



**2012 – 2016
OKLAHOMA STATE STRATEGY
For The
Edward Byrne Justice Assistance Grant**

Oklahoma District Attorneys Council

Federal Grants Division
421 N.W. 13th, Suite 290
Oklahoma City, Oklahoma 73103
405/264-5008
405/264-5095 Fax

Suzanne McClain Atwood

Executive Coordinator

DeLynn Fudge

Federal Grants Division Director

Tara Roberson-Moore

Grant Programs Specialist

Lori Simmons

Special Projects

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I. JAG STATE STRATEGY 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 is charged with providing general oversight for the JAG Program, developing the state strategy, prioritizing purpose areas for funding, reviewing grant proposals, and determining 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 as well as partner agencies and organizations. The federal representatives on the Board serve as non-voting members. A list of the members that serve on the JAG Board and the agencies they represent can be found in the Appendix.

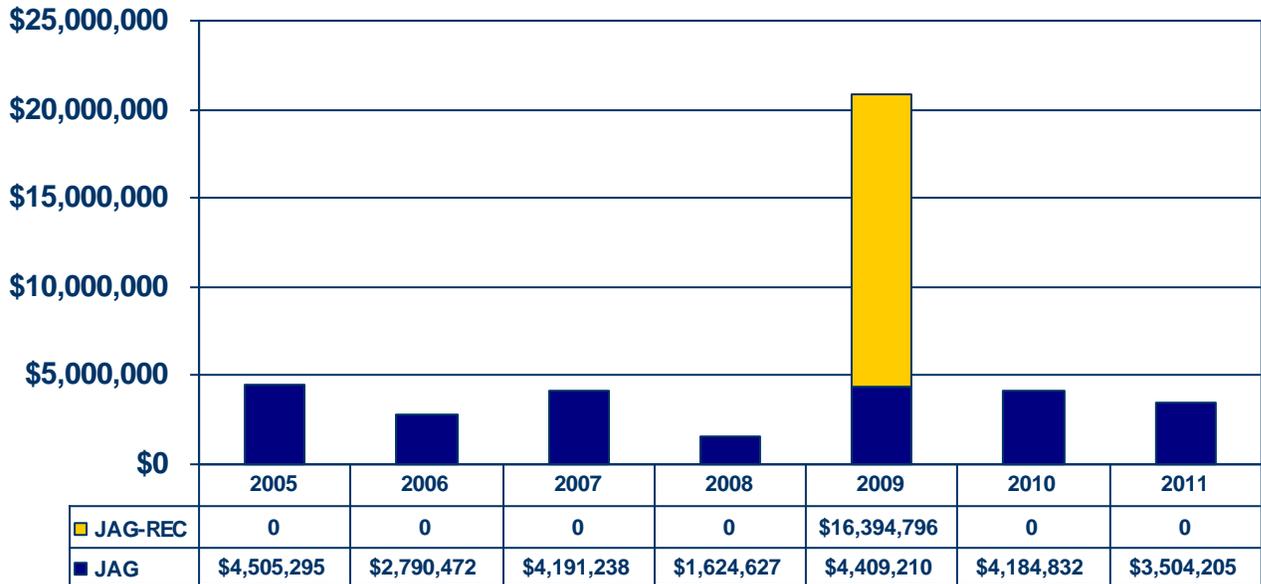
Through the dedication and knowledge of these professionals, strategies and approaches have been developed and executed to prevent, as well as control, drug and violent crimes, and serious offenders. In this capacity, the Board, through the JAG Program, leverages federal funding in order to marshal the State's resources in responding to these criminal justice issues.

JAG funds may be used to support state and local initiatives allowed under the seven (7) purpose areas approved in the grant. The broad legislatively authorized purpose areas are flexible to enable states to target resources where the need is the greatest. The purpose areas are:

- *Purpose Area 1 – Law Enforcement Programs*
- *Purpose Area 2 – Court/Prosecution Programs*
- *Purpose Area 3 – Prevention and Education Programs*
- *Purpose Area 4 – Corrections and Community Corrections Programs*
- *Purpose Area 5 – Drug Treatment Programs*
- *Purpose Area 6 – Planning, Evaluation and Technology Improvement Programs*
- *Purpose Area 7 – Crime Victim and Witness Programs (Other Than Compensation)*

Since the Justice Assistance Grant was reformulated in 2005, the Oklahoma funding levels for the grant program have been irregular, ranging from a high in 2005 of approximately \$4.5 million, to a low in 2008 of \$1.4 million. In 2009, the American Recovery and Reinvestment Act provided a one-time boost to the funding of the JAG Program where Oklahoma was awarded \$16,394,796. In 2010, the funding for the state was \$3,500,000.

Byrne JAG Funding in Oklahoma 2005-2011



In order to receive JAG Program funding, states must develop a State Strategy which guides the spending under this federal grant program. States are encouraged to utilize a community engagement model which provides stakeholders an opportunity to provide input. In 2011, the JAG Board embarked on the development of the 2012-2016 Justice Assistance Grant State Strategy.

A survey was developed and sent to criminal justice professionals, as well as allied professionals, throughout the state to obtain a broad array of input. Two hundred and thirty-nine (239) responses were received. In addition to the survey, the DAC 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 resulting from drug use. Data on trends in juvenile crime, arrests, trends in prison population, and gang-related crimes was compiled as well. By obtaining this information, the priority areas for funding through the JAG Program were identified.

After a careful examination and review of the data and the survey results, the JAG Board made informed decisions concerning the most effective and efficient usage of the limited resources dedicated toward reducing illegal drugs and violent crime in Oklahoma.

For the 2012 – 2016 State Strategy, the following goals were established:

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

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II. OKLAHOMA CRIMINAL JUSTICE SYSTEM

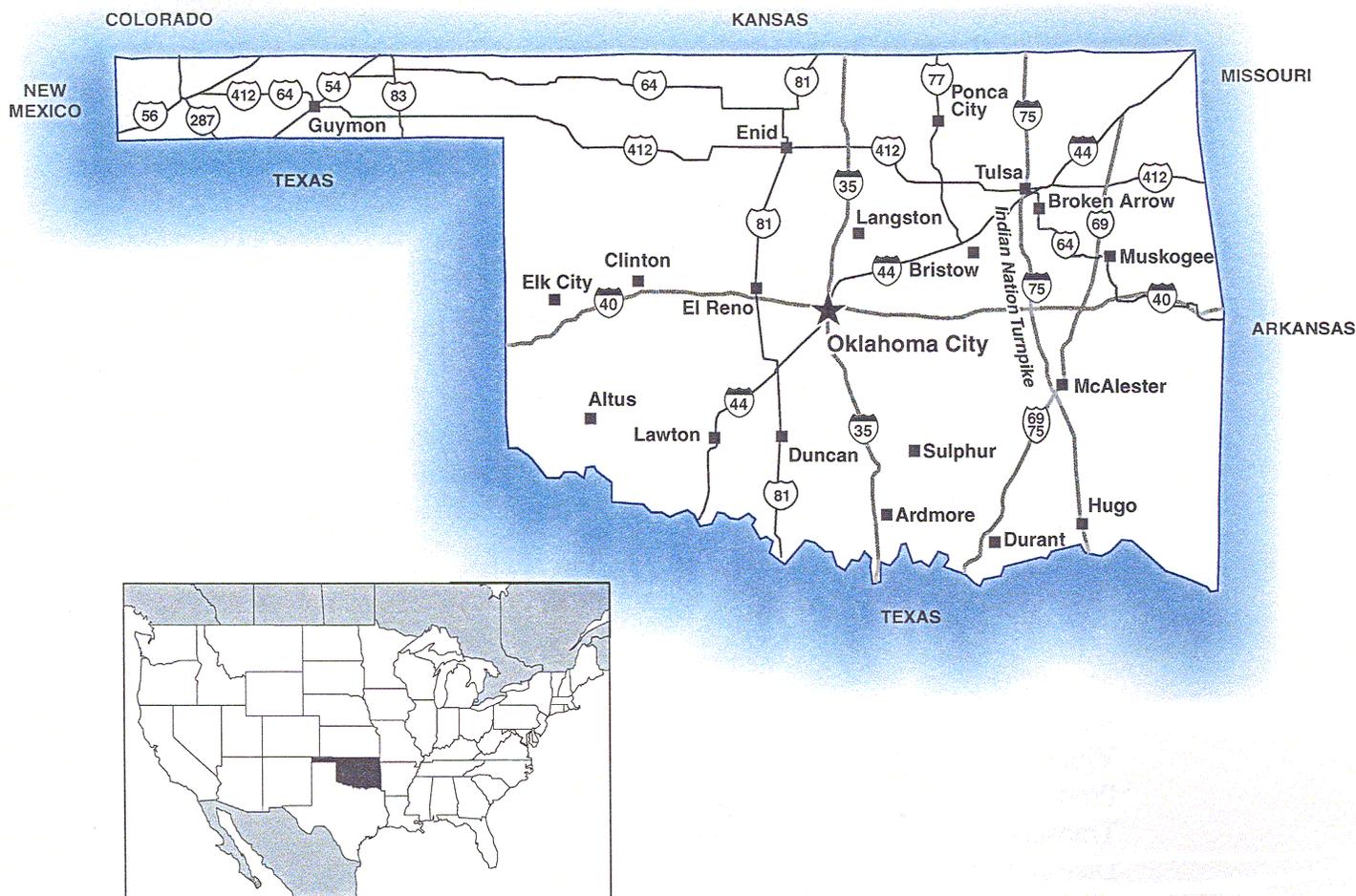
With approximately 3.7 million residents, Oklahoma ranks twenty-eighth (28th) in the nation in population according to the 2010 U.S. Census Bureau. Since 2000, Oklahoma has experienced an 8.7% growth rate.

Approximately 76.40% of the population in Oklahoma is Caucasian, 10.70% is American Indian, 7.50% is African American, 7.10% is Hispanic or Latino, and 2.10% is Asian. The remaining less than 1% of the population are some other race or a combination of one or more races.

In 2010, the median income in Oklahoma was \$42,836. This is significantly less than the national median income of \$52,029. The principal industries in the state include manufacturing, mineral and energy exploration, and energy production; however, Oklahoma is considered a rural state and farming is a considerable focus of the economy. When comparing the number of persons per square mile to that of the United States, Oklahoma has 50.3 persons per square mile versus an average of 79.6 persons per square mile for the rest of the nation.

Oklahoma has 77 counties and supports two major metropolitan areas. Oklahoma City, the capital, is located in the center of the state and has a population in excess of 537,000. According to the most recent U.S. Census Bureau data, Tulsa, located in the northeastern part of the state, has a population exceeding 382,000. Other principal cities include Ardmore, Enid, Lawton, Norman, and Muskogee.

Oklahoma is the 18th largest state with a land area of 68,667 square miles. The state has over 4,400 miles of river, lake shoreline, and forests which cover approximately 24% of Oklahoma. The major highways are Interstates 35, 40, and 44 and U.S. Highways 54, 56, 64, 69, 75, 81, 83, 287, and 412. Interstate 35, U.S. 69/75, and U.S. 81 are the primary north-south routes and I-40 is the main east-west route. Interstate 44 extends from the Texas-Oklahoma border to the Oklahoma-Missouri border. Oklahoma is bordered by Colorado and Kansas to the north, Missouri and Arkansas to the east, New Mexico to the west, and Texas to the south and west.



The central locality of Oklahoma in relation to the rest of the nation, and the close proximity of Oklahoma to the Mexican border the extensive transportation infrastructure, including the interstate highways, public and private airports, rail lines, and two river ports, increases the transportation of illegal drugs through the state. Most drugs are transported via private and commercial vehicles; however, with 149 public airports, private and commercial aircraft are also used to transport drugs into the state.

A. CRIMINAL JUSTICE AGENCIES

In Oklahoma, there are a number of state agencies that comprise the criminal justice system. Some states have a combined public safety and statewide investigative agency; however, in Oklahoma separate agencies exist to carry out these functions. The overall structure of the state criminal justice system in Oklahoma tends toward many individual agencies that focus on a specific mission rather than a few agencies with multi-faceted missions. As a result, cooperation and collaboration is an essential component to the success of the JAG Grant. The following state criminal justice agencies serve as collaborative partners on the Justice Assistance Grant Board in implementing the Byrne JAG Program.

District Attorneys Council (DAC)

The mission of the District Attorneys Council is to strengthen the criminal justice system in Oklahoma by providing a professional organization for the education, training, and coordination of technical efforts of all state prosecutors. There are 27 elected district attorneys in the state that represent between one and five counties each. The DAC provides administrative and support functions for the 27 District Attorney Districts through five Divisions: 1) the Executive Division; 2) the Finance Division; 3) Information Technology Division; 4) Victim Services Division; and, 5) the Federal Grants Division. DAC responsibilities include:

- Presenting issues of importance to the District Attorneys system to the Governor, Legislature, and other policy makers;
- Coordinating continuing legal education for attorneys within the District Attorney system;
- Providing legal research to District Attorneys' offices;
- Handling all aspects of payroll and insurance for employees of the District Attorney system;
- Aiding individual districts with budget and account balance information;
- Managing systems information technology services for the District Attorney system, including the installation of a system-wide prosecutor case management system, web-site and e-mail administration, acquisition and installation of computer equipment, and technical assistance and support;
- Administrating all aspects of the Crime Victims Compensation Fund, the Sexual Assault Examination Fund, VOCA grants, and other victim services; and,
- Serving as the state-administering agency for the Justice Assistance Grant (JAG) Program, National Criminal History Improvement Program (NCHIP) Grant, Violence Against Women Act (VAWA) Grant, Sexual Assault Services Program (SASP) Grant, Forensic Sciences Improvement (FSI) Grant, Residential Substance Abuse Treatment (RSAT) Grant, the Project Safe Neighborhoods (PSN) Grant for the Eastern, Western, and Northern Districts of the United States Attorney Offices, and the John R. Justice (JRJ) Loan Repayment Grant.

Drug and Violent Crime Task Forces

While every law enforcement agency addresses drugs and violent crime, the largest and most active drug enforcement entity is the 21 task forces that operate throughout the state. 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. Currently, there were 18 multijurisdictional Drug and Violent Crime Task Forces (DVCTFs) and 3 Drug Task Forces (DTFs) operating in the state. Only 3 of the 21 Task Forces exclusively investigate drug cases.

Seventeen (17) of the multijurisdictional drug task forces are operated by District Attorneys, 2 are through local sheriff's offices, and 2 are through state agencies. The multijurisdictional drug and violent crime task forces have been the primary priority for funding through the Justice Assistance Grant Program since its inception.

The multijurisdictional drug task forces integrate local, state, and federal law enforcement agencies and prosecutors to enhance interagency coordination and collaboration, increase intelligence sharing, and facilitate investigations of drugs and violent crimes. Each drug task force focuses on a specific geographical district. Forty-five (45) investigators are assigned to the drug task forces. There are an

additional 16 local law enforcement officers assigned on a full-time basis that work in tandem with the Drug Task Forces pursuant to interagency agreements and another 40 that assist as needed.

Office of the Attorney General (OAG)

The mission of the Attorney General's Office is to represent Oklahoma by serving and protecting citizens, the government, and the law. The Office of the Attorney General provides legal advice to state officers, boards, commissions, and agencies, and represents the State of Oklahoma, state officers, boards and agencies in litigation. The following are specialized divisions within the Office of Attorney General: Administration, Criminal Appeals, General Counsel, Litigation, Medicaid Fraud Control, Multi-County Grand Jury, Public Protection, Public Utility Regulation, Victim Services, and Workers Compensation Fraud.

Oklahoma Bureau of Narcotics and Dangerous Drugs Control (OBNDCC)

The OBNDCC is a law enforcement and regulatory agency whose goal is to minimize the abuse of controlled substances through law enforcement measures directed at drug trafficking, illicit drug manufacturing, major suppliers of illicit drugs, and prescription drug issues. The mission of the OBNDCC is to enforce the Uniform Controlled Dangerous Substance Act as outlined in Title 63 of the Oklahoma Statutes, to train and assist local law enforcement agencies, and to compile drug related statistics. OBNDCC provides a leadership role for law enforcement throughout the state for investigative efforts directed toward the illegal use of controlled dangerous substances.

Oklahoma Department of Corrections (ODOC)

The mission of ODOC is to protect the public, the employees, and the offenders through the provision of professionally managed correctional services pursuant to orders of the court, applicable statutes, and Board of Corrections policy. The department offers a range of correctional options including institutionalization, community programs, community supervision, treatment, and other rehabilitation programs that will best serve the needs of Oklahoma and the individual offender to enhance the offender's ability to establish a productive and law-abiding lifestyle. The department administers its programs in an equitable manner in the least restrictive environment, consistent with public safety.

Oklahoma Department of Public Safety (DPS)

The DPS is a multi-service safety and law enforcement organization. The mission of DPS is to provide a safe and secure environment for the public through courteous, quality and professional services. DPS is responsible for policing all state roads and highways as well as lakes and river shores. Security and law enforcement activities are conducted to protect the public. The department is also responsible for licensing of motor vehicle operators and maintaining records of license holders. Administrative activities reduce the number of unsafe or uninsured drivers. These activities include the enforcement of Implied Consent, Bail Bonds, Points System, Medical Aspects, and Financial Responsibility statutes. Vehicle safety and hazardous waste is regulated by vehicle inspection, and size and weight laws. Communications and information access for department members and law enforcement agencies statewide are achieved through the telecommunications system maintained by the department. Several thousand apprehensions and tens of millions of dollars in property are recovered annually through the system. The federally mandated Oklahoma Highway Safety Office (OHSO) promotes safety on the state's highways through education, enforcement, and engineering projects.

Oklahoma State Bureau of Investigation (OSBI)

The OSBI is the general investigative agency for the State of Oklahoma. OSBI provides services in support of law enforcement throughout the state. OSBI's duties are as follows:

- Maintain scientific laboratories to assist in the discovery and detection of criminal activity.
- Maintain fingerprint and other identification files.
- Operate teletype, mobile, radio, or other communications systems.
- Conduct schools and training programs for individuals associated with any aspect of law enforcement, investigation, and detection of crimes.
- When requested, assist law enforcement and district attorneys in solving crimes.
- Investigate and detect criminal activity as requested by the Governor.
- Maintain a Uniform Crime Reporting system, including collecting and correlating information, compiling statistics on the volume and nature of crime and the administration of criminal justice within Oklahoma.

Office of Homeland Security (OHS)

The mission of the Office of Homeland Security is to develop and coordinate the implementation of a comprehensive statewide strategy to secure the State of Oklahoma from the results of terrorism, from public health emergencies, cyber terrorism, from weapons of mass destruction, and to perform other duties assigned to it by the Governor. The responsibilities of the Office of Homeland Security include:

- Representing the State of Oklahoma with federal agencies, other states and national entities;
- Coordinating and preparing applications for federal funds related to Homeland Security;
- Developing and implementing the State Homeland Security Plan;
- Developing and implementing Homeland Security Responses;
- Coordinating Homeland Security efforts within the State of Oklahoma;
- Providing staff support to the Governor's Security and Preparedness Executive Panel, the Homeland Security Executive Committee, and various working groups;
- Developing and implementing a Comprehensive First Responder Homeland Security Program;
- Developing a Comprehensive Training Program on Homeland Security efforts;
- Serving as a resource to local agencies in Homeland Security efforts; and,
- Serving as a resource to the public in Homeland Security efforts.



B. CRIMINAL JUSTICE PARTNERS

There are a number of other state agencies and private, non-profit agencies that are integral components and have missions related to improving the effectiveness of the criminal justice system.

Office of the Governor

In 2010, the Honorable Mary Fallin became the first woman elected to the Office of the Governor in Oklahoma. As the Chief Executive Office, Governor Fallin is the ex-officio Commander-in-Chief of the Oklahoma National Guard when not called into federal use. The Governor's responsibilities include the yearly "State of the State" address, submitting the annual state budget, ensuring that state laws are enforced, and that the peace is preserved.

Administrative Office of the Courts (AOC)

The Administrative Office of the Courts oversees the business function of the judicial branch of government. Such functions include services in the areas of financial accounting, payroll and benefits, alternate dispute resolution, judicial education, public information, and the monitoring of legislative developments affecting the court system. The AOC also administers a computer system for case tracking, legal information, and legal research to serve the Courts, the Bar Association, and the people of Oklahoma.

