These are complex and emotionally challenging cases with the prosecutor, judge and jury each having a part in determining whether a particular homicide should be punished with death.

Capital murder cases routinely involve a myriad of complex issues such as evidentiary issues dealing with the collection, preservation and testing of biological evidence, identification and interrogation related issues, mental retardation or mental illness issues, etc. Moreover, pursuant to Title 21, Section 701.13, an appeal is mandatory in capital litigation cases. Due to the nature of

these cases, the cases are highly scrutinized on appeal, a process that generally takes years. When error is found, the passage of time, erosion of memory, and dispersion of witnesses makes retrial extremely challenging and costly. Therefore, it is of the utmost importance that these cases be handled correctly all the way through the process by well-trained judges, prosecutors and investigators.

There are currently more than one hundred (100) first-degree murder cases, including over fifteen (15) capital murder cases, pending in the twenty-five (25) rural district attorney districts. Oklahoma County has five (5) capital murder cases and Tulsa County has three (3) capital murder cases. The experience level of the prosecutors handling these cases varies widely. Not only is experience in handling capital and homicide cases a major concern, the resources available to assist rural prosecutors are extremely limited in a majority of the district attorney districts. To further complicate matters, the statewide district attorney's system has suffered a twenty percent (20%) reduction in state appropriated dollars since FY 2009. Consequently, Oklahoma's statewide district attorney system desperately needs centralized resources to aid prosecutors in the proper handling of capital murder cases from the initial determination to seek the death penalty through trial.

Training of prosecutors, as well as law enforcement, judges and defense attorneys, is also pivotal to ensure these multifaceted cases are appropriately handled with the knowledge, expertise and skill warranted.

Currently, the Capital Litigation and Homicide Prosecution (CLHP) Initiative funds a Capital Litigation Resource Prosecutor (CLRP). The CLRP directly assists the seventy-five (75) rural county district attorney offices in Oklahoma by providing technical assistance, legal guidance and when needed, assisting with the actual prosecution of capital murder cases by participating in court hearings and trials. The CLRP is also available to aid the two (2) metropolitan district attorney offices, Oklahoma and Tulsa counties, as needed. In addition to trial assistance, the CLRP develops much needed capital litigation and homicide resources, such as motions and briefs, and develops and provides specialized training for prosecutors and their prosecution team, including investigators and law enforcement in the area of capital murder. Furthermore, in partnership with the Oklahoma Administrative Office of the Courts and the National Judicial College, the CLHP Initiative provided Oklahoma judges with an in-depth three (3) day *Managing the Capital Case* training in June 2011.

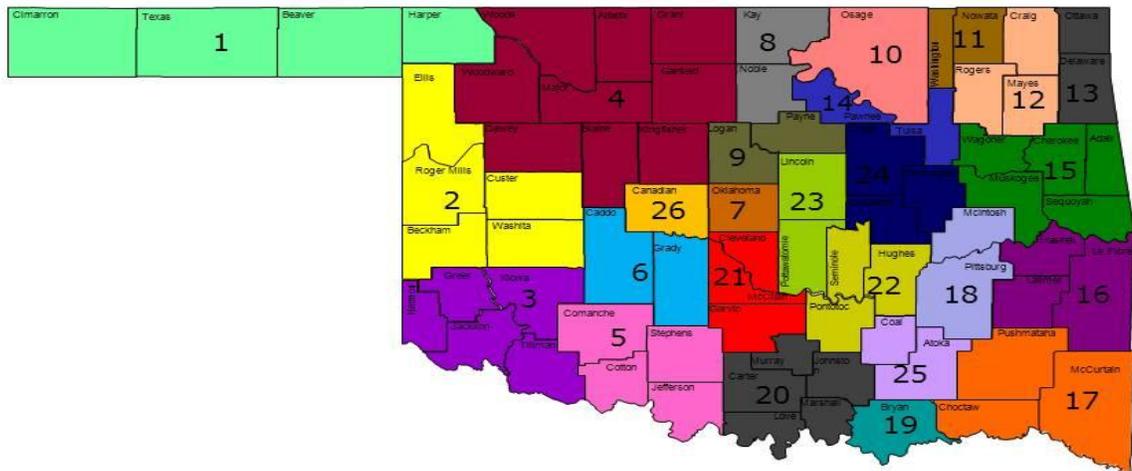
The citizens of Oklahoma expect fair and equitable justice. By taking a hard look at the current capital litigation process and trying to address problems and issues within the process, Oklahoma will make strides toward ensuring that the use of capital punishment in Oklahoma will be done with the discretion and proper prudence that it requires.