Office of Juvenile Affairs (OJA)

The mission of OJA is to provide prevention education, treatment services, and secure facilities for juveniles involved in the juvenile justice system in order to promote public safety and reduce juvenile delinquency. OJA serves as the state planning and coordinating agency for statewide juvenile justice and delinquency prevention services. OJA provides court intake, probation and parole services for delinquent children, delinquency prevention programs, and the collection and dissemination of information related to juvenile justice.

Office of the Chief Medical Examiner (OCME)

The Office of the Chief Medical Examiner has the sole responsibility for investigating sudden, unexpected, and suspicious deaths. The mission of the Office of the Chief Medical Examiner is to protect the public health and safety of Oklahomans through the scientific investigation of deaths as defined by state statutes. This process involves scene investigation and medicolegal autopsy (including radiology, toxicology, histology, and microbiology) complementing the activities of law enforcement agencies, district attorneys, and public health officials.

Local and Tribal Law Enforcement

Local law enforcement is an important partner in the JAG Program. In Oklahoma, a Sheriff's Department is located in each of the 77 counties. In addition, there are approximately 434 local law enforcement agencies and 23 tribal law enforcement agencies. Throughout the state, there are approximately 10,514 full time and reserve law enforcement officers.

Oklahoma Association of Chiefs of Police (OACP)

The mission of the Oklahoma Association of Chiefs of Police is to promote excellence in law enforcement through professional development, ethical standards, technical support, and communication with all law enforcement administrators, management staff, and line personnel. The OACP interacts with all levels of federal, state, municipal, campus, and tribal criminal justice agencies, as well as advocacy groups representing all ethnicities and persons who are touched by crime and victimization, to bring about enlistment and training of qualified persons into the police profession. OACP makes recommendations that enhance the effectiveness of police agencies and organizations for the mutual benefit of law enforcement, citizens, and the agencies of the state, and encourages the adherence of all police officers to the highest professional standards of conduct.

Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS)

The ODMHSAS provides a vast range of services to Oklahomans who are affected by mental illness and substance abuse. By collaborating with multiple state agencies, advocacy organizations, consumers, family members, providers, community leaders and elected officials, the department continues to evolve to meet the needs of Oklahomans across the lifespan. ODMHSAS is comprised of three primary programs - mental health services, substance abuse services, and prevention services. In FY 11, the department provided services to more than 70,000 individuals. Services statewide are available through a network of provider and community based programs that include community mental health centers (CMHCs), substance abuse treatment facilities, prevention organizations and specialty providers, including housing, faith based, and consumer and family operated programs.

Oklahoma Sheriff's Association (OSA)

The mission of the Oklahoma Sheriff's Association is to maintain the 77 Sheriff's Offices throughout the state by offering training and education, developing laws and policies that promote public safety, and providing technical and informational support to assist the Sheriffs of Oklahoma in providing effective and quality law enforcement services to the citizens of the State of Oklahoma.

Oklahoma State Department of Education (OSDE)

The OSDE works to improve student success through service to schools, parents, and students. They provide leadership for education reform and regulation/deregulation of state and federal laws to help students succeed. Administrative Services carries out the administration duties of the agency and provides support for the services of the various divisions. Accreditation/Standards Services oversees school accreditation standards while supporting deregulation of schools. Federal Fiscal Services directs programs which are primarily federally funded and serves specialized needs of local school districts. Financial Services distributes state funds to local school districts, in addition to collecting data regarding student attendance, valuations, budgets, and student transfers. Professional Services coordinates the certification and continuing education of professional educators. School Improvement Services implements the mandated core curriculum through workshops on grant and program management, curriculum development and implementation, instruction, remediation and assessment plans.

C. FEDERAL AND NATIONAL CRIMINAL JUSTICE AGENCY PARTNERS

In addition to state criminal justice agencies, other state agencies, and private, non-profit partner agencies, there are also federal and national partners which have an integral involvement in the mission of the Justice Assistance Grant. These include:

Drug Enforcement Administration

The mission of the Drug Enforcement Administration (DEA) is to enforce the controlled substances laws and regulations of the United States and bring to the criminal and civil justice system of the United States, or any other competent jurisdiction, those organizations and principal members of organizations, involved in the growing, manufacture, or distribution of controlled substances appearing in or destined for illicit traffic in the United States; and to recommend and support non-enforcement programs aimed at reducing the availability of illicit controlled substance on the domestic and international markets.

Bureau of Justice Assistance

The Bureau of Justice Assistance (BJA), which funds the Justice Assistance Grant, is a component of the Office of Justice Programs, U.S. Department of Justice, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, the Community Capacity Development Office, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. The mission of BJA is to support law enforcement, courts, corrections, treatment, victim services, technology, and prevention initiatives that strengthen the nation's criminal justice system. BJA provides leadership, services, and funding to America's communities by:

- Emphasizing local control;
- Building relationships in the field;
- Provide training and technical assistance in support of efforts to prevent crime, drug abuse, and violence at the national, state, and local levels;
- Developing collaborations and partnerships;
- Promoting capacity building through planning;
- Streamlining the administration of grants;
- Increasing training and technical assistance;
- Requiring accountability of projects;
- Encouraging innovation; and,
- Communicating the value of justice efforts to decision makers at every level.

National Criminal Justice Association (NCJA)

The National Criminal Justice Association (NCJA), based in Washington, D.C., was founded in 1971 and is the national voice in shaping and implementing criminal justice policy. Guided by a 17-member Board of Directors who represent all facets of the criminal and juvenile justice community, as well as an Advisory Board comprised of the state administering agencies of the Justice Assistance Grant program, the NCJA serves as the formal mechanism for informing the Congress of state, tribal, and local criminal and juvenile justice needs and accomplishments. The NCJA works to promote a

balanced approach to communities' complex public safety and criminal and juvenile justice system problems. Through collaboration with practitioners and policymakers, the NCJA also communicates state, tribal and local views on crime prevention and control to federal executive and other public and private agencies at all levels.

United States Attorneys' Offices

The United States Attorneys serve as the nation's principal litigators under the direction of the Attorney General. The 94 U.S. Attorneys are stationed throughout the United States, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands. U.S. Attorneys are appointed by, and serve at the discretion of, the President of the United States, with the advice and consent of the United States Senate. Each U.S. Attorney is the chief federal law enforcement officer of the United States within his or her particular jurisdiction.

U.S. Attorneys conduct most of the trial work in which the United States is a party. They have three statutory responsibilities under Title 28, Section 547 of the United States Code: 1) the prosecution of criminal cases brought by the Federal Government; 2) the prosecution and defense of civil cases in which the United States is a party; and, 3) the collection of debts owed the Federal Government which are administratively uncollectible.

Although the distribution of caseload varies between districts, each U.S. Attorney's office deals with every category of case and handles a mixture of simple and complex litigation. Each U.S. Attorney exercises wide discretion in the use of his/her resources to further the priorities of the local jurisdictions and needs of their communities.

III. OVERVIEW OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

Funded by the U.S. Department of Justice, Bureau of Justice Assistance (BJA), the Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides states and units of local governments with critical funding necessary to support a range of program areas including law enforcement, prosecution and court programs, prevention and education programs, corrections and community corrections, drug treatment and enforcement, crime victim and witness initiatives, and planning, evaluation, and technology improvement programs that improve the criminal justice system.

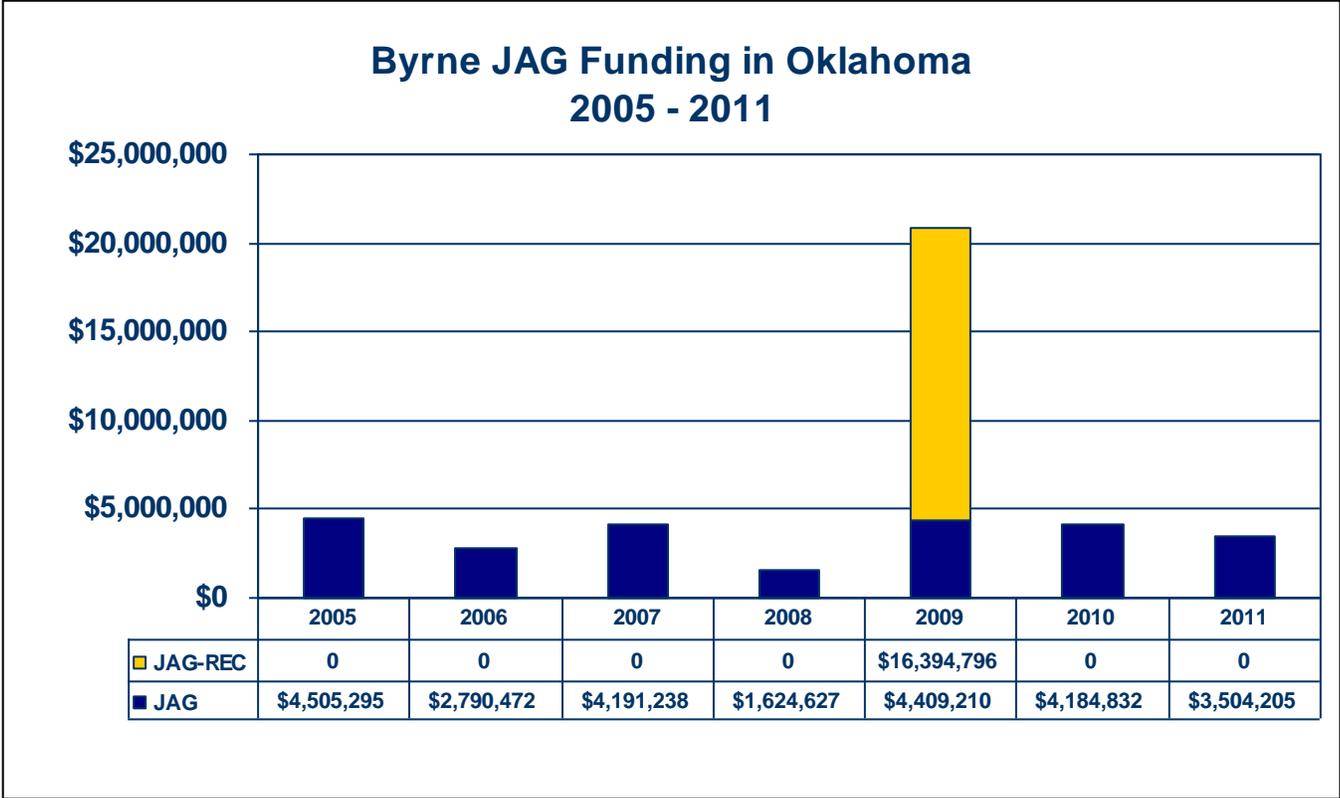
Fiscal Year 2012 marks the 26th year of federal funding for the JAG Program. Designated by the Governor, the Oklahoma District Attorneys Council (DAC) has served as the state administering agency since the first Byrne Grant was awarded in 1986. The Federal Grants Division within the DAC serves as the point of contact for the State of Oklahoma to the Bureau of Justice Assistance (BJA) in administering the grant program. The responsibilities of the Federal Grants Division include:

- Preparing the application for the federal grant funds;
- Providing staff support to the JAG Board;
- Developing and distributing the grant application notice and the grant applications;
- Reviewing and making recommendations to the Board regarding the funding for submitted grant applications;
- Receiving funds from BJA and disbursing the funds to the subgrantees throughout the grant cycle;
- Evaluating and monitoring subgrantees' compliance in meeting fiscal and programmatic requirements;
- Providing guidance and technical assistance to subgrantees;
- Collecting statistical data from the subgrantees to assess program effectiveness and provide information to BJA; and,
- Preparing and submitting the required progress, financial, and evaluation reports to BJA.

In 2005, the BJA replaced two federal grant programs, the Edward Byrne Memorial Formula Grant Program and the Local Law Enforcement Block Grant with the Byrne Justice Assistance Grant (JAG) Program. The JAG Program was meant to streamline justice funding and grant administration; however, the funding was concurrently decreased.

Since the JAG Program was reformulated, the funding that the State of Oklahoma receives through the JAG Program has fluctuated significantly due to cuts in federal funding with a high in 2005 of

approximately \$4.5 million to a low in 2008 of \$1.4 million. In 2009, the American Recovery and Reinvestment Act (ARRA) provided a one-time boost to the funding of the JAG Program where Oklahoma was awarded \$16,394,796. The chart below identifies Oklahoma’s funding levels for the Byrne JAG grant since 2005.



IV. JUSTICE ASSISTANCE GRANT BOARD

A. BOARD MEMBERSHIP

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 as well as partner agencies and organizations. The federal representatives on the Board serve as non-voting members.

The JAG Board meets quarterly throughout the year to provide oversight to the District Attorneys Council, Federal Grants Division in administering the JAG Program. The Board is charged with developing the state strategy, prioritizing purpose areas for funding, reviewing grant proposals, and determining awards for the JAG Program. 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

Due to the dedicated and knowledgeable representatives that serve on the JAG Board, strategies and approaches have been developed and executed to improve the criminal justice system. In this capacity, the Board, through the JAG Program, leverages federal funding in order to marshal the State's resources. A list of the members serving on the JAG Board may be found in Appendix A.

B. STRATEGIC PLANNING PROCESS

In order to receive JAG Program funding, states must develop a four-year State Strategy which guides the spending under this federal grant program. States are encouraged to utilize a community engagement model which provides stakeholders an opportunity to provide input. In 2011, the JAG Board embarked on the development of the 2012-2016 Justice Assistance Grant State Strategy.

Initially, the staff in the District Attorneys Council Federal Grants Division developed two surveys. The first survey was sent to criminal justice professionals as well as allied professionals throughout the state in order to obtain a broad array of input on priorities under each of the seven purpose areas and feedback on the importance of 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 so that respondents could easily provide input and the results summarized. 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. The results are provided in detail in the next section.

A second survey, the JAG Local Law Enforcement Survey, specifically targeted to law enforcement. The purpose of the survey was to obtain information regarding the types of equipment needed by local law enforcement. A federal requirement of the Justice Assistance Grant is to make funds available to a list of eligible units of local government. The list of eligible agencies is determined by the Bureau of Justice Statistics. To be eligible, agencies must have directly submitted UCR crime data to the Oklahoma State Bureau of Investigation (OSBI) for three of the past ten years. In addition, these agencies meet a set threshold for violent crime in their community, and were not eligible for a direct award from BJA.

The JAG Board established that this funding be directed toward equipment only. In addition, the JAG Board determines the type of equipment that will be approved. The JAG Local Law Enforcement survey was also implemented via Survey Monkey. The first notice of the survey was disseminated on November 30, 2011. The results will be reviewed in detail in the next section.

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.

V. JUSTICE ASSISTANCE GRANT SURVEY RESULTS

A. OVERVIEW OF THE JAG STRATEGY PLAN SURVEY

In September 2011, a survey was developed in an effort to obtain a broad spectrum of input from criminal justice professionals throughout the state. The purpose of the survey was to assist the JAG Board with the development of the 2012-2016 Justice Assistance Grant Strategic Plan. Historically, the JAG Board has obtained such input through a public forum where presentations and comments are provided to the Board by criminal justice professionals and other partners. While the interaction between the interested professionals and the JAG Board has been important and beneficial, it limited in the number of professionals that could provide information to the Board. For others, the time constraints to travel as well as travel costs presented hardships for those who wished to attend the public hearing. The survey format allowed a broader range of professionals to provide input without time and travel costs.

B. METHODOLOGY OF THE JAG STRATEGY PLAN SURVEY

The survey contained two segments. The first section of the survey was designed to obtain feedback on five broad “projects 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?

To ensure the most accurate information, the survey stated that answers to the survey would remain confidential and anonymous. No specific identifying information was required to respond and no efforts would be made to identify any respondent. One of the main goals of the survey was to cast the widest net possible in order to obtain input from a broad array of criminal justice professionals and allied professionals throughout the state. To do this, the survey announcement was widely distributed to criminal justice professionals and allied partners, including police departments, sheriff's offices, prosecution offices (district attorneys, assistant district attorneys, investigators, and victim witness personnel), community-based victim service agencies, the state correctional agency, the juvenile service agency, the courts, subcommittee members of the JAG Board related to forensic science and criminal history information, and current JAG and Violence Against Women Act (VAWA) Grant recipients.

Additionally, DAC encouraged everyone who received the survey announcement to forward the survey link to anyone they thought might be interested in responding. This means that DAC may have initially sent the announcement to one or two people within an agency and those recipients may have forwarded the announcement to everyone else in that agency.

Because of this, determining the exact response rate of the survey is difficult to ascertain. 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.

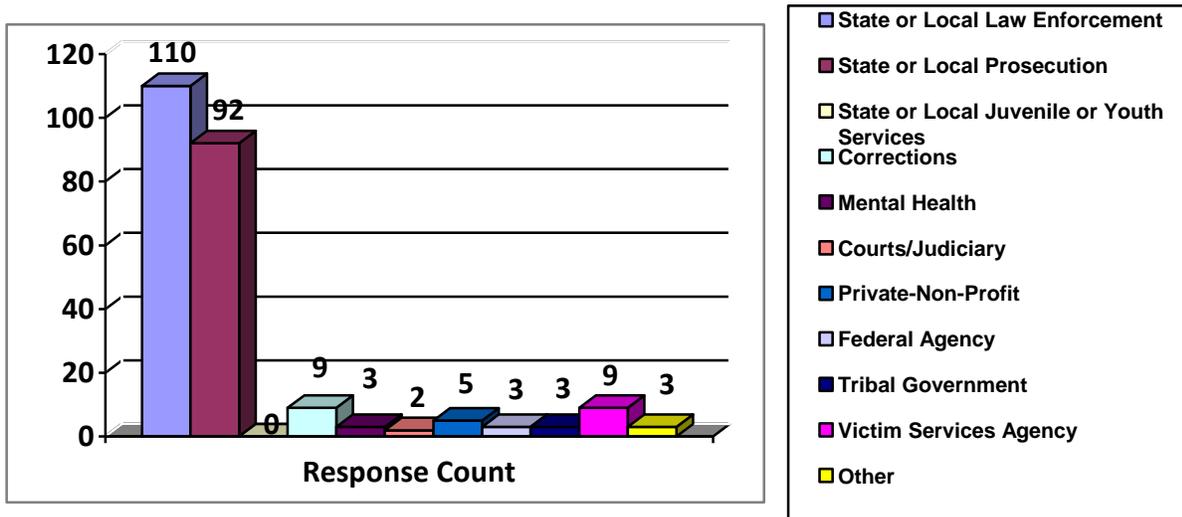
However, in absence of a specific response rate, the total number of responses received, the distribution of responses, and the wide variety of professional fields identified can be used to determine if the objective of achieving a broad array of input was met.

C. SURVEY RESULTS OF THE JAG STRATEGY PLAN SURVEY

A total of 239 responses were received with the majority, 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.

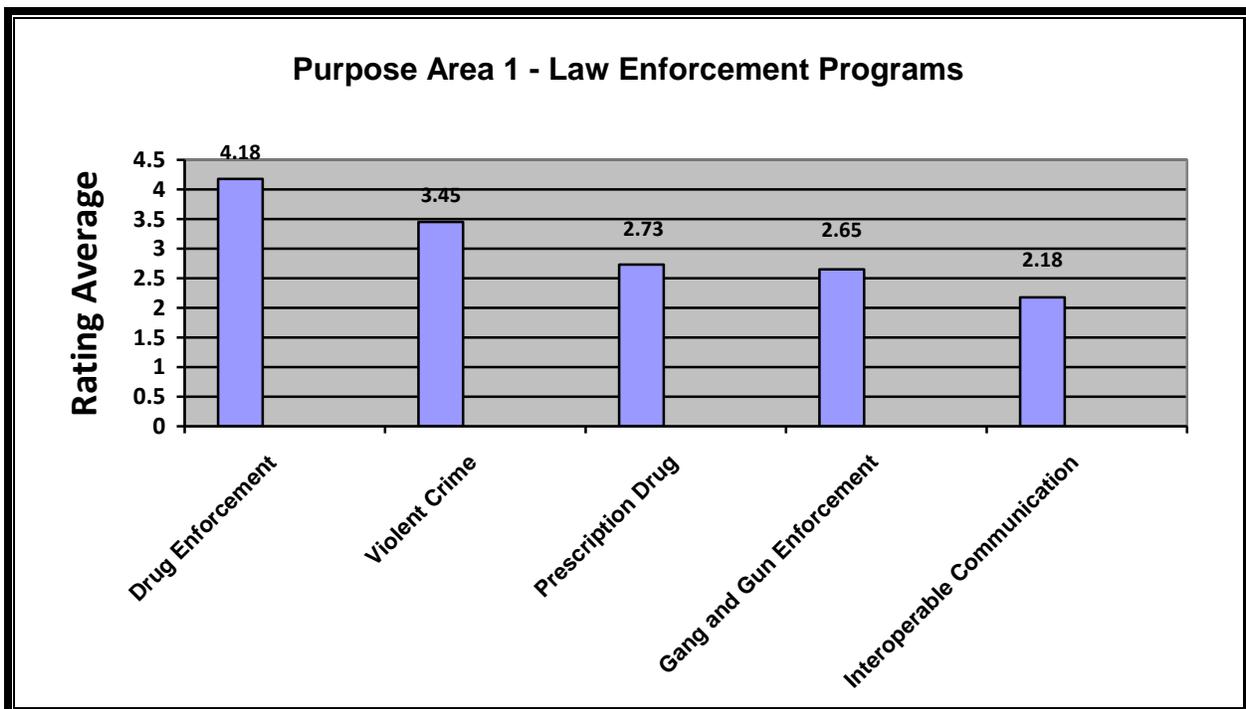
JAG Survey Respondents



Purpose Area 1: Law Enforcement Programs

In this category, 232 respondents provided input and seven (7) respondents skipped the question. The top-ranked area of importance was Drug Enforcement Programs.

Nearly fifty-two percent (52%) identified Drug Enforcement Projects as the most needed. 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.



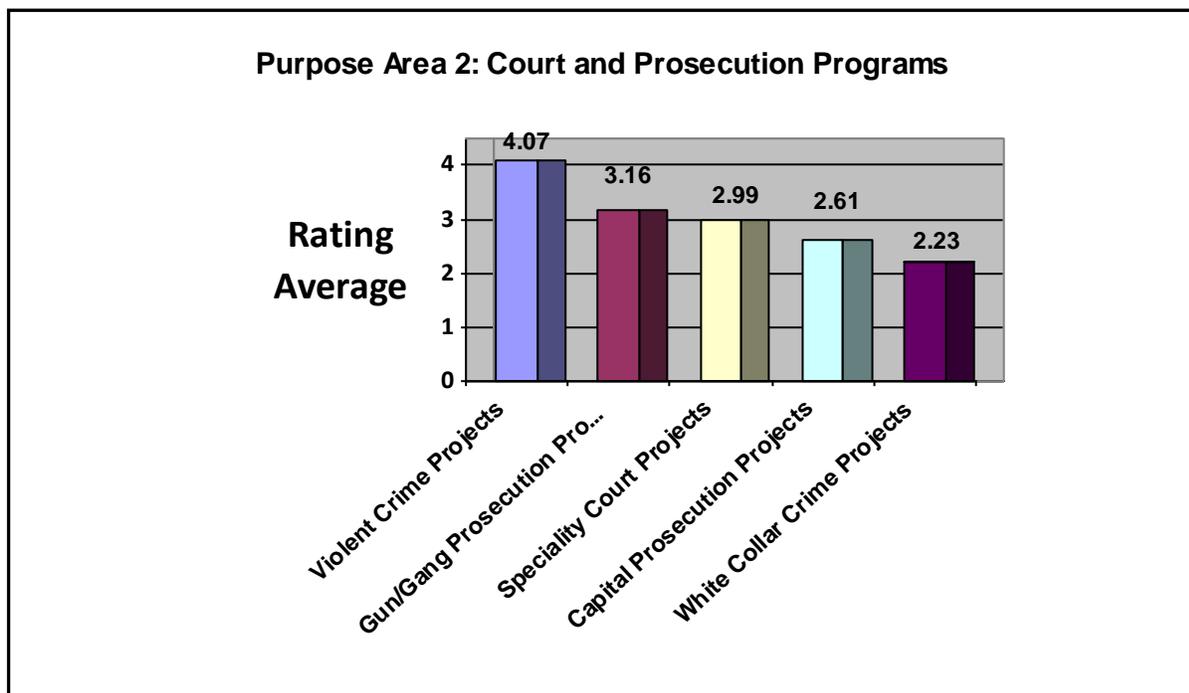
Comments:

Other Project Areas which were identified in the Comments Section included:

- Violent Crime AFIS Initiative
- Homicide Investigation and Prosecution
- Robbery and Gun Crimes
- Forensic Laboratory Programs including instrumentation, training, overtime, and supplies
- Secure and hardened facilities
- Improved computing technologies
- Victim Services
- White Collar Crimes
- Cyber Crimes
- Training on a safe and respectful response for victims of sexual and domestic violence
- Identity theft
- Corruption
- Traffic

Purpose Area 2: Court/Prosecution Programs

In this category, 227 respondents provided input and 12 respondents skipped the question. The highest ranked response in this category was Violent Crime Prosecution Projects. Over 44% of the respondents ranked this project area first. Violent Crime Projects were followed by Gun/Gang Prosecution Projects, Speciality Court Projects, Capital Prosecution Projects, and White Collar Crime Projects.



Comments:

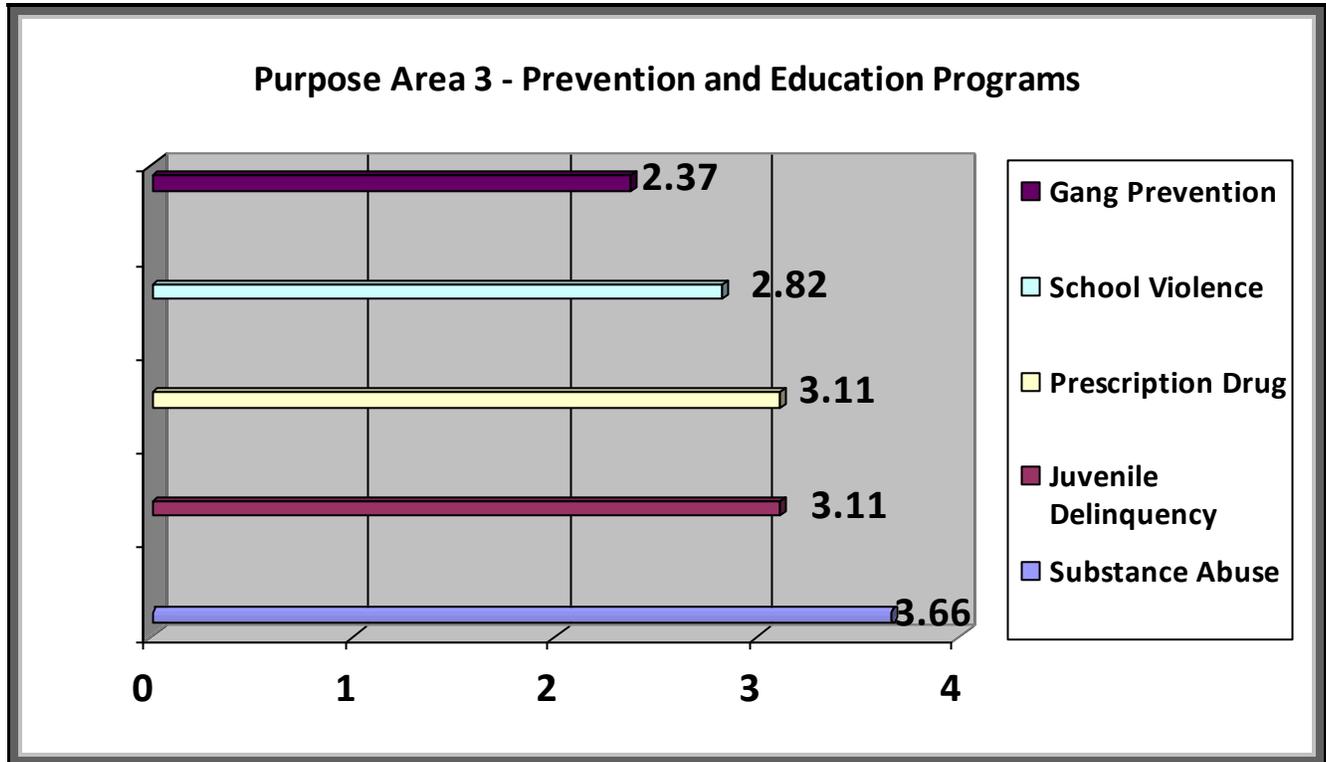
Other Project Areas which were identified in the Comments Section included:

- Juvenile Courts

- Computer Crimes, such as Pornography, Fraud, and Identify Theft
- Victim Services Diversion programs other than specialty courts
- Judicial training on responding to victims of sexual and domestic violence

Purpose Area Three: Prevention and Education Programs

In this category, 224 respondents provided input and 15 respondents skipped the question. The highest ranked response in this category was Substance Abuse Prevention Projects. This project area was followed by Juvenile Delinquency Prevention Projects and Prescription Drug Prevention Projects; School Violence Projects; and, finally, Gang Prevention Projects.



Comments:

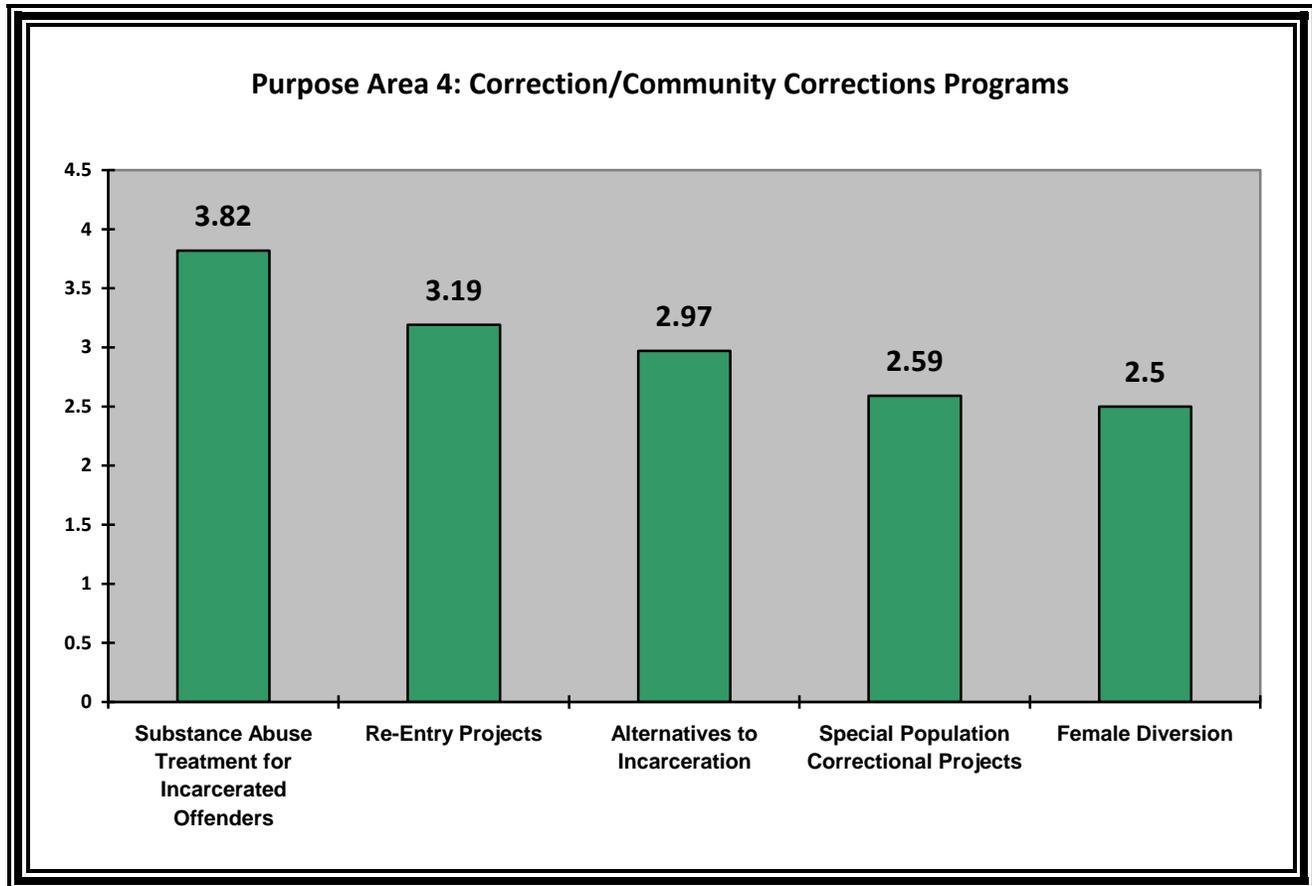
Other Project Areas which were identified in the Comments Section included:

- Evidence Training for Law Enforcement
- Mental Health Projects
- Interpersonal Violence and Bullying Prevention Projects
- Financial Crimes Education and Prevention

Purpose Area 4: Corrections/Community Corrections Programs

Two-hundred and twenty-three (223) respondents provided input with 16 respondents skipping the questions. 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.

The following chart identifies the average rating of each of the project areas in this category.



Comments:

For this question, the input which was submitted in the “Other” section was more commentary in nature. No other Project Areas were identified. The comments provided were:

- “I have a different philosophy. If we make it difficult the first time, criminals would think I never want to go through that again. As it is now, we have so many programs that defendants get more opportunities that (sic) law abiding citizens. In my opinion, until we change this, we won’t see a difference.”
- Provide training for corrections officers about working within their community safety net/response systems.
- Serious incarceration for deserving defendants.

Purpose Area 5: Drug Treatment Programs

In this category, 220 respondents provided input; 19 skipped the question. 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

Comments:

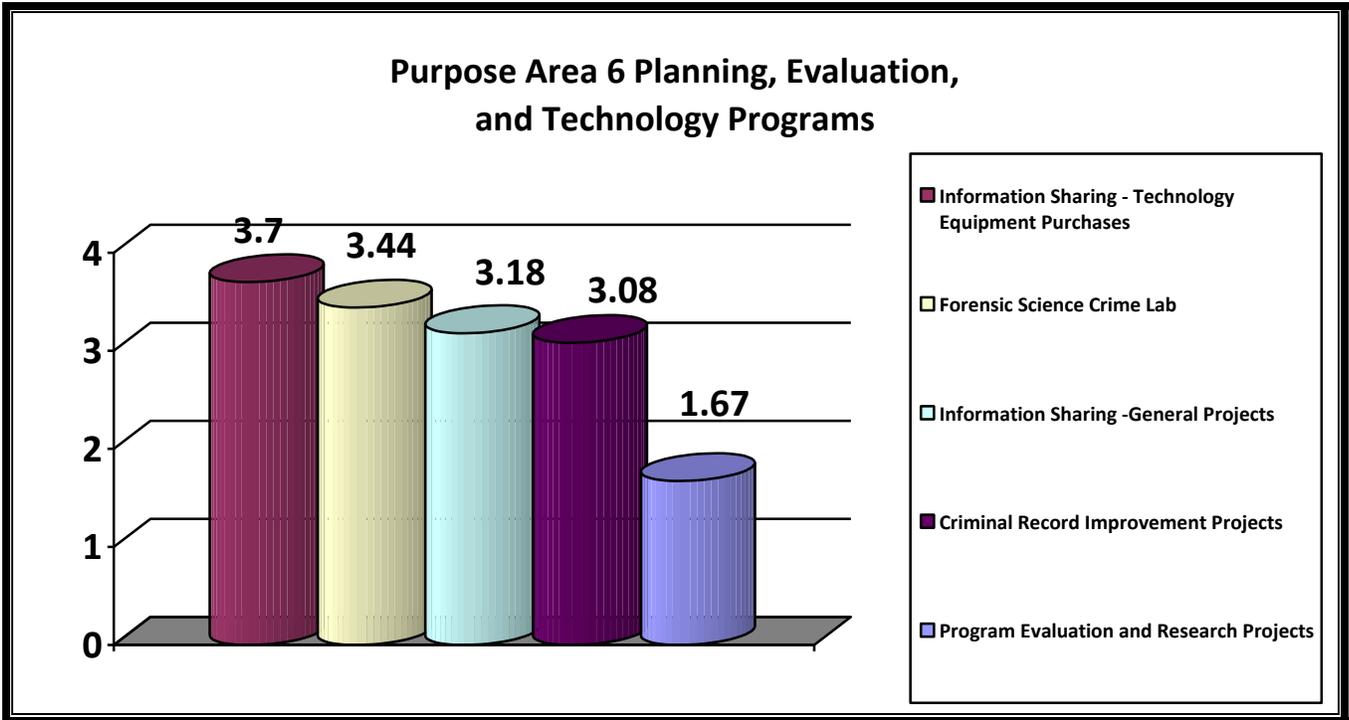
For this question, the information submitted in the option identified as “Other” was more commentary in nature. No other Project Areas were identified. The comments provided were:

- “Corrections-Community-Based Treatment Projects first.”
- “Can someone make the connection between the suicide rate and the drug/alcohol abuse rate?”

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

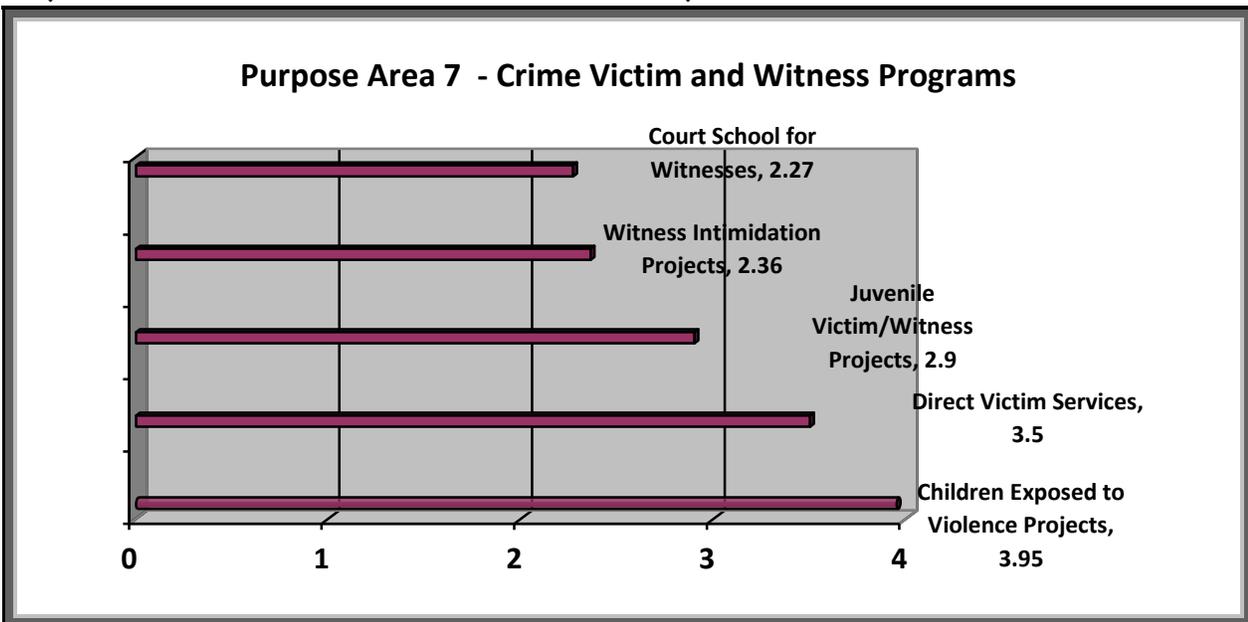


Comments:

No comments were received for this question.

Purpose Area 7: Crime Victim and Witness Programs (other than crime 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.



Comments:

No comments were received for this question.

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%	<p><i>“This should be the primary focus of the JAG.”</i></p> <p><i>“All crime relates back to drugs whether direct or indirect.”</i></p>
12	Reduce the trafficking of illegal drugs and controlled substances in and through the state.	96.8%	3.2%	<p><i>“Most effective use of the funds since including violent crimes.”</i></p>
13	Reduce the violence related to gangs through prevention, enforcement, and prosecution.	81.8%	18.2%	<p><i>“Gangs are becoming more powerful and consolidating their efforts in small towns.”</i></p>
14	Assist local law enforcement through the procurement of equipment.	94.9%	5.1%	<p><i>“Small departments are in extreme need of the equipment.”</i></p>
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%	<p><i>“Proven likelihood of success should be required.”</i></p>

Question	Goal	Extremely Important or Important	Unimportant or Extremely Unimportant	Comments
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>

Respondents were provided the option of identifying additional goals that were not listed above. Eighty-four percent (84%) identified that there were no additional goals, while 34 responded to this question. It should be noted, however, that a large number of the responses were general comments rather than suggested goals. Comments such as: “More equipment to assist police officers” or “Reduction of domestic violence” was listed. Some of these comments are already included within the goals above or were general comments. Goals which might be considered in addition to the goals above are as follows:

- Expand, enhance, or create violent crime/cold case projects.
- Create a DNA Property Crimes Unit within the state forensic labs which would assist in the reduction of burglary rates and assist in solving rapes and homicides (similar to Denver’s Property Crime Unit).

- Encourage mental health and substance abuse treatment and/or inpatient treatment for criminal offenders.
- Support funding for the 800 MHz radio project.
- Support funding for prescription drug diversion programs.
- Support funding for technology in the courtroom projects.
- Support funding underage and high-risk binge drinking as it relates to crime.
- Support funding for computer and internet safety and security, technology training, and prosecution effectiveness.

D. OVERVIEW OF THE JAG LOCAL LAW ENFORCEMENT SURVEY

A second survey was developed to specifically target law enforcement in order to obtain information regarding the types of equipment needed by local law enforcement agencies. A federal requirement of the JAG is to make funds available to a list of eligible units of local government. The list of eligible agencies, as determined by the Bureau of Justice Statistics, included entities that have directly submitted UCR crime data to the Oklahoma State Bureau of Investigation (OSBI) for three of the past ten years. In addition, these agencies meet a set threshold for violent crime in their community, and were not eligible for a direct award from BJA.

Historically, the JAG Board has established that this funding be directed toward equipment only. In addition, the JAG Board determines of the type of equipment which will be approved. The JAG Local Law Enforcement survey was also implemented via Survey Monkey. The first notice of the survey was disseminated on November 30, 2011. The results will be reviewed in detail in the next section.

E. METHODOLOGY OF THE JAG LOCAL LAW ENFORCEMENT SURVEY

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.

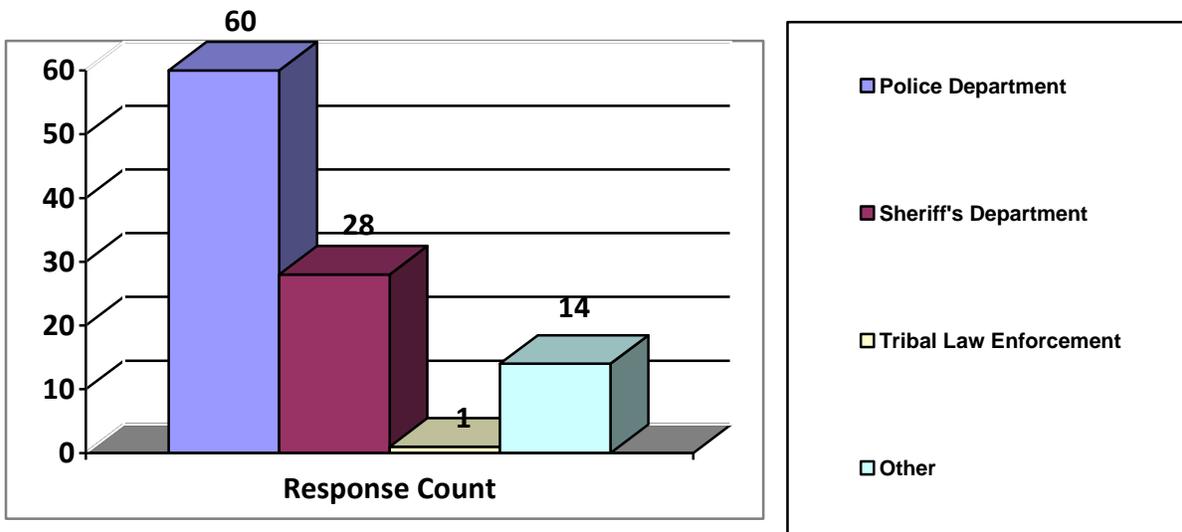
However, in absence of a specific response rate, the total number of responses received, the distribution of responses, and the wide variety of professional fields identified can be used to determine if the objective of achieving a broad array of input was met.

F. SURVEY RESULTS OF THE JAG LOCAL LAW ENFORCEMENT SURVEY

A total of 103 responses were received with the majority, 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.

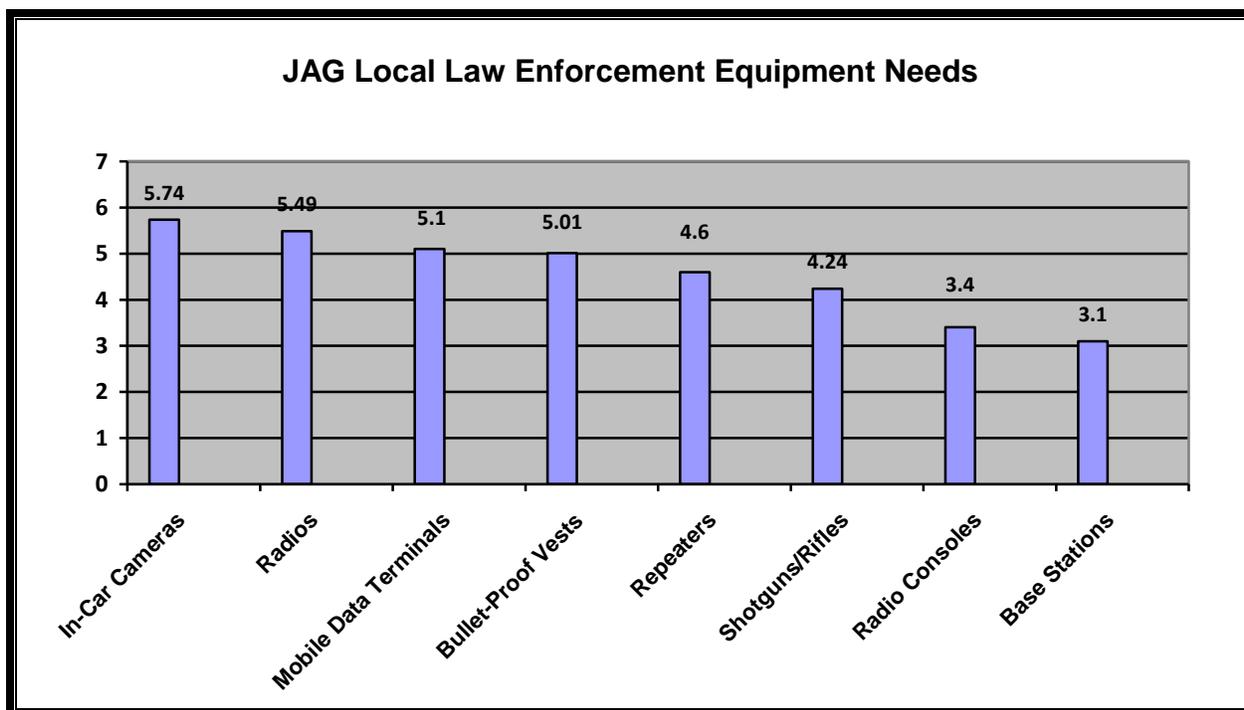
Fifty-eight percent (58%) indicated their agency was a police department, 27% were from sheriff departments, 1% was tribal law enforcement, and 14% marked the “other” category. This other category included security, fire marshals, Department of Corrections, Highway Patrol, and campus police. The majority (57) of the respondents indicated that they were the chief or sheriff; while, the remaining respondents were a deputy, reserve deputy, officer, or reserve officer. Over half, or 55%, had received a JAG Local Law Enforcement Equipment grant within the past five years.

JAG Local Law Enforcement Survey Respondents



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 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)

JAG Board Comments:

In reviewing the JAG Local Law Enforcement Survey results, the JAG Board may consider adding personal video cameras and the purchase of Mobile Cop to the prioritized list of equipment in future Notice of Availability of Funds for this grant program.

While personal video cameras have been useful for a number of law enforcement agencies, there are concerns with small departments having the capabilities of managing the storage of the videos as well as establishing and utilizing departmental policies regarding the use of personal video cameras. The Board wants to ensure the focus remains on basic personal safety equipment which has a lasting impact.

Narrowbanding Radios

The Federal Communications Commission (FCC) is requiring all public safety licensees to convert 25 kHz radio systems to minimum narrowband 12.5 kHz efficiency technology by January 1, 2013. The purpose of the narrowbanding mandate is to promote more efficient use of the VHF and UHF mobile bands by opening up additional channels with the same spectrum space. Radio equipment must either need to be converted, if applicable, or new equipment purchased depending on the age of the current equipment. Radios purchased within the last 10 years are already narrowband capable and may only need to be converted.

Question 7: Is your agency prepared to meet the January 1, 2013, FCC-mandated deadline for radio narrowbanding?

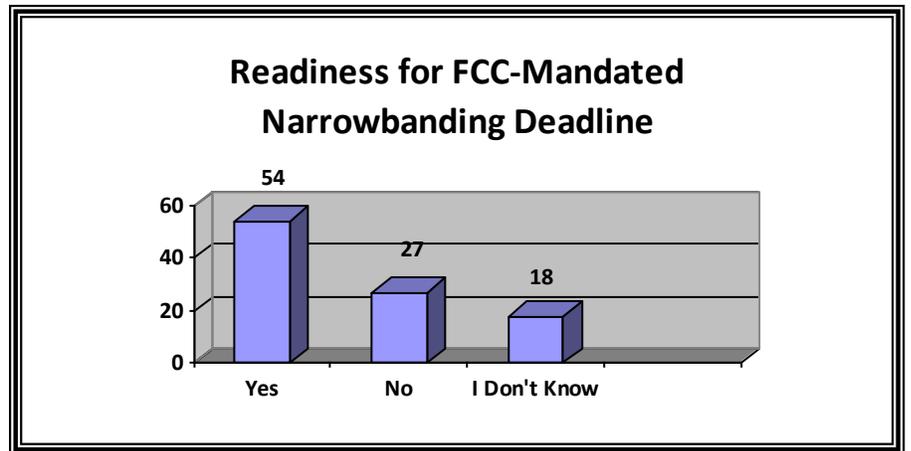
Nearly half of the respondents indicated that they are ready for the January 2013 deadline to shift to the 12.5 kHz frequency; however, 18 indicated that they didn't know whether they were ready and four skipped the question.

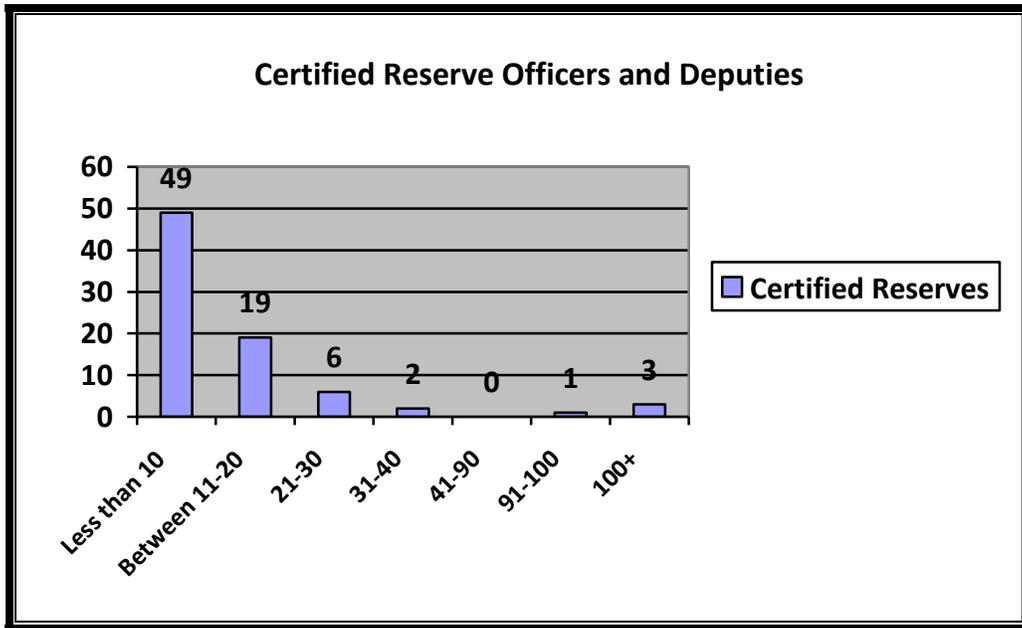
Reserve Officers and Deputies

In this section of the survey, the JAG Board was interested in obtaining more information on certified reserve officers and reserve deputies in order to determine whether to allow law enforcement agencies to request equipment for these individuals. Historically, the JAG Board has limited requests for equipment funding for full-time and part-time personnel only and not funded equipment for reserve officers.

Question 8: How many Certified Reserve Officers or Deputies does your agency have?

Of the 78 that indicated that they have reserve officers or deputies, over 50%, or 49 respondents, indicated that they have less than 10 reserves, nineteen respondents indicated that they have between 11-20, six (6) responded that they have between 21-30. Only six (6) of the 78 individuals who responded indicated they have more than 30 reserve officers or deputies. Twenty-three (23) individuals indicated this was not applicable or skipped this question.





Question 9: Under normal circumstances, how many shifts do certified reserve officers/deputies work in a 24-hour period? Normal circumstances means with no special events.

Question 10: Is there a minimum number of required hours that must be worked by the certified reserve officers during the month?

The vast majority of the responses indicated that they utilize certified reserve officers/deputies work between 1-5 shifts in a 24-hour period. In addition, nearly 57% of the respondents indicated that they are required to work a minimum number of hours and 35% indicated that they are not required to work a minimum number of hours.

Question 11: If yes, how many are required?

Of those answering yes to Question 11, 41% indicated that ten plus hours are required, 18% indicated that eight hours are required, and 2% indicated that ten hours are required. Thirty-eight percent (38%) indicated that it was not applicable.

Question 12: In what capacity do you utilize Certified Reserve Officers and Certified Reserve Deputies?

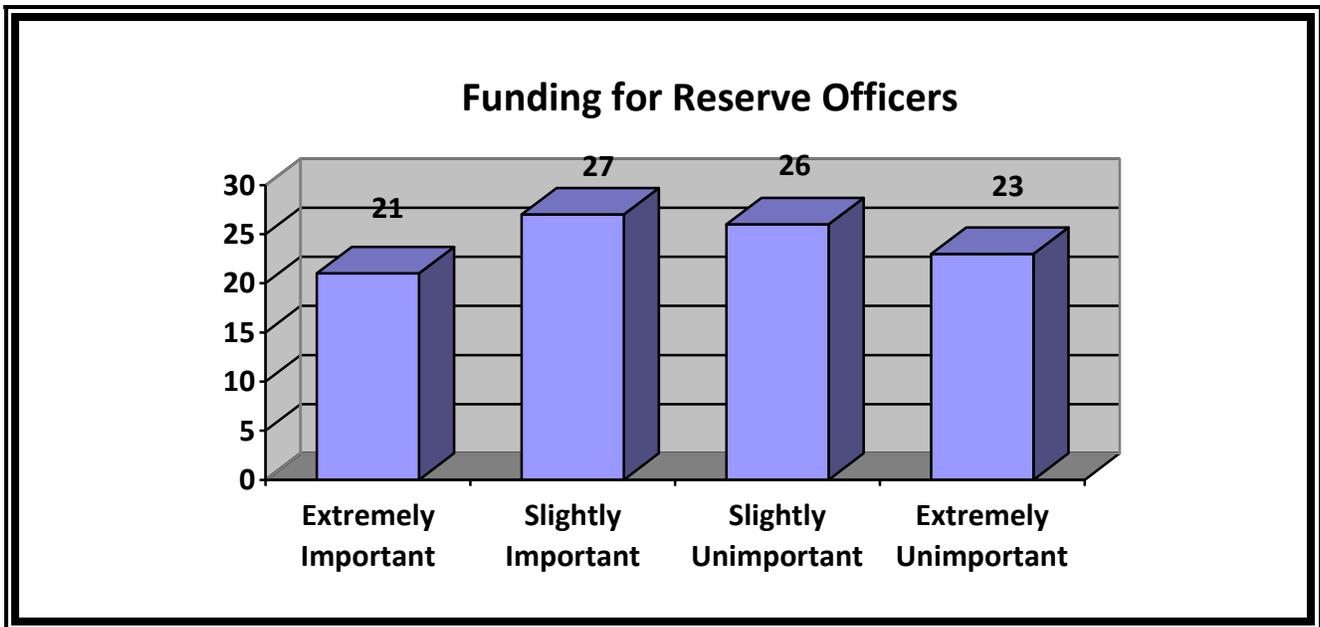
For this question, respondents could select as many as applied. The following table identifies their responses.

Uses of Certified Reserve Officers and Deputies		
Ranking	Purpose	Response County
1	Special Events (Parades, Game Day, Fair)	69
2	Work Routine Shifts for Full-Time Personnel on Sick Leave	50
3	To Fill Open Shifts in the Regular Patrol Schedule (Due to hiring freezes, open positions)	49

4	Work Routine Shifts for Personnel on Vacation	46
5	Transfers	38
6	Warrants	36
7	Court Duty	30
8	Not Applicable	23
9	Jail	13
10	Civil Process	12
11	Other – Weekend Shifts with Full-Time Deputies (3) and Additional Personnel on Patrol but not to fill shortfalls in manpower.	9

Question 13: Knowing that limited funding is available to local law enforcement through the JAG Local Law Enforcement Grant and understanding that if equipment for reserves is funded, there will be fewer awards made to applicants, how important is it to your agency to redirect part of the JAG Local Law Enforcement funding to provide equipment for certified reserve officers and deputies?

It is interesting to note that on this question, the responses were equitable in each category providing no clear-cut guidance from the respondents. A total of 97 responses were received and six skipped the question.



VI. DATA REVIEW

PURPOSE AREA ONE: LAW ENFORCEMENT PROGRAMS

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.

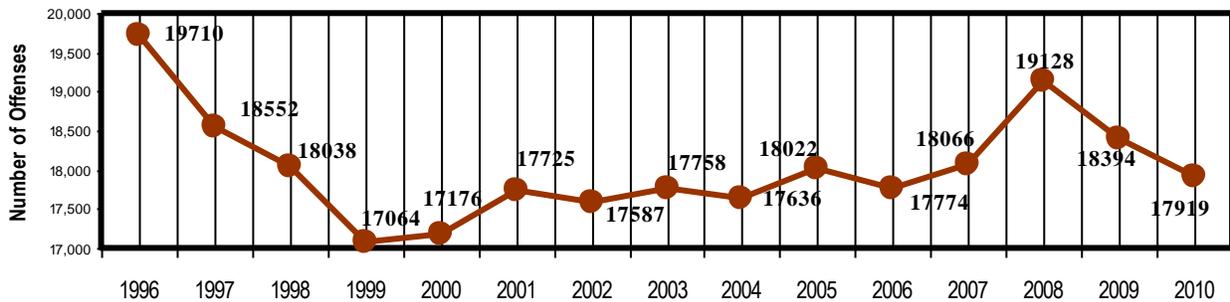
VIOLENT CRIME IN OKLAHOMA

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 IN OKLAHOMA 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.

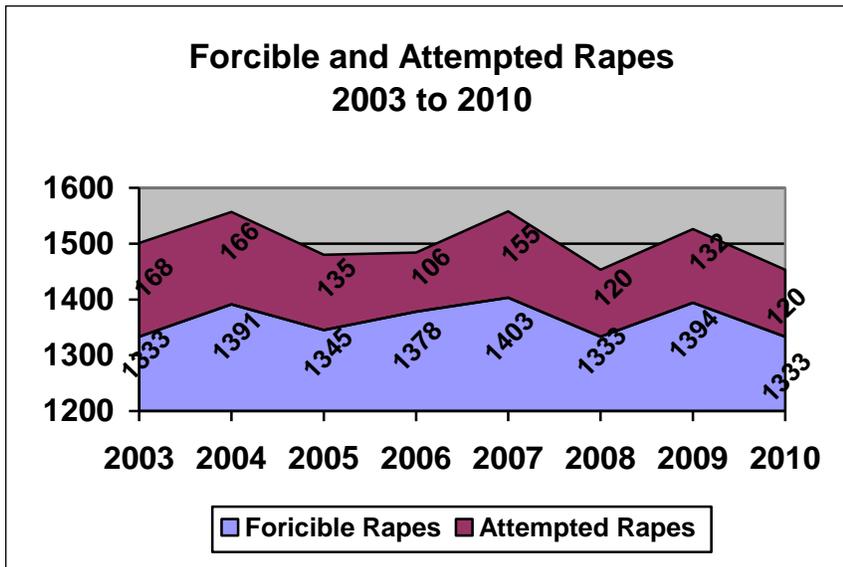
According to the OSBI, the 15 to 19-year old age group accounted for the highest percentage of murder victims with 26 victims. This was followed by the 30 to 34 year-olds with 25 victims, and 20 to 24-year-olds and the 25 to 29 year-olds at 24 victims each. Male victims outnumber female victims approximately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

- Homicides;
- Shooting with Intent to Kill;
- Sexual Assault;
- Child Physical and Sexual Abuse;
- Explosives;
- Robberies;
- Property Crimes;
- Arson; and
- 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.

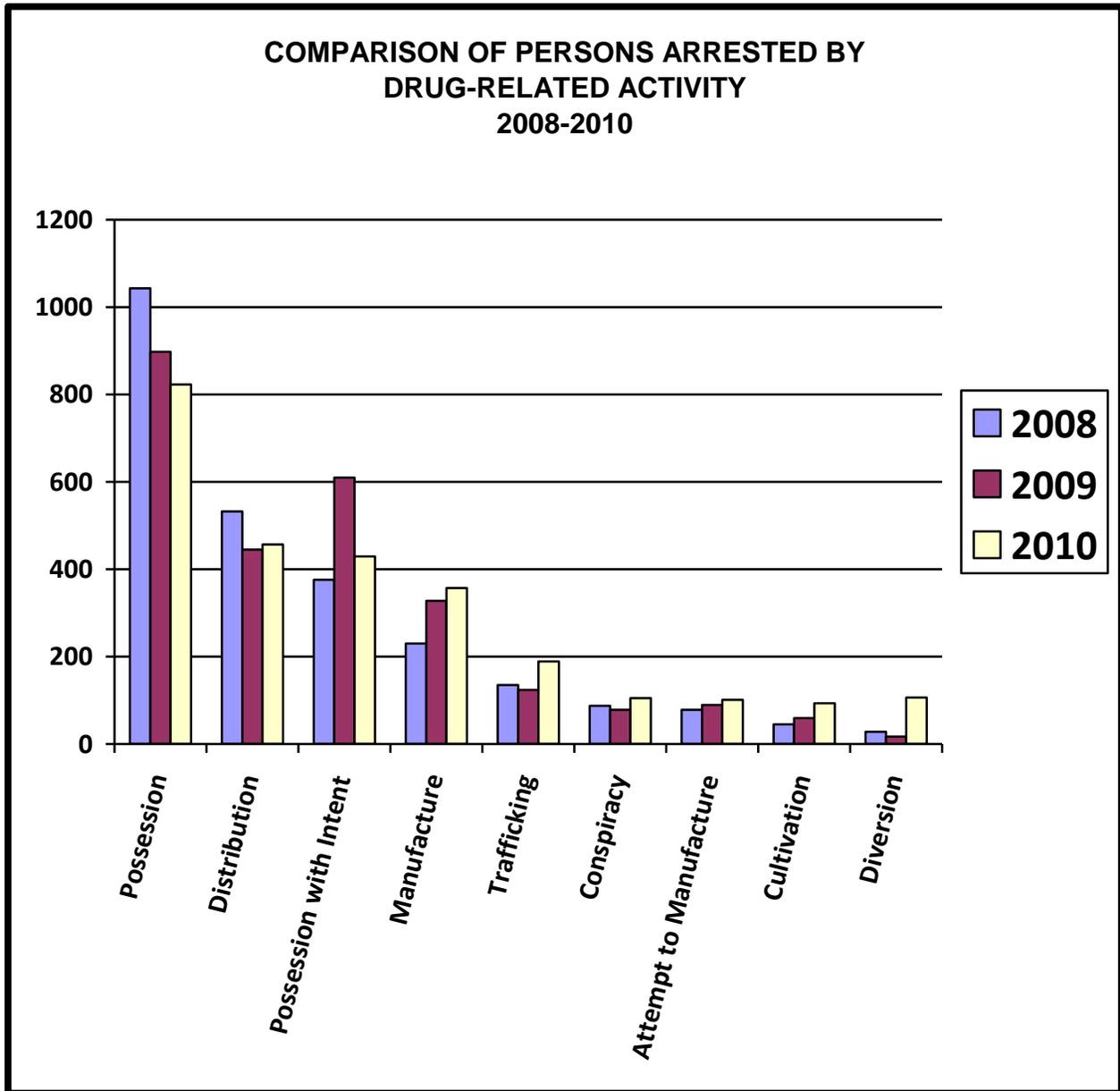
These Task Forces report a total of 5,486 arrests for the two-year period. Of the DVCTF/DTF arrests, 2,994, or 55%, were arrested for methamphetamine, or methamphetamine-related violations, compared to 26% arrested for marijuana violations. Arrests for amphetamine and/or methamphetamine have ranked the 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 Substance
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.

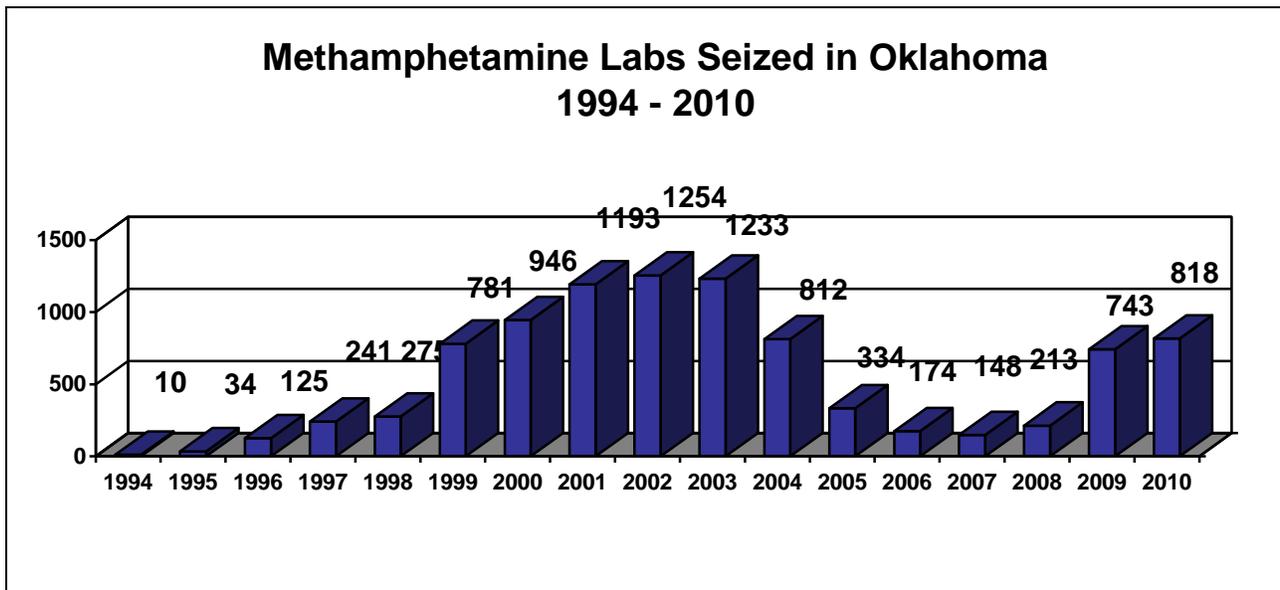
TYPE OF DRUGS SEIZED	AMOUNT OF DRUGS SEIZED	EQUAL WEIGHT EXAMPLE	DEA ESTIMATED STREET VALUE	LOCAL STREET VALUE
Hallucinogens	1 pound	A 16 oz. can of tomato sauce.	\$15 a dosage unit x 2265 dosage units in a pound	\$33,975
Crack Cocaine	5 pounds	A sack of potatoes.	\$100 per gram x 453 grams in a pound 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.

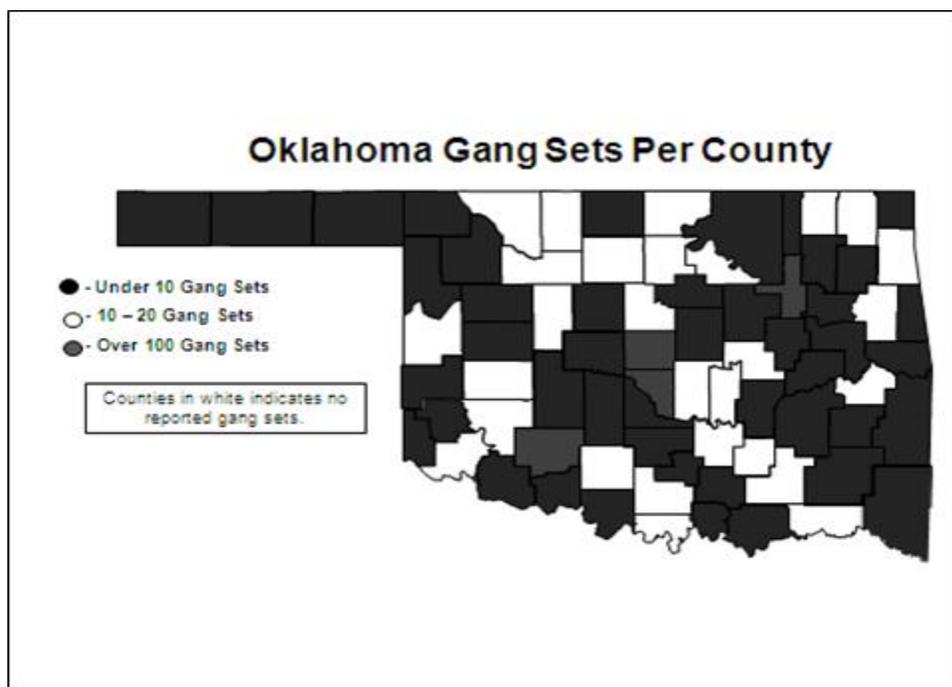
The *Oklahoma Gang Survey* was mailed to every major law enforcement agency in Oklahoma. Officers who did not respond received a second, follow-up mailer and were urged to complete the survey at various summit meetings, seminars, and conferences. In 2007, 635 were distributed and 345 gang surveys were 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.

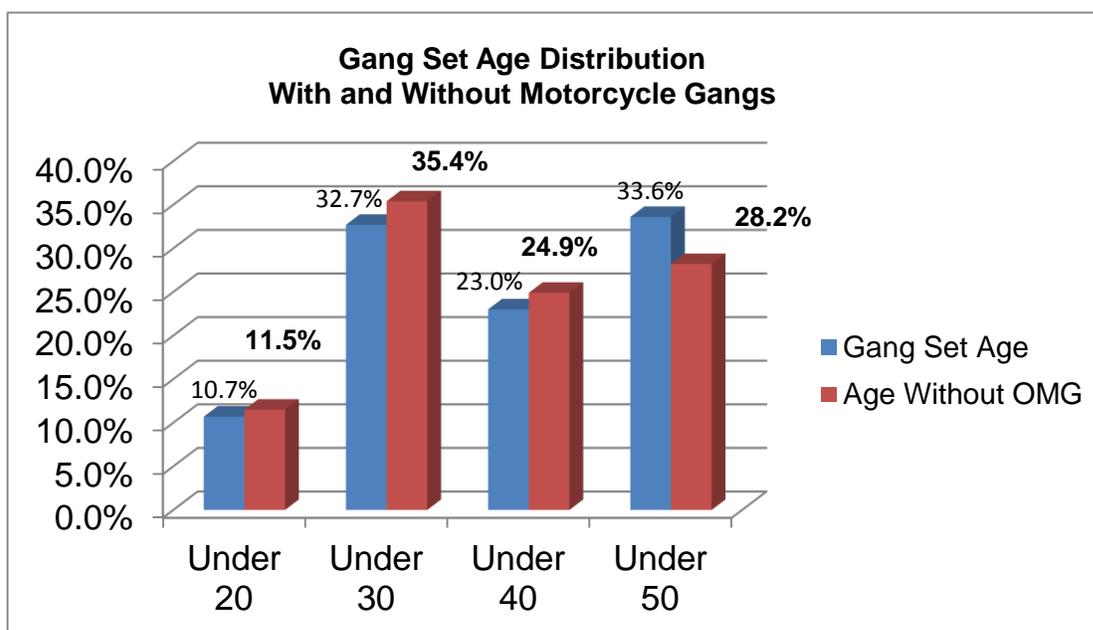
Oklahoma gangs are responsible for a broad range of criminal activity. Drug possession and trafficking, violent assaults, larceny, weapons offenses, burglaries, and auto thefts appear at the top of crimes committed by gangs in Oklahoma. Some crimes were not included on the list of crimes when the original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

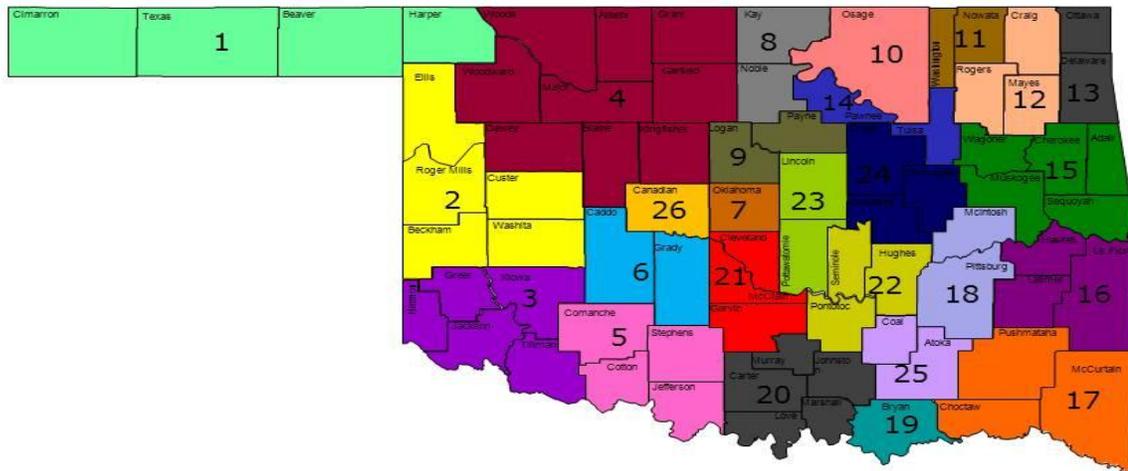
Currently, the Capital Litigation and Homicide Prosecution (CLHP) Initiative funds a Capital Litigation Resource Prosecutor (CLRP). The CLRP directly assists the seventy-five (75) rural county district attorney offices in Oklahoma by providing technical assistance, legal guidance and when needed, assisting 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

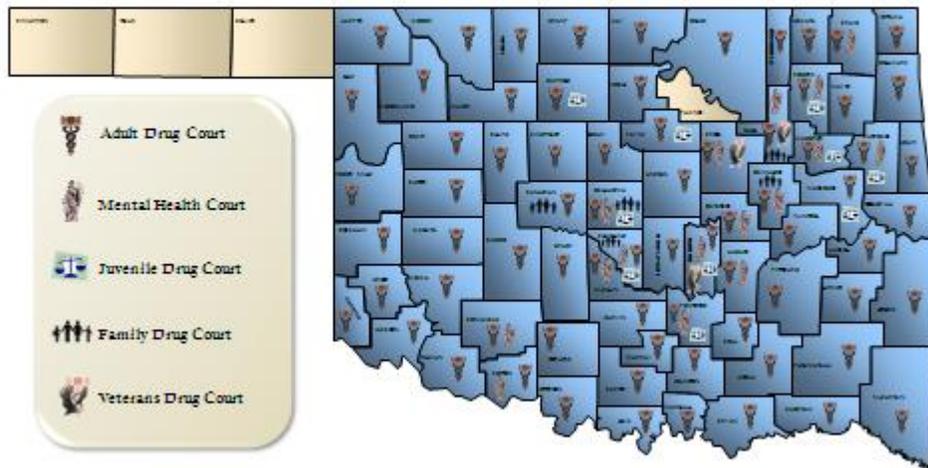
The first drug court, supported by Byrne JAG funding, was developed in 1989 in Dade County (Miami), Florida, as a way to stop the revolving door of drug addiction and crime. The approach has been replicated in more than 2,500 drug courts nationwide, and the model used as a springboard for other specialty 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.

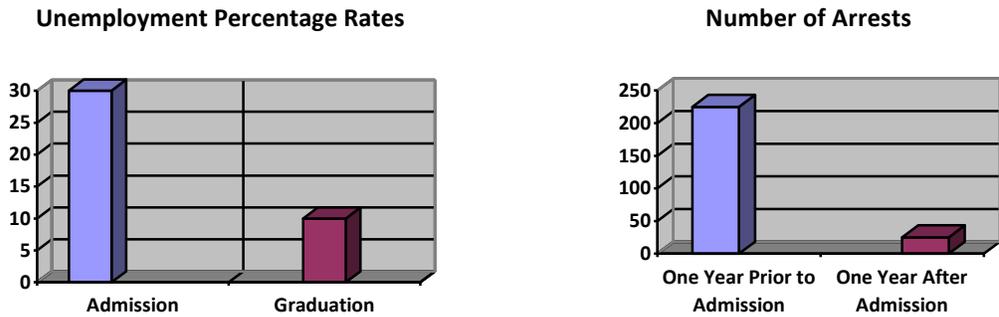
The Oklahoma Department of Corrections identifies that the average annual cost to house an inmate with mental health needs is \$23,000, while the average annual cost for mental health court is \$5,400. This amounts to a savings of \$17,600 per year per participant. Additionally, mental health court programs 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.



PURPOSE AREA THREE: PREVENTION AND EDUCATION PROGRAMS

Overview

Juvenile justice systems operate separately from the adult criminal justice system. Unlike adult systems, juvenile justice services must not only respond to youthful offenders but they must also implement creative and innovative ways to prevent at-risk juveniles from sliding into delinquent behavior, like gang activity and drug use, that will bring them into contact with the criminal justice system.

A large body of research indicates that education and prevention programs targeted at at-risk youth can prevent them from participating in delinquent activities, in particular programs that target either individuals, families, or an entire community. According to the DOJ, Office of Juvenile Justice and Delinquency (OJJDP), juvenile arrest rates are down more than 74% since a peak in 1993, and jurisdictions are broadening their approach to responding to youth in their criminal justice systems.

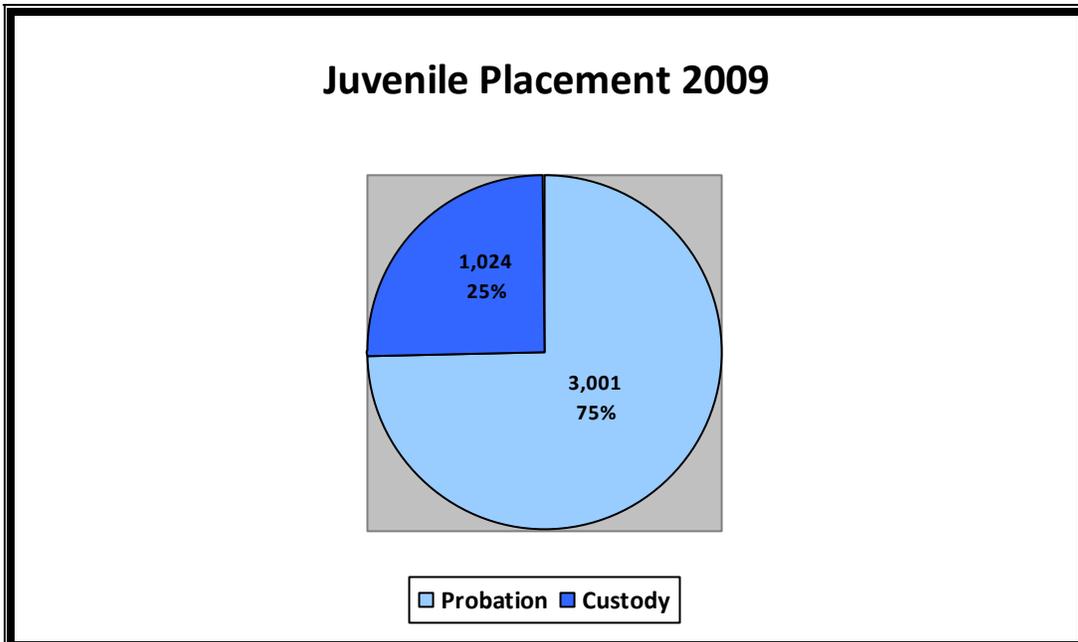
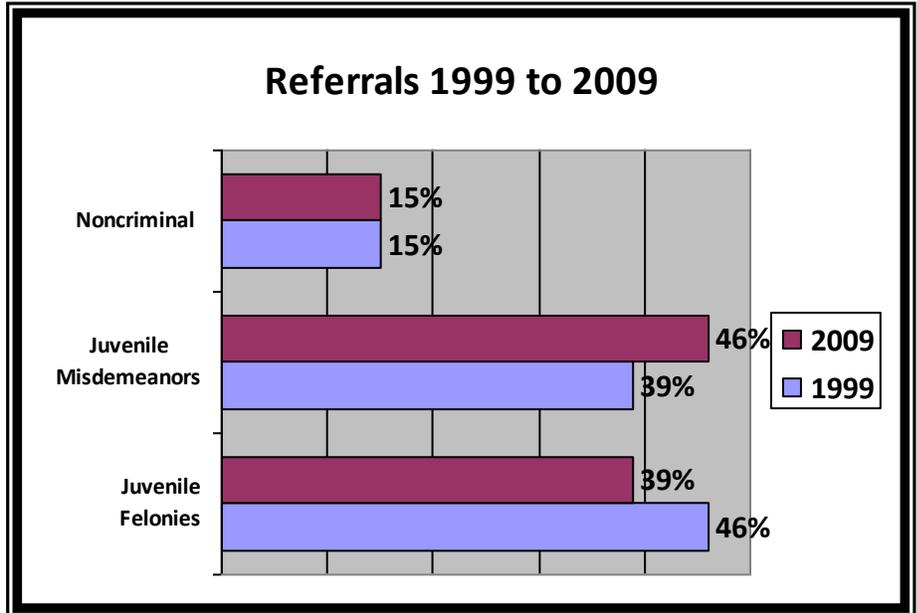
Research shows that the adolescent brain is not fully developed in judgment, problem solving, and decision making capacities. Because youth respond more readily to treatment and are more easily influenced and amenable to restorative and rehabilitative approaches, they are also more responsive to prevention and education programs that are introduced at or slightly before the developmental points at which they begin to predict later problem behaviors. In addition, family and community-based approaches to youth have been found to be more cost-efficient. The Washington State Institute for Public Policy estimates that it costs \$5,000 annually to provide youth with family and community-based therapies, compared to approximately \$88,000 annually for incarceration. Incarcerated youth also need more protection than adults. Juveniles in secure facilities are at heightened risk of physical and sexual assault and emotional injury. OJJDP has also found that youth in adult courts are more likely to reoffend, reoffend more quickly, and reoffend more severely than

According to the Office of Juvenile Affairs (OJA), referrals decreased from 23,025 to 21,761 from FY2008 to FY2009, a 5% decrease. This continues the downward trend the agency has reported over the last decade and the national trend of overall criminal activity.

Referrals dropped nearly 22% from 1999 to 2009. The agency attributes several possible explanations for the decline, including the increased effectiveness of preventive programs or other factors that impact juvenile perceptions of smarter choices when it comes to their personal behavior.

OJA includes several options for services when dealing with juveniles in the criminal justice system that includes residential services, non-residential services, detention, and community-based programs.

Statistics on the number of juveniles sentenced to probation programs or detention centers follow the trend indicated by the types of crimes, felonies or misdemeanors, being referred to OJA in that there are more juveniles being sentenced to probation than in-custody detention.



GANG PREVENTION

Youth join gangs for protection, enjoyment, respect, money, or because of a friend or associate that is in a gang. Research from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) indicates that youth make the conscious choice to join a gang during adolescence and they do not always choose serious, violent gangs. Instead they choose “starter gangs” that are either cliques or sets of more violent gangs, or they choose completely independent entities with no affiliation to larger gangs. These starter gangs usually engage in minor delinquent behaviors. Starter gangs are typically very unstable, as adolescents move from peer group to peer group and many researchers view this early gang activity as a social network instead of any kind of criminal organization. However, the early affiliation can determine future actions.

There are two factors that contribute to the decision to enter, stay, or progress in a gang: 1) attraction and 2) risk factors. Many think that gangs “recruit” their members through coercion. However, most young people who join gangs are attracted to the gang lifestyle. Gangs are social systems that have parties, provide a group to “hang out”, use drugs, and meet members of the opposite sex. When it comes to the outside influences on the choice to join a gang, many adolescents will join for protection and the safety that they believe membership affords them. Another important influence is family members or friends who are already gang members. There are several personal risk factors that can make certain children and adolescents more likely to join gangs. These include antisocial behavior, alcohol and drug use, mental health problems, victimization, and negative life events. Preventing these kids from gang activity requires early education and intervention.

OJA tracks the number of gang members referred for services and has seen a steady reduction in the number of gang members referred since 2007, which was the year that showed almost 25% of all referrals to OJA were gang members. According to the 2009 National Youth Gang Survey, gang activity increased slightly from 2008 to 2009. Since the survey started in 1996, there are three trends that have been noted: 1) a very significant decline in youth gang activity throughout the late 1990s; 2) an upturn from 2001 to 2005; and, 3) a relative leveling off through 2009. It is estimated that in 2009, there were 28,100 gangs and 731,000 gang members throughout 3,500 jurisdictions in the U.S. This is a 20% increase from 2002.

Area Type	Youth Gang Activity Reported in 2009	Youth Gang Activity Consistently Reported 2005-2009
Larger cities	86.3	79.8
Suburban counties	51.8	38.9
Smaller cities	32.9	23.8
Rural counties	17.0	11.0

Almost 50% of the respondents to the survey reported that the gang activity in their area had stayed the same in 2009. Those who reported changes in the amount of gang activity in their areas were more likely to characterize the change as “getting worse.”

One of the strongest risk factors for gang membership is associating with peers who engage in delinquent activities. Aggressive and antisocial teens begin to affiliate with one another when they are young and they continue a pattern of aggressive friendships through adolescence. This is one of the

strongest predictors of future gang activity in youth. When this is coupled with community conditions that are conducive to gang development and activity, the already aggressive and antisocial youth will gravitate to gang activities. Gangs are more likely to be found in high-crime and disadvantaged neighborhoods where their presence usually increases the level of criminal activity, catches the attention of the neighborhood kids, and makes firearms and drugs available. One or two risk factors in a single child may not indicate a propensity for gang activity; however, there is a cumulative effect – the more risk factors there are, the greater the risk of a negative outcome. It is important to note that no matter how many risk factors exist they do not *cause* kids to join gangs.

To develop intervention strategies and successfully implement them, OJJDP suggests that a gang-problem assessment be conducted to identify any elevated risk factors and to identify and locate youth gangs. Current research suggests three distinct strategies that have been successful as frameworks for other programs. The first is individual intervention with at-risk youth. The second is family prevention and the third is school- and community-based interventions. Neighborhoods and communities have their own characteristics and an intervention program that worked in one area, may not be successful in another location.

OJJDP promotes the Comprehensive Gang Model to decrease gang-related activities, which offers a continuum of strategies for a community with gang problems:

Group 1: These are the serious, chronic and most violent gang and non-gang offenders. These may be fewer in number, but they commit the largest amount of crimes. **Strategy:** Targeted enforcement and prosecution because of their high-level of involvement in crime and violence.

Group 2: These are the gang-involved youth and their friends. This will be a larger population. They are involved in significant levels of gang activity, but are not committing crimes in high numbers. **Strategy:** Intensive treatment services and supervision that include group therapy, family therapy, mentoring, and behavior therapy.

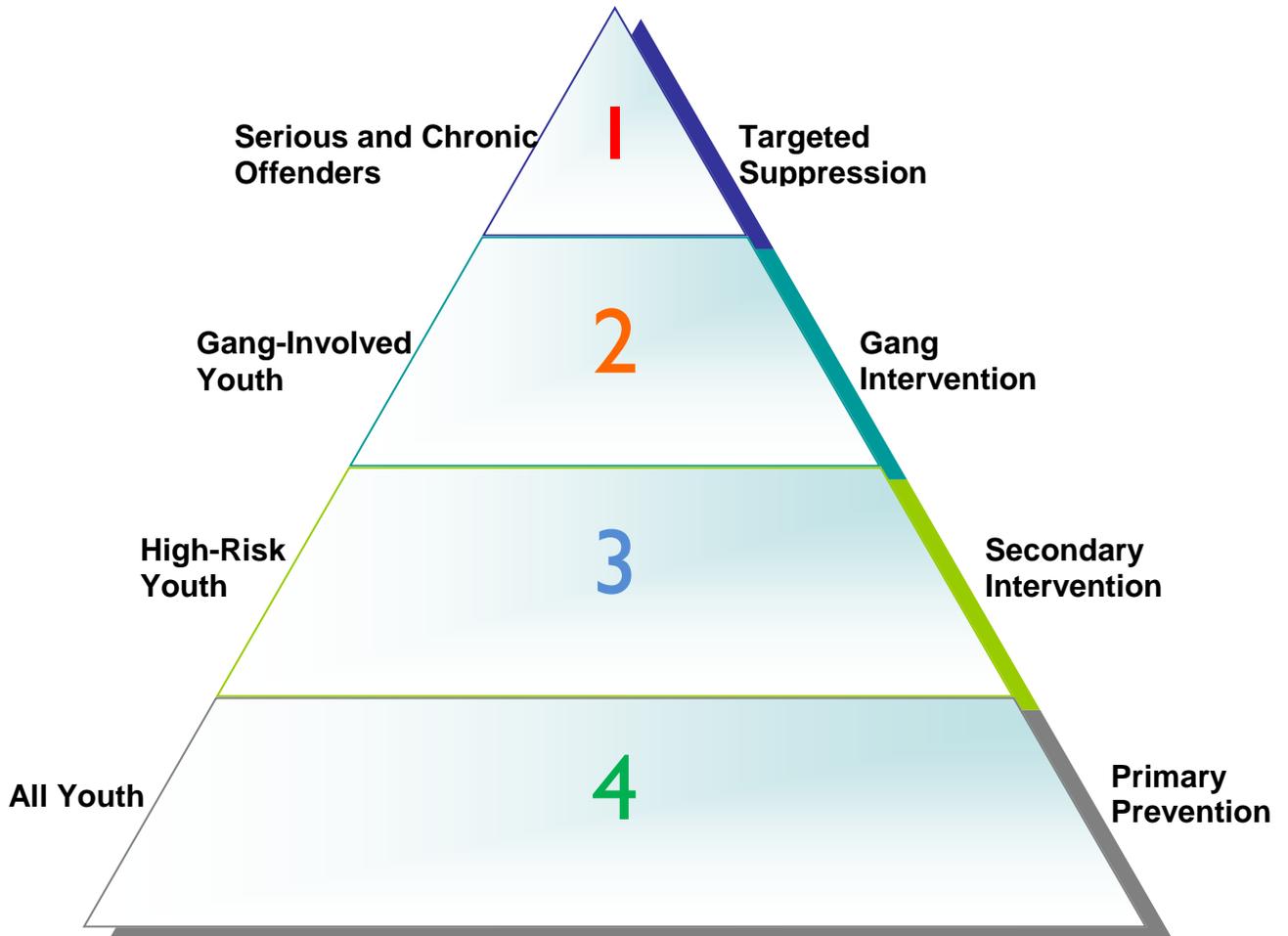
Group 3: These are the high-risk youth ages 7 to 14. They have displayed early signs of delinquency and an elevated risk for gang membership, but have not yet become gang involved. **Strategy:** Less intensive services than those in Group 2, but more individualized than those for Group 4.

Group 4: This is all of the kids living where gangs are present. **Strategy:** Primary prevention services and includes outreach to the entire population of an area with high crime rates and gang activity.

Preventing kids from joining gangs is challenging, but according to OJJDP, very few prevention programs show significant results. There are many factors that work against prevention programs – gangs seek areas of communities that accept their presence, gang membership is a natural progression, and probably the most noteworthy, is the lack of gang awareness in schools and communities. This lack of awareness is similar to the law enforcement gang survey results. A national study showed that in the schools with the greatest gang participation, only 18% of the principals recognized that gangs were a problem in their schools. Despite this, school-based awareness and

prevention programs like school resource officers and drug-free school coordinators show some of the best results.

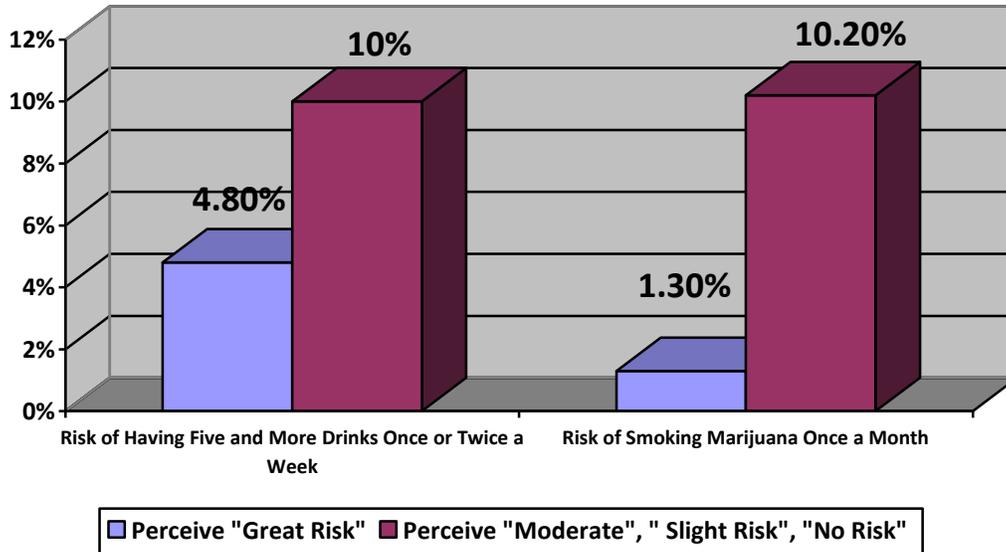
Gang Prevention and Intervention Strategies



DRUG AND ALCOHOL PREVENTION

According to the 2010 National Survey on Drug Use and Health, Summary of National Findings, one factor that influences whether or not a youth will use drugs is very similar to the decision to join a gang. Do they think the use of drugs will harm them and if so, to what extent? The lower the perception of “great risk” of harm, the greater the possibilities for drug use. The most concerning statistic gleaned from the survey indicated that the perception of risk in using drugs, whether it was marijuana or heroin, has significantly decreased since 2002. Not surprisingly, the reported use of different drugs increases as the perception of risk decreases. These shifts in perception and increases in drug use come despite reports from 75.9% of respondents aged 12 to 17 who reported they had seen or heard prevention messages in school in 2010. On the other hand, only 11.5% of the same age group reported seeing any kind of prevention messages outside of the school setting in 2010.

Perceptions of Risk: Ages 12 to 17 2010

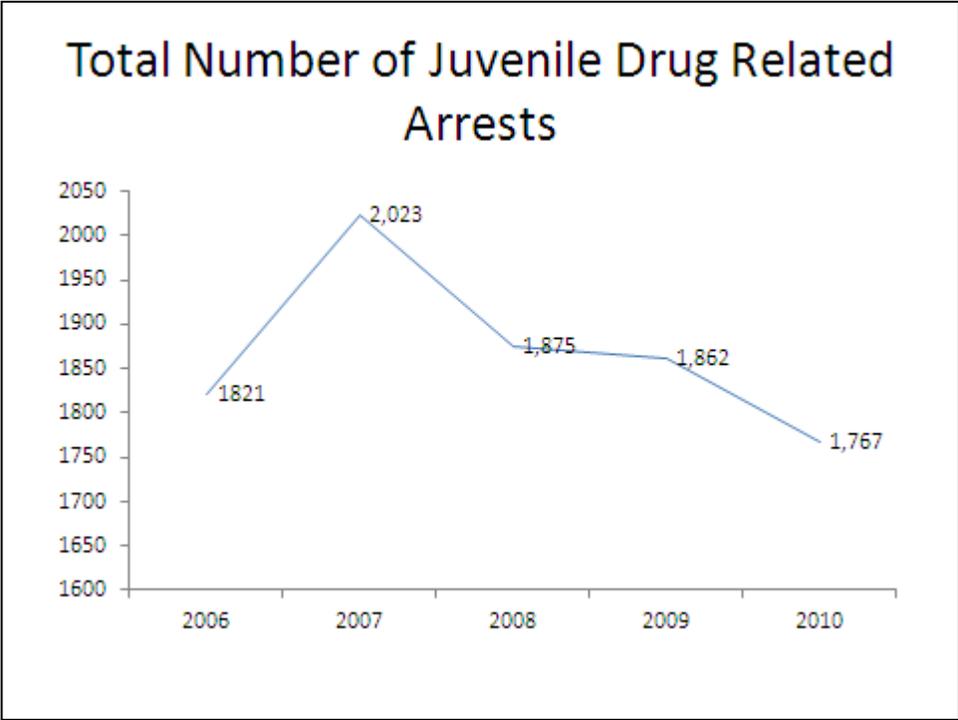
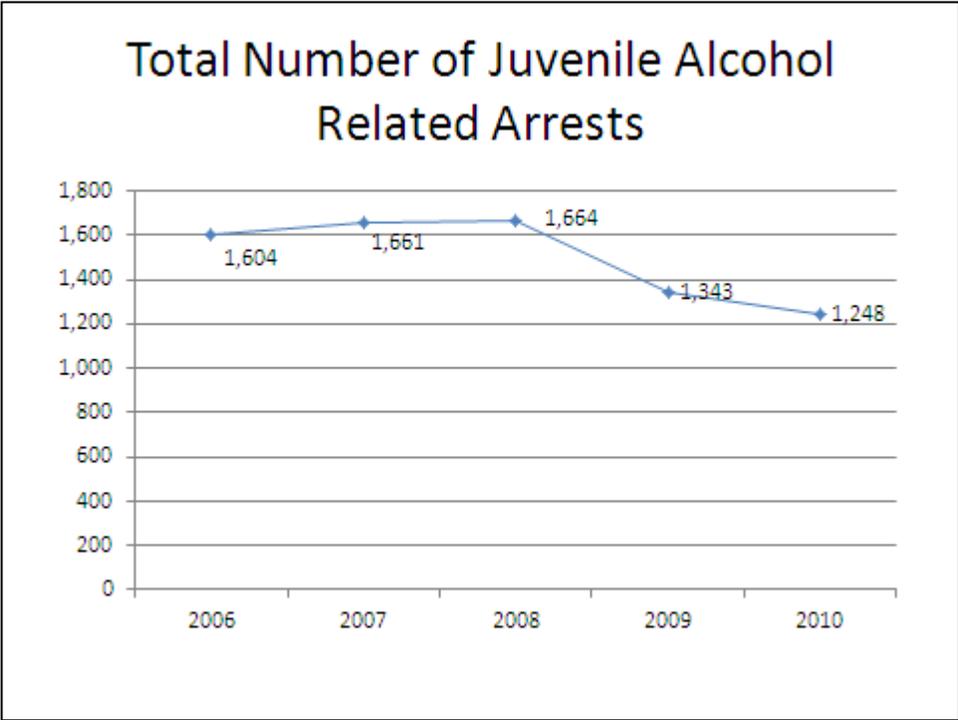


The percentage of youths aged 12 to 17 indicating great risk in smoking marijuana once a month decreased from 34.5% in 2007 to 30% in 2012, and the rate of youths perceiving great risk to smoking marijuana once or twice a week also decreased from 54.7% to 47.5%. The prevalence in marijuana use among that age group grew from 6.7% in 2008 to 7.4% in 2010. More concerning are the rates of risk perception for other dangerous drugs like heroin, cocaine, and methamphetamine. They all saw a decrease from 2002 to 2010.

Risk Perception from 2002 to 2010		
Drug	2002	2010
Heroin	82.5%	80.5%
Cocaine	79.8%	78.4%
LSD	76.2%	71.5%
Marijuana	51.5%	47.5%

Kids and teens that get into fights and participate in other delinquent behaviors are more likely to also use illicit drugs as opposed to kids who do not use drugs. For instance, in 2010, 18.3% of kids who had gotten into a serious fight that responded to the Drug Use and Health Survey reported that they had used drugs as well. For those who had participated in other delinquent behavior, the percentage was 39.3%. In Oklahoma, there were 1,248 alcohol-related arrests of juveniles in 2010.

This is a slight decrease over 2009 and continues a downward trend that started in 2006. Drug-related arrests were also down to 1,767 in 2010 from 1,862 in 2009.



The emerging trend among youth is the misuse of prescription drugs. There have not been major statistical changes in nonmedical pain reliever use from 2002 to 2010, but there are other trends that indicate a growing problem. The initiation rate for nonmedical pain reliever use is second only to marijuana, with nearly 2 million new nonmedical users per year since 2002. Over 500,000 of those people report never using any other types of illicit drugs. These large numbers do include adult users; however, most teens take pain relievers they find in the medicine cabinets in their own homes or from those of their friends. The increased number of users increases the availability. Nearly 55% of persons 12 or older reported that they got pain relievers from a friend or relative for free and another 11.4% said they purchased them from a relative or friend.

Research has shown that substance abuse by adolescents can be prevented through interventions involving risk and protective factors associated with the onset of escalation of use. Interventions to prevent substance abuse are usually designed to increase the influence of risk factors and enhance protective factors. There are several evidence-based substance abuse prevention programs in place across the country. One of the most prominent examples is the Project ALERT Program.

Project ALERT gives middle school-age children insight and skills for resisting substance abuse. It is included on the National Registry of Evidence-Based Programs and Practices. There are 482 teachers in Oklahoma currently trained in the Project ALERT curriculum. The curriculum was designed, developed, and tested for 10 years by RAND Drug Policy Research Center. Program successes include:

- 24% lower alcohol misuse scores
- 20% reduction of highest-risk early drinkers
- 60% decrease in current marijuana use

The program is designed to help motivate kids and teens to avoid using drugs and teach the skills they need to resist peer pressure. It includes 11 lessons the first year and three (3) the second year. Lessons include small-group activities, question-and-answer sessions, role-playing, and skills practice to engage student participation. The goals are to help students understand the risks of drug use, recognize the benefits of nonuse, and resist pressure to try or use drugs.

The scarcity of school-based, and especially community-based, prevention programs is one of the biggest challenges to making real community changes. Models for effective prevention and intervention programs have been successfully implemented through the federal grant programs such as Project Safe Neighborhoods and Weed and Seed programs.

PURPOSE AREA FOUR: CORRECTIONS AND COMMUNITY CORRECTIONS PROGRAM

Overview

Until recently, an individual convicted of a crime and sentenced to jail or prison would serve that time, and upon release, be given a bus ticket and pocket change and returned to the community. Beginning in the 1980s, with the crack cocaine epidemic and stricter sentencing laws, large numbers of non-violent drug offenders were incarcerated, ultimately leading to jail and prison overcrowding, spiraling corrections costs, and rising demands for finding new approaches to address addiction and criminal behavior. In 2009, the Bureau of Justice Statistics reported that 1 in 100 adults were in prison in the United States, while the Pew Center on the States reported that 1 in 31 adults were under some form of correctional control. In some states, the cost of the correctional system exceeds the cost of the higher education system.

Community corrections are an overarching term that refers to the supervision of offenders in almost all settings except prison, jail, or secure detention. The term also covers the supervision of, and services provided to, offenders returning to the community after incarceration. Community corrections rely on a valid risk assessment for each offender which provides a roadmap about the strategies that will be most effective for the individual offender and most likely will protect public safety. Often, the court or supervising agency imposes conditions and treatment requirements on the offender that must be met for him or her to remain in the community.

Parole is a type of community correction that imposes conditions or restrictions on an offender following a prison sentence. Probation on the other hand, may be imposed without a convicted person having been incarcerated. These types of community corrections are also commonly called aftercare, supervised release, or reentry. A parolee risks additional sanctions or a return to incarceration for violating the conditions of parole.

Some convicted offenders spend their sentences under some form of community supervision to participate in pretrial diversion programs, probation, parole, reentry programs, or other community corrections options that reduce recidivism and save taxpayer dollars. Moreover, even when offenders are sent to jail or prison, successful reentry into the community is critical to reducing recidivism.

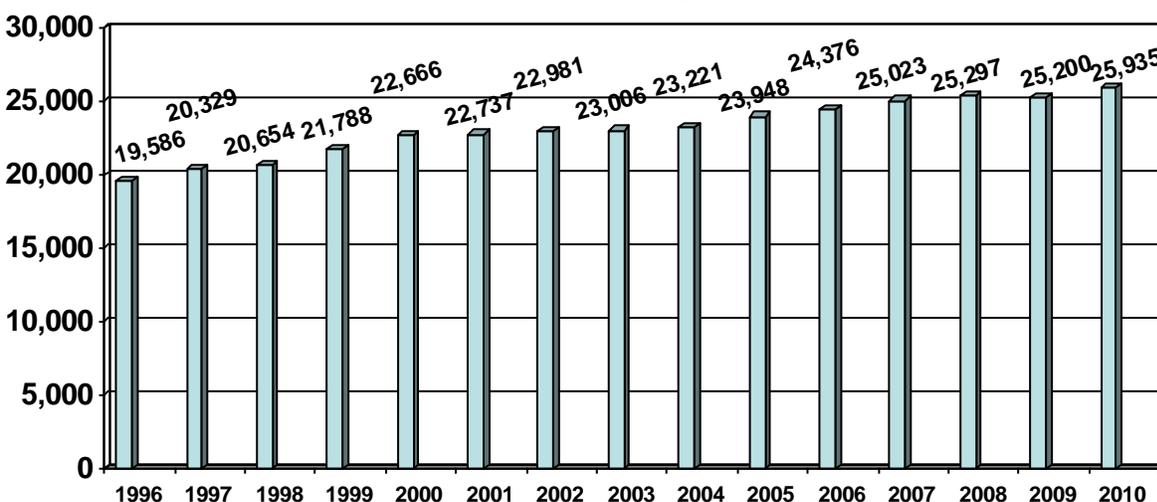
After the minimum period is served, the offender may be offered parole, which is an option to serve the remaining sentence outside of prison, under the supervision of a parole officer, generally employed by the state corrections agency. As part of a parole program, some offenders will live in a community-based residential program or a residential reentry center before returning home but others will return immediately to the community. These community-based residential settings offer a step-down from state or federal prison and provide an opportunity to receive treatment, enter a work release program, facilitate family reunification, and other reentry oriented activities. They also serve as “halfway back” options and provide graduated sanctions for probation and parole violators.

INCARCERATION RATES

Consistent with prison growth in nearly every state, the prison population in Oklahoma has increased every year until 2007 when the prison population generally leveled off. Historically, one of the reasons for the increasing prison population is due to certain offenders that are required to serve 85% of their sentences. This is a result of a 1996 killing spree by an offender who was on an early release program. Lawmakers subsequently passed laws that forced certain offenders to serve at least 85% of their sentences. Given this change, time served for violent offenders is increasing.

DEPARTMENT OF CORRECTIONS

Actual Inmate Population



SUBSTANCE ABUSE TREATMENT FOR INCARCERATED OFFENDERS

One of the core components of the Department of Corrections is providing appropriate services to offenders in custody in order to reduce recidivism. One of those services is drug and alcohol treatment. According to the Oklahoma Department of Corrections (DOC), there were 25,935 offenders in custody in 2010. Of those, 12,146 were identified as having a need for substance abuse treatment. This represents nearly 50% of the total number of incarcerated offenders. With the significant reduction in federal funding of the Residential Substance Abuse Treatment (RSAT) grant, there is a need for continued or increased funding under the JAG Program.

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. Treatment while the offender is incarcerated is the best option.

Recidivism information for treated versus untreated offenders conducted by the DOC has provided very clear data which indicates the efficacy of treatment. The DOC has compared offenders with a treatment need that did not receive treatment, with offenders that did receive treatment. **Based on recent survival analysis studies performed by the Evaluation and Analysis Unit, it was found that offenders who completed an approved substance abuse treatment program**

reduced the chances of returning to prison by 20% compared to a matched sample of offenders who did not complete the program.

These findings are statistically significant and demonstrate that effective programming can reduce recidivism rates. Overall, the recidivism rate in FY 2010 for offenders released 36 months earlier was 23.4%. This survival analysis compares the percentage of offenders who have not returned to custody of the Oklahoma Department of Corrections within 36 months to a control group of released offenders who did not receive treatment.

Program Impact on Returning Offenders FY 2002 to FY 2007			
Treatment Group	Return Rate for Treatment Group	Return Rate for Matched Sample	Percent Difference
Male - Substance Abuse Treatment Graduates	18.51	33.14	14.63
Female - Substance Abuse Treatment Graduates	13.51	26.30	12.79
Female -Adult Basic Education Graduates	2.21	20.22	18.01
Male - Adult Basic Education Graduates	10.12	32.59	22.47
Female - Literacy Graduates	8.84	22.15	13.31
Male - Literacy Graduates	10.21	31.89	20.65

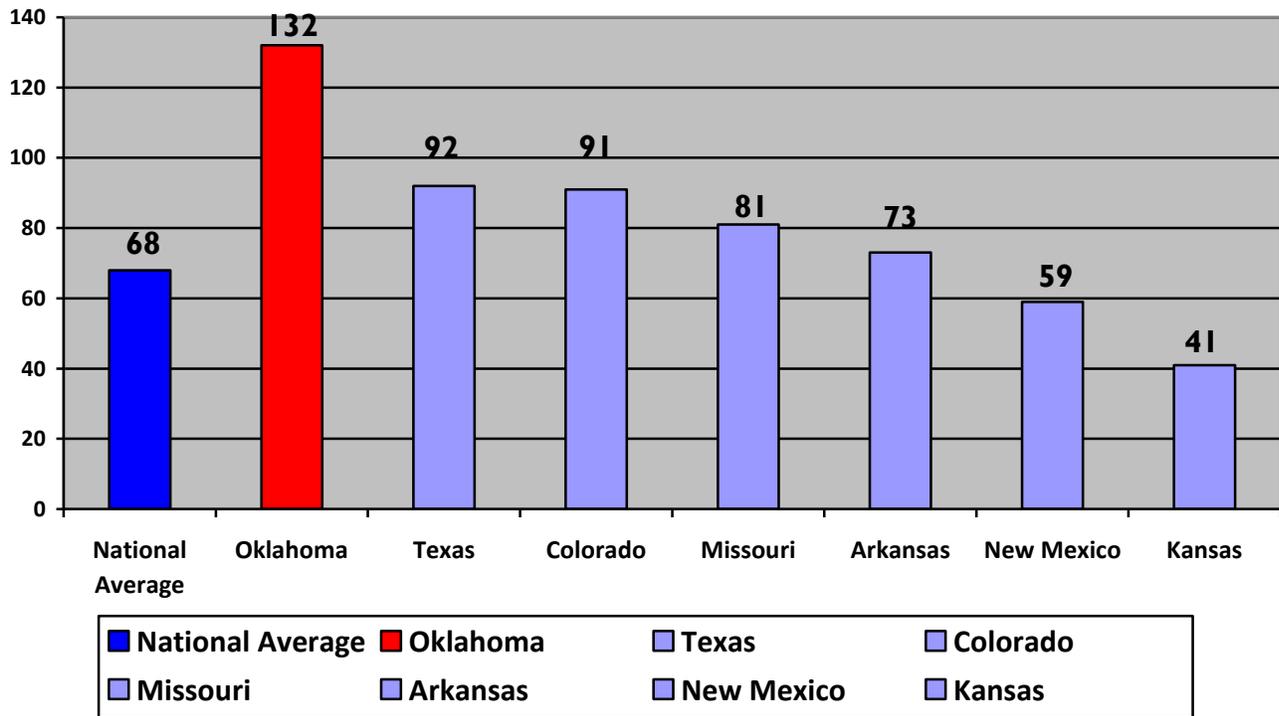
FEMALE DIVERSION PROGRAM

Oklahoma incarcerates women at a rate almost double that of the national average. Out of every 100,000 people, Oklahoma incarcerates 132 women. The national average is 68. Additionally, Oklahoma surpasses all nearby states in female incarceration rates.

A large number of the women incarcerated are low-risk, non-violent offenders with short sentences. This is a huge financial burden on the Oklahoma Department of Correction's resources. DOC's Division of Female Offender Operations advocates for evidence-based strategies that can be implemented to not only maintain accountability for offenders, but also protect public safety and improve outcomes for future generations.

In order to develop strategies to reduce incarceration and recidivism rates requires an understanding of female offenders. Women share common situations that lead to incarceration, like family dysfunction and instability, trauma and violence, substance abuse and addiction, economic issues, relationships, and mental health issues.

Female Incarceration Rates - Contiguous States Mid-Year 2009



Over 61% of women within the DOC system in Oklahoma reported that they came from homes with divorced parents. The same percentage reported that they were reared by someone in their home with an alcohol and/or drug problems were reported in 46.8% of their childhood homes. Over 47% reported mental health issues in the home and 50% reported that they ran away from home before they turned 18.

Trauma and Violence in Childhood	
Child Physical and/or Sexual Abuse	66.4%
Father Violent in the Home	42.9%
Mother Violent in the Home	28.6%
Trauma and Violence in Adulthood	
Domestic Violence	71.1%
Rape Past the Age of 18	36.2%
Received Abuse Counseling	39.5%

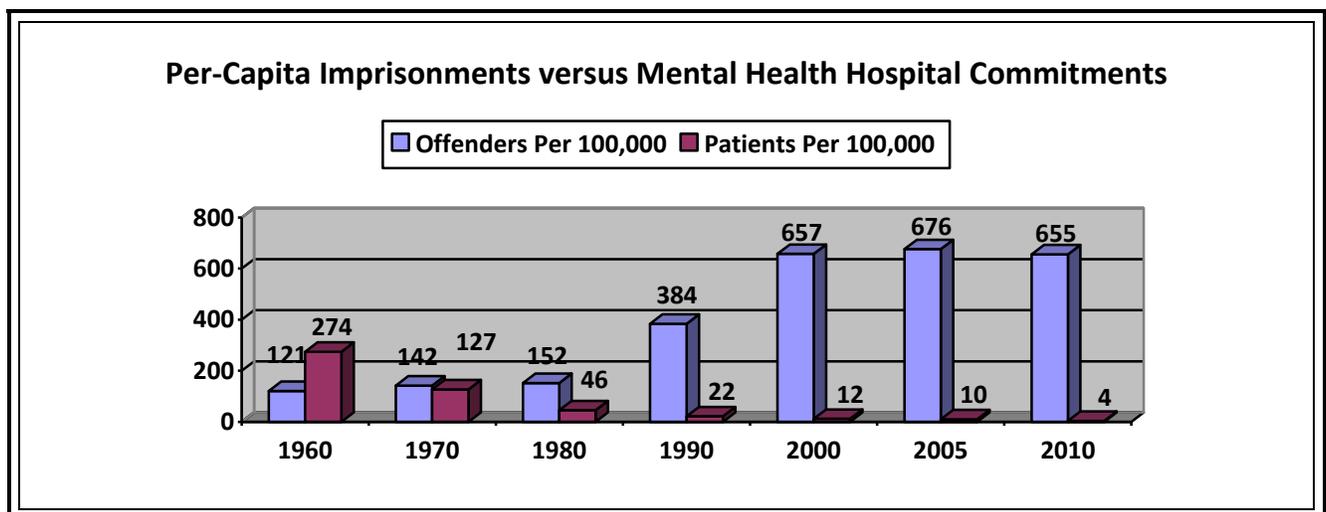
Black and Native American women are disproportionately represented in the prison system in Oklahoma. Black women make up only 7.7% of the population in Oklahoma, but they make up 23.4% of the prison population. Native American women represent 7.7% of the overall population in Oklahoma, but they comprise 13% of the prison population.

The vast majority of female offenders in Oklahoma are imprisoned for non-violent offenses. Of the 1,393 women received into custody in 2010, 1,081 of them were identified as a minimal threat to the public. Almost 25% of the women received into custody were incarcerated for either possessing or obtaining drugs.

In 2010, JAG funds were awarded to DOC to start the Female Offender Diversion Program. It is designed to target female offenders with multiple needs and varying degrees of involvement in the criminal justice system. Offenders may be assigned to a caseload supervised by probation and parole officers that include those who are moderate to high-risk and given a term of probation in lieu of incarceration; those who have been noncompliant with their community supervision but do not pose a threat to the community; and, those who have been court-ordered to the Female Diversion Program either as a delayed sentence or sentenced to participate in the program as part of their probation requirements. The program provides funding for substance abuse treatment, mental health treatment, and domestic violence counseling and education. As of December 2011, there were 141 women participating in the program in Oklahoma County and Tulsa County. To date, 48 women have successfully completed the program and graduated.

MENTAL HEALTH ISSUES AMONG INCARCERATED OFFENDERS

The closure of state mental health hospital beds continues to impact the increasing number and percentage of offenders with serious mental illness who enter the state prisons. One indicator of this increase is the fact that the number of offenders incarcerated in DOC increased 20% from FY1998 to FY2010, while the number of incarcerated offenders requiring psychotropic medications increased **292%**. Approximately 6,500 of the 25,949 incarcerated offenders in FY 2010 have been diagnosed with a serious mental health problem and approximately 5,000 require and consent to psychotropic medications. The chart below is another dramatic picture of the fact that significant decreases in the rate of citizens committed to state mental health hospitals occurred at the same time the incarceration rate significantly increased.



PURPOSE AREA FIVE: DRUG TREATMENT PROGRAMS

Overview

Addiction to alcohol or other drugs is a devastating public health problem that has a unique and substantial impact on the nation's criminal justice system. According to a report from the National Criminal Justice Association (NCJA), substance abuse is particularly prominent in the criminal justice system. The Bureau of Justice Statistics reports that over 64 percent (64%) of federal prisoners and nearly 70 percent (70%) of state prisoners regularly used and abused substances prior to their incarceration. Research from the National Institute of Drug Abuse (NIDA) further demonstrates that far too few offenders receive appropriate substance abuse treatment and prevention services. Overall, drug-related crime costs the United States approximately \$107 billion annually.

Research indicates that prevention and treatment services for offenders who are substance abusers are effective in stopping use, thereby increasing public safety and reducing recidivism. Treatment for addiction can be integrated into the criminal justice system in a number of effective ways, including treatment as a condition of probation or through drug courts, which save money in the long-run.

DRUG AND ALCOHOL USE IN OKLAHOMA

While all types of illegal drugs are available and abused in Oklahoma, certain drugs, such as methamphetamine, cocaine, and marijuana represents the predominant illegal drug problem. General drug usage in Oklahoma has been documented through a number of sources including a State Estimates of Substance Use from the 2007-2008 National Surveys on Drug Use and Health that identified about 8% of Oklahoma residents aged 12 years and older abused an illicit drug at least once a month prior to the survey.

Marijuana

According to statistics, marijuana is the most available drug. Marijuana has historically been a locally grown crop in Oklahoma. Unfortunately, the importation of marijuana from Mexico by Mexican drug trafficking organizations and cartels in combination with a number of other illegal drugs has added to the supply from local distributors. Because of the state's central location to other major metropolitan cities in all directions, Oklahoma is often a transshipment point. Other criminal groups are also involved in the retail distribution of marijuana, such as gangs, criminal groups, motorcycle gangs, and independent dealers.

The Substance Abuse and Mental Health Service Administration (SAMHSA) through the Treatment Episode Data Set (TEDS) found that the admissions to publicly funded treatment units for marijuana have remained fairly stable from 2001 to 2005. Since 2005, the number of admissions for marijuana was at a six-year low of 2,755 admissions but has steadily increased through 2009.

Year	Marijuana Admissions	Percentage of Increase or Decrease
2001	2,832	---
2002	3,005	6.1%
2003	2,878	-4.2%
2004	2,931	1.8%
2005	2,755	-6.0%
2006	2,900	5.2%
2007	3,227	11.2%
2008	3,557	10.2%
2009	3,675	3.3%

Methamphetamine

Methamphetamine, or methamphetamine-related violations and arrests by the DVCTF/DTFs were by far the highest number of violations, doubling the number of arrests for marijuana violations in Oklahoma. While the threat of methamphetamine has changed significantly since 1994, it continues to be a considerable problem due primarily to the increased production and distribution by Mexican drug trafficking organizations and the new “one pot” cooking method.

From 1994 to 2002, the number of meth labs increased from 10 to over 1,254 in Oklahoma, a 124.4% increase. At epidemic levels, law enforcement realized that something had to be done to change the tide. A two-day interim study in the House of Representatives was held in which law enforcement, prosecutors, and mental health professionals came together to address the meth lab problem in the state and identify serious solutions to what had become an out-of-control problem in Oklahoma. House Bill 2176 unanimously passed both the Oklahoma House and Senate and was signed into law by Governor Brad Henry in April 2004.

The bill is also known as the “Nik Green, Rocky Eales, and Matthew Evans Act”, named after three Oklahoma Highway Patrol Troopers killed in the line of duty during meth-related cases. The bill made pseudoephedrine tablets a Schedule V controlled substance requiring photo identification and signature prior to sale at a licensed Oklahoma pharmacy. Gel caps, liquid caps, and liquid preparations are exempt from this law. The law requires that pharmacies ensure clients may not exceed the limit of 9 grams in a 30-day period without a prescription.

Following the passage of the legislation in 2004, there was a significant drop in the number of meth labs seized. In 2005, the number of meth labs seized decreased to 334 labs. In 2006, there were 174 lab seizures and only 148 in 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.

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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.

According to the OBN, Mexican drug trafficking organizations and Mexican criminal groups use Oklahoma’s transportation infrastructure to transport methamphetamine, powdered cocaine, marijuana, and heroin. The close proximity of Oklahoma to the Mexican border, as well as the centrality of Oklahoma to the rest of the United States, significantly contributes to the highway transportation of drugs into and through the state. Other criminal groups, such as street gangs, independent dealers, and outlaw motorcycle gangs also distribute illicit drugs in Oklahoma. However, these groups are not operating at the sophisticated level of Mexican trafficking organizations.



A trend that is emerging with the importation of meth from Mexico is Ice. Ice is meth which has been transformed into a more pure form. It is colorless and odorless and is reported to be the product of choice among users due to the purity and the quality. Like crack cocaine, Ice is smoked to produce a euphoric high. In comparison, a puff of crack cocaine impacts its user for approximately 20 minutes, but the high from smoking Ice lasts for 12 to 24 hours. Because it is odorless, it can be smoked in public virtually without detection. In a solid form, the drug resembles rock candy or a chip of ice. When lighted in a glass pipe, the crystals turn to liquid and produce a potent vapor that directly enters the bloodstream through the lungs. Ice reverts to a solid state when cooled, making it reusable and highly transportable.

The Substance Abuse and Mental Health Service Administration (SAMHSA) reported that in 1993 Oklahoma had 92 methamphetamine addiction admissions to publicly-funded treatment units. Interestingly in 2005, the number of admissions for meth addiction was 4,055. With the number of seized meth labs decreasing one might expect the number of admissions to also decrease due to the lack of availability. However, there has been a steady increase in the number of admissions for methamphetamine addiction. The supply for these addicts is likely the Ice that is being imported into the state. The National Institute on Drug Abuse (NIDA) reports that smoking meth or Ice may result in more rapid addiction than snorting or injection because smoking causes a nearly instantaneous, intense, and longer lasting high.

Year	Methamphetamine Admissions	Percentage of Increase or Decrease
2001	3,231	---
2002	3,442	6.5%
2003	3,445	0
2004	3,876	12.5%
2005	4,055	4.6%
2006	3,728	-9.2%
2007	3,365	-9.0%
2008	2,687	-8.0%
2009	2,965	1.0%

According to researchers, the need for methamphetamine addiction treatment is critical. Generally, the treatment for meth addiction is not different from that provided to other stimulant addicted individuals; however, the treatment needs to be longer than is typical. Research indicates that the long-term impact of meth on brain function and behavior suggests that longer treatment may be necessary.

Crack and Powder Cocaine

Cocaine is powerful stimulant acting directly on the limbic system, the brain's pleasure center. Cocaine creates a short-lived, but intense, state of euphoria and hyperactivity. Crack cocaine is a highly-addictive crystalline powder produced from cocaine.

Cocaine and crack cocaine are generally not produced in the state but transported by Mexican drug trafficking organizations. However, independent dealers, as well as African American and Hispanic Street gangs, are also involved in the distribution of cocaine. Generally, cocaine is shipped into or through the state via private and rental vehicles.

After the powdered cocaine is transported, it can be changed to crack cocaine through a conversion process. This conversion process converts the cocaine back to a relatively pure base state suitable for smoking. This method of preparation does not involve the use of heated volatile substances and consequently eliminates the dangers of fire and explosion that can occur in conventional freebasing. After conversion, the product is sold in ready-to-smoke powder. According to the National Institute on Drug Abuse, the euphoric effect produced by smoking crack cocaine is far more intense than if ingested through snorting, and is at least equal to, if not greater than, the effect obtained through injection.

From 2000 to 2004, the Substance Abuse and Mental Health Service Administration (SAMHSA) through the Treatment Episode Data Set (TEDS) determined that the admission to publicly funded treatment units for cocaine addiction was increasing. In 2005, the number decreased to just over 2,000 admissions which reflected a 4% reduction. Since that time, admissions have steadily declined.

Year	Cocaine Admissions	Percentage of Increase or Decrease
2000	1,345	---
2001	1,654	18.7%
2002	1,751	5.5%
2003	1,711	-2.3%
2004	2,146	20.3%
2005	2,057	-4.3%
2006	1,837	-11.9%
2007	1,727	-6.3%
2008	1,525	-13.2%
2009	1,126	-35.4%

Heroin

The users of heroin have typically been a small group of users and have been less of a threat because they are low-profile and are not as problematic to law enforcement as other drug users. Mexican drug trafficking organizations are primarily responsible for the heroin distribution in Oklahoma. Heroin consists of the leaves, stalk, and other products contained in the opium poppy. Because heroin must be broken down from its pure state, it is not uncommon to find such things as baking soda, laundry starch, drain cleaner, and powdered rat poison mixed in.

From 2000 to 2009, the Substance Abuse and Mental Health Service Administration (SAMHSA) through the Treatment Episode Data Set (TEDS) stated that the admission to publicly funded treatment units for heroin addiction has continually fluctuated. In 2006, the number decreased to 85, the lowest number in 10 years, but peaked in 2009 with 246 admissions.

Year	Heroin Admissions	Percentage of Increase or Decrease
2000	139	---
2001	182	30.9%
2002	134	-35.8%
2003	154	14.9%
2004	135	-12.3%
2005	93	-31.1%
2006	85	-9.4%
2007	118	72%
2008	199	59.2%
2009	246	80.8%

DIVERTED PHARMACEUTICALS

Another trend of increasing concern is diverted pharmaceutical drugs. Although pharmaceutical diversion has not received as much attention and publicity as the abuse of other drugs, it is a substantial and growing problem. The most common methods of diversion of pharmaceutical controlled substances is the illegal and indiscriminate prescribing of controlled substances, “doctor shopping” by offenders who obtain prescriptions for the same pharmaceuticals from several physicians, forged prescriptions, pharmacy theft, and obtaining controlled substances for personal use by health care professionals by way of fraud.

The most commonly diverted pharmaceuticals in Oklahoma are oxycodone, commonly prescribed as OxyContin, Percodan, Percocet, Alprazolam (commonly prescribed as Xanax), Tylox, and hydrocodone, (commonly prescribed as Lortab, Loricet, and Vicodin).

The Oklahoma Prescription Monitoring Program (PMP) was enacted into law and was designed to deter the abuse of prescription drugs. The statute requires all dispensers of Schedule II, III, IV, and V controlled substances to submit prescription information to the Oklahoma Bureau of Narcotics and Dangerous Drugs Control (OBNDDC) within 30 days of the time that the controlled substance is dispensed. In the 1990’s OBNDDC was the first in the nation to electronically track Schedule II prescription drugs through the OSTAR Program, Oklahoma Schedule II Abuse Reduction Program.

OBNDDC has redesigned the OSTAR Program to increase functionality and provide limited secure access to authorized law enforcement regulatory and licensing agencies, pharmacies, and practitioners throughout the state. The new system will provide continuity between practitioners, pharmacies, and state law enforcement to help prevent prescription fraud in Oklahoma.

DRUG AND ALCOHOL ABUSE IN YOUTH

The Centers for Disease Control and Prevention (CDC) collects information on health-risk behaviors contributing to the leading causes of death, illness, disability, and social problems among youth and adults in the United States. One of the mechanisms for the collection of this data is through the Youth Risk Behavior Survey (YRBS), a self-reported surveillance method. In 2009, a total of 1,413 students in 9th through 12th grade participated in the survey. The results of the 2009 YRBS were sufficient to permit the results to be generalized to the entire Oklahoma public high school population.

The following results highlight the prevalence of risk behaviors related to alcohol and drug use reported by Oklahoma high school students:

- Nearly 72% of students had at least one drink of alcohol on one or more days during their life. This was a statistically significant decrease from 78.6% in 2003.
- Almost 20% of students had their first drink of alcohol, other than a few sips, before age 13 years. This was a statistically significant decrease from 26.8% in 2003.
- Thirty-nine percent (39%) of students had at least one drink of alcohol on one or more of the 30 days before the survey. This was a statistically significant decrease from 47.8% in 2003.

- Twenty-four percent (24%) of students had five or more drinks of alcohol in a row, that is, within a couple of hours, on one or more of the 30 days before the survey. This was a statistically significant decrease from 34.0% in 2003.
- Almost 32% of students used marijuana one or more times during their life. This was a statistically significant decrease from 42.5% in 2003.
- Seven percent (7%) of students had tried marijuana for the first time before age 13 years. This was a statistically significant decrease from 11.1% in 2003.
- Seventeen percent (17%) of students used marijuana one or more times during the 30 days before the survey. This was a statistically significant decrease from 22.0% in 2003.
- Nearly 13% of students had sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high one or more times during their life.
- Just about five percent (4.8%) of students used methamphetamines one or more times during their life. This was a statistically significant decrease from 9.9% in 2003.
- Slightly more than 8% of students used ecstasy one or more times during their life.
- Almost 17% of students were offered, sold, or given an illegal drug by someone on school property during the 12 months before the survey. This was a statistically significant decrease from 22.2% in 2003.

PURPOSE AREA SIX: PLANNING, EVALUATION AND TECHNOLOGY IMPROVEMENT PROGRAMS

Overview

In a report from the National Criminal Justice Association, technology plays an increasingly significant role throughout the criminal justice system, especially in the areas of criminal history integration, monitoring of criminals, and forensic science. Data communication provides real time coordination of public safety activities and delivers information to law enforcement officers and other criminal justice professionals in the field. Surveillance technology opens new possibilities for the detection of crime and the monitoring of criminal offenders. Forensic science has become an expected standard for law enforcement investigations as well as the prosecution of offenders.

CRIMINAL HISTORY INTEGRATION

It is a given that individual criminal justice agencies must collect and maintain electronic criminal history data but it is equally imperative that this information be shared among the many municipal, state, tribal, and federal agencies that share the responsibility for public safety. At every stage of the criminal justice system from the point of arrest through sentencing and disposition, there is a need to access and share criminal history information. For example, law enforcement must quickly and accurately establish the identity of someone who has been detained in order to determine if that person is wanted on other charges, represents a danger to the officer or the public, is currently on

probation, or a myriad of other factors that might contribute to the outcome of the encounter. Prosecutors must have accurate information in order to make charging decisions. Judges must determine bail, disposition, and sentencing, and correctional officers need information to evaluate and classify those that have been convicted and sentenced to serve time for their crimes. Throughout the criminal justice system, information obtained by individual agencies needs to be shared and integrated with the other agencies.

In a report issued by the U.S. Department of Justice, Bureau of Justice Assistance, integration is defined “as the electronic sharing of information by two or more distinct justice entities within a system.” The objectives of integration are to: 1) improve public safety; 2) eliminate duplicate data entry or data entry errors; 3) access critical information at key decision points; 4) provide timely sharing of complete, timely, and accurate data; 5) maximize resources; 6) improve retrieval response time; and 7) to improve operational effectiveness of existing systems.

Professionals within the criminal justice system recognize the importance of continuing to expand the sharing capabilities of criminal history records among justice and public safety entities as well as other governmental agencies.

*However, integration among criminal justice agencies is **not** an easy task. Integration does not occur with a simple push of a button. There is no established product or service that can be purchased to make integration occur easily.*

However, integration among criminal justice agencies is **not** an easy task and does not occur with a simple push of a button. There is no established product or service that can be purchased to make integration occur easily. There are significant differences among the diverse agencies involved in the business of criminal justice. The computer systems of the numerous municipal, state, and federal agencies vary from simplistic to complex systems, old to current and up-to-date systems. In order to continue toward the goal of integration, it is important to identify needs, prioritize projects, establish a plan, and link systems to enable them to communicate at various critical exchange points. This process allows the individual criminal justice agency to maintain their own data security and determine which data items are shared electronically, as well as with whom and when.

Oklahoma is now, more than ever, focused on developing an integrated justice information system environment. An increasing emphasis has been placed on the integration of data between and among agencies. It is recognized that the lack of access to criminal history records information, the untimely reporting of disposition data, and the lack of complete criminal history records only serves to negatively impact public safety as well as public safety professionals. Today, the technology currently exists to eliminate these gaps.

In 2012, the Criminal Justice Information Sharing (CJIS) Task Force, a subcommittee of the JAG Board, will finalize a Criminal History Information Improvement Plan. The mission of the CJIS Task Force is to improve public safety and the criminal justice system by providing continued leadership and guidance in the evolving efforts to collect, disseminate, and integrate accurate, timely, and complete criminal history and sex offender records in Oklahoma.

The CJIS Task Force has identified the following goals and objectives.

Goals	High Priority	Moderate Priority	Low Priority
1. Support the Administrative Office of the Courts case management consolidation initiative, which will improve the reporting of disposition data and establish interface exchanges.	X		
2. Improve arrest record automation and fingerprint data submissions, including the collection of missing disposition records and ensuring that Sheriff's Offices throughout the state have a Livescan, which electronically reports to the repository.	X		
3. Establish a statewide system for domestic violence protective orders.		X	
4. Establish a statewide system for district court and municipal warrants.		X	
5. Increase participation in the National Instant Criminal Background Check System (NICS) reporting by passing state legislation which enables mental health records to be reported to NICS.	X		
6. Update and enhance the adult and juvenile sex offender registries.	X		
7. Formalize the process and utilization of the Methamphetamine Registry.		X	
8. Continue to identify and implement data exchanges between criminal justice agencies, including the current exchanges identified by the Administrative Office of the Courts.	X		
9. Improve disposition records at the repository by automating the reporting of Oklahoma County criminal history data.		X	
10. Improve the validation processes by Sheriff's Offices and Police Departments for the reporting of statewide warrants in NCIC.	X		
11. Improve the validation processes by Sheriff's Offices and Police Departments for the reporting of domestic violence protective orders in NCIC.	X		
12. Reduce delays in processing traffic citations.			X
13. Expand the interface between the Department of Corrections and the Oklahoma Bureau of Narcotics on the Prescription Drug Monitoring Program.		X	

FORENSIC SCIENCE AND TOXICOLOGY MEDICAL EXAMINER SERVICES

Similar to the CJIS Task Force, the Forensic Science Task Force is also a subcommittee of the JAG Board. The Forensic Science Task Force developed a *State Plan for the Improvement of Forensic Science and Toxicology Medical Examiner Services* in 2010. The purpose of the Plan is to improve the quality and timeliness of forensic sciences and toxicology examiner services for the criminal justice system in Oklahoma and to reduce the backlog of forensic science cases. The original plan was developed in 2002. It was updated in 2006 and again in 2010.

In forensic science, there are a number of different disciplines. These include: 1) Biology; 2) Controlled Substances; 3) Latent Prints; 4) Toxicology; 5) Firearms and Tool Marks; 6) Questioned Documents; 7) Trace Evidence; and, 8) Digital and Multimedia Evidence.

Currently, there are eight (8) forensic labs operating within the state that are accredited for specific disciplines. The Oklahoma State Bureau of Investigation (OSBI) has five (5) labs involving multiple disciplines operating regionally throughout the state. These labs are located in Edmond, Lawton, Enid, Tahlequah, and McAlester. In addition, the Oklahoma City Police Department and the Tulsa Police Department, the two major metropolitan jurisdictions in the state, have multiple discipline forensic labs.

Several law enforcement agencies throughout the state operate Latent Print and/or Marijuana Identification labs. However, only the Broken Arrow Police Department is nationally accredited by the American Society of Crime Lab Directors/Laboratory Accreditation Board (ASCLD/LAB).

The Office of the Chief Medical Examiner has the sole responsibility for investigating sudden, unexpected, and suspicious deaths. This process involves scene investigation and medicolegal autopsy (including radiology, toxicology, histology, and microbiology), complementing the activities of law enforcement agencies, district attorneys, and public health officials. The OCME is accredited by the American Board of Forensic Toxicology (ABFT).

The following chart identifies the accredited labs and the specific discipline for which they are accredited.

AGENCY	Biology	Controlled Substances	Firearms/ Tool Marks	Latent Prints	Questioned Documents	Toxicology	Trace Evidence	Digital and Multimedia Evidence
Broken Arrow Police Department				X				X
Office of the Chief Medical Examiner						X		
Oklahoma City Police Department	X	X	X	X		X		
Oklahoma State Bureau of Investigation	X	X	X	X		X	X	
Tulsa Police Department	X	X	X	X	X	X	X	

On May 22, 2002, the Forensic Laboratory Accreditation Act, O.S. 74 § 150.37, was passed which required all forensic labs, except latent print labs, in Oklahoma to become accredited by the American Society of Crime Lab Directors/Laboratory Accreditation Board (ASCLD/LAB) or the American Board of Forensic Toxicologists (ABFT) by July 1, 2005. In 2011, this statute was amended to require accreditation of latent print labs. In addition, this statute amended the requirement of being accredited by ASCLD/LAB to an accrediting body.

The statute further identifies that testimony, results, reports, or evidence of forensic analysis produced on behalf of the prosecution in a criminal trial shall be done by an accredited forensic laboratory.

The requirements for peer review systems and proficiency testing are not applicable to the following:

- breath testing for alcohol;
- field testing, crime scene processing, crime scene evidence collection, searches, examinations, or enhancements of digital evidence, and crime scene reconstruction;
- latent print identification performed by an International Association for Identification (IAI) certified latent print examiner;
- marijuana identification using methods generally accepted in the forensic field that are approved by a forensic laboratory accredited by ASCLD/LAB in controlled substances; and,
- laboratories that exclusively and solely perform forensic toxicology analysis. Such labs shall have a peer review system sufficient to meet or exceed either ASCLD/LAB or the American Board of Forensic Toxicology accreditation standards.

The standard of accreditation is viewed as a positive measure, as it encourages uniform criteria, standards, and operational practices for forensic labs throughout the state.

Oklahoma is only one of four states in the nation, along with Texas, Maryland, and New York, to require forensic labs to be accredited. As such, each of the forensic labs achieved the following standards in order to become ASCLD/LAB accredited:

1. Self-evaluation by applicant laboratory;
2. Application and supporting documents filed by applicant laboratory;
3. On-site inspection by a team of trained inspectors;
4. Inspection report considered by ASCLD/Laboratory Accreditation Board;
5. One year to remedy deficiencies before final decision by the Board, if required;
6. Accreditation review completed by the laboratory annually; and,
7. Full re-inspection required every five years.

Accreditation is one part of a laboratory's quality assurance program which should also include peer review, proficiency testing, continuing education, and other programs to help the laboratory provide better overall service to the criminal justice system. Further