COURTS

There are 26 judicial districts that encompass the 77 counties in Oklahoma. Similar to district attorney districts, judicial districts vary in size from one county in a district to a district with nine counties (District 4). The number of judges in the districts range in number from three (3) judges in very rural and small districts to as many as 34 in the districts that include Oklahoma City and Tulsa. In some instances, the judicial districts in Oklahoma are the same as the district attorney

district. However, in others, the judicial districts can vary slightly from the district attorney districts.

Oklahoma Judicial Court Districts



According to the 2010 Annual Report from the Supreme Court of Oklahoma, there were 515,666 cases filed in the 26 Judicial Districts. These totals not only include felony and misdemeanor cases, but also civil cases, small claims, divorce, protective orders, all other domestic cases, adoptions, probate, mental health cases, guardianship cases, marriage licenses, other licenses, traffic cases, and juvenile cases, as well.

Additionally, these totals do not factor in the cases still pending from previous years. When added to the new filings, the caseloads are staggering. Four (4) Judicial Districts had over 60,000 cases pending in each of their districts when the 2010 Fiscal Year began.

SPECIALTY COURTS

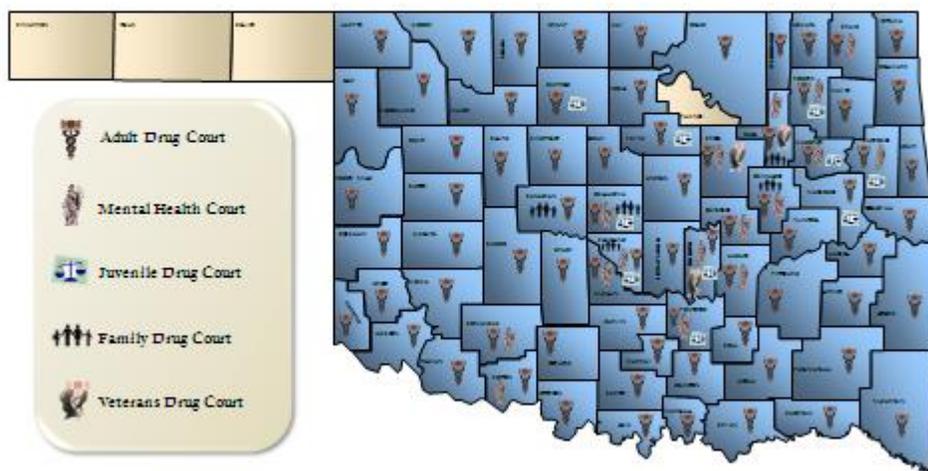
The first drug court, supported by Byrne JAG funding, was developed in 1989 in Dade County (Miami), Florida, as a way to stop the revolving door of drug addiction and crime. The approach has been replicated in more than 2,500 drug courts nationwide, and the model used as a springboard for other specialty courts. These include domestic violence, mental health, reentry, veterans, DWI, community, and gun courts. Some jurisdictions are also demonstrating the effectiveness with sexual offenses courts, elder courts, and gambling courts.

Oklahoma supports a number of specialty courts, or problem-solving courts, including adult and juvenile drug courts, mental health courts, veteran's drug court, and family drug courts. Specialty courts increase the likelihood of rehabilitation for the offender or protection of the

victim; unclog the criminal docket; reduce prison overcrowding; and, ultimately, improve public safety. Although specialty courts vary among jurisdictions, they each include the overarching principles of judicial oversight; individualized assessments; enhanced communication and collaboration between and among court and allied professionals, social service providers and the community; specialized training for staff; increased accountability for the offender; appropriate sanctions and incentives; and, data analysis that measures outcomes.

According to the Department of Mental Health and Substance Abuse Services (ODMHSAS), there are currently 45 adult drug courts serving 73 counties, ten (10) juvenile drug courts, 13 mental health courts serving 16 counties, three (3) drug courts with veteran's dockets, and five (5) family drug courts operating in the state.

Oklahoma Department of Mental Health and Substance Abuse Services Drug Courts & Mental Health Courts FY2012



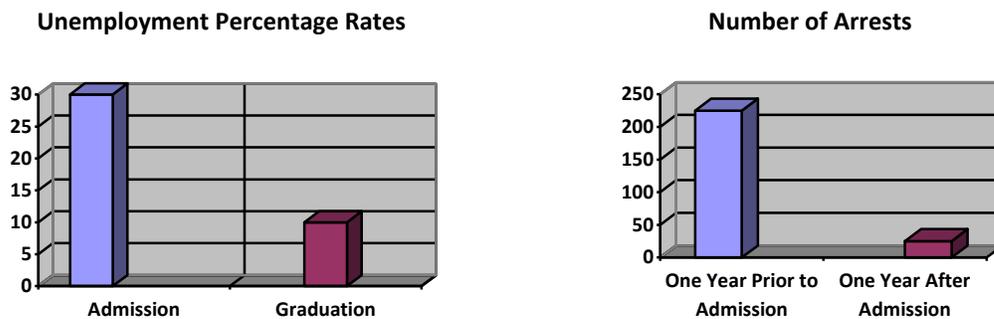
As is indicated by the number, drug courts are generally well established in Oklahoma. While funds are always needed to support the drug courts, other state and federal funding is also available. However, mental health courts and veteran's drug courts are relatively new. The Oklahoma Department of Corrections indicates that approximately 12,600 offenders have a mental health need - 79% of female offenders and 46% of male offenders. In addition, 57% of inmates diagnosed with a mental illness were incarcerated for non-violent offenses. The Oklahoma County Jail population includes as many as 500 persons with a mental illness at any one time and the Tulsa County Jail has at least 200.

The Oklahoma Department of Corrections identifies that the average annual cost to house an inmate with mental health needs is \$23,000, while the average annual cost for mental health court is \$5,400. This amounts to a savings of \$17,600 per year per participant. Additionally, mental health court programs improve unemployment rates, decrease jail days, and decrease inpatient hospitalization days, leading to further savings.

The goals of mental health courts are to break the cycle of worsening mental illness and thus criminal behavior and provide effective treatment options instead of using criminal sanctions for offenders with mental illnesses.

To be eligible to participate in this specialty court, offenders have to have a mental illness, a current criminal offense (or are facing revocation), and no prior violent charges. Mental health court is a voluntary program in which defendants are given the option of taking their case through the normal channels of the criminal justice system or pleading into the mental health court program.

Mental health courts are currently serving in 16 counties in Oklahoma and as of January 2012, there were 409 participants in those mental health courts. Outcome comparisons for graduates between entry into the program and graduation show measurable differences in several areas like unemployment, days spent in inpatient settings, arrests, and days spent in jail.



2C. Coordination with State and Related Justice Funds

The effort to coordinate the JAG Program with other federal programs continues to occur. This is accomplished within the various Boards that provide oversight as well as increased collaboration with other state agencies that implement and/or receive federal funding in an effort to reduce duplication and maximize resources.

Coverdell Forensic Sciences Improvement Act Grant

The oversight body for the Coverdell Forensic Sciences Improvement Grant is the Forensic Sciences Improvement Task Force. The purpose of the Forensic Sciences Improvement Task Force is to improve the quality and timeliness of forensic science services to the criminal justice system in Oklahoma and to reduce the backlog of forensic science cases. Since the goal of the JAG Program is to improve the functioning of the criminal justice system, with special emphasis on drug-related crimes, violent crimes and serious offenders and forensic labs are indelibly intertwined in these types of crimes, it is a coordinating effort that functions well and maximizes the funding efforts for both grant programs.

Residential Substance Abuse Treatment Program (RSAT)

A representative from the Department of Corrections serves on both the JAG Board as well as the RSAT Board and as such coordinates federal funding in providing residential substance

abuse treatment for incarcerated offenders. Through the RSAT Board, the District Attorneys Council ensures coordination between the RSAT Program and the JAG Program.

In addition, Oklahoma Department of Corrections has continued to coordinate RSAT funding with Byrne JAG and JAG ARRA funding in order to continue current RSAT programs while adding additional-prison based treatment programs using evidence based models. Aftercare for prison-based treatment programs has also been coordinated to a Second Chance Act Demonstration grants for male offenders returning to Oklahoma County that was received in 2009 and the recently received Second Chance Act Demonstration grant funding focused on female offenders returning through the Tulsa Community Women's Reentry Project

Additionally, the Oklahoma Department of Corrections continues to receive reimbursements under the State Criminal Alien Assistance Program (SCAAP). Some of those funds could continue to be used for SCAAP authorized correctional purposes to include supplemental RSAT funding as a means of continuing existing programs and potential expansion of programs.

Project Safe Neighborhoods

Led by the 93 U.S. Attorneys throughout the country, Project Safe Neighborhoods funds programs to reduce gun and gang crime in America by bringing together resources from the local, state and federal levels. The goal is to create safer neighborhoods by reducing gun and gang violence and then sustaining the reduction. The Project Safe Neighborhoods Grant coordinates with several projects funded through the JAG Program such as the Drug and Violent Crime Task Forces as well as the gang prosecution program. The District Attorneys Council utilizes JAG administrative funds to send local and Drug and Violent Crime Task Force members to the Oklahoma Gang Investigators Association conference, thus bridging the knowledge gap as well as the collaboration with these two issues.

3. ADDITIONAL STRATEGIC PLANNING AND COORDINATION EFFORTS

The District Attorneys Council also administers a number of the Office on Violence Against Women grants and in doing so also develops a three-year state strategy which guides the priorities and funding.

4. PLAN FOR COLLECTING AND SUBMITTING PERFORMANCE MEASUREMENT DATA

Currently, the District Attorneys Council requires a bi-annual progress reports from the subrecipients in order to collect and report performance measurement data. The subgrantees must submit narrative reports which are based on the funded project and the approved goals and objectives. In addition, narrative information on grant successes and barriers is required. However, Multijurisdictional Drug and Violent Crime Task Forces must also submit an additional four-page detailed report which requires the following:

- Federal Agency Coordination
- State Agency Coordination

- Local Agency Coordination
- Assists to Law Enforcement
- Number of Full-Time Personnel Funded
- Number of Part-Time Personnel Funded
- Number of Cases Prior to Reporting Period
- Number of Cases Initiated
- Number of Cases Closed
- Number of Cases Dropped
- Number of Cases Pending
- Number of Non-Drug Arrests
- Type of Violent Crimes Investigated
- Number of Search Warrants Served
- Number of Meth Related Search Warrants Served
- Number of Arrests Per Drug Offense Type
- Number of Firearms Seized
- Number of Meth Related Sites Mitigated or Cleaned Up
- Number of Illegal Immigrants Arrested in Conjunction with a Drug Arrest
- Number of Drug Offense Charges Per Offense Type
- Amount/Type of Drugs Removed
- Number of Prevention Programs Conducted
- Number of Professionals Trained
- Number of Law Enforcement Trainings Provided
- Number of Law Enforcement Professionals Trained

The DAC Grant Specialist forwards the bi-annual progress report to the project director of the grant one month prior to the deadline for the report which is January 31st and July 31st. The project director is required to complete and return the report. Submitting the bi-annual progress report is a Special Condition of the grant and a requirement of the subrecipients. If this performance measure data is not provided, subrecipients are put on draw hold and are not allowed to draw any funds until the report is submitted.

In addition to the bi-annual progress report, the subgrantees are required to complete the Performance Measurement Tool (PMT) on a quarterly basis. The PMT is a Bureau of Justice Assistance (BJA) online data collection system. The reporting of the performance measures is comprised of two sections, numerical data and narrative information. The numerical data is reported by the subgrantee for activities that occurred during the previous quarter, and the narrative information is reported annually by the grantee for the previous 12 months of activities.

Once the PMT data is completed by the subgrantee, the DAC Grant Specialist reviews the information and creates a report from the data entered. Annually, the aggregate PMT report which contains 12 months of numerical and narrative information is submitted into the federal Grants Management System (GMS). The data submitted into PMT by the subgrantee is individualized based on the approved budget categories for each subgrantee. JAG-Local Law Enforcement Grant data is entered directly into the PMT by the DAC Grant Specialist. Again, submitting the PMT data is a Special Condition of the grant and a requirement of the

subrecipients. If this performance measure data is not provided, subrecipients are put on draw hold and are not allowed to draw any funds until the report is submitted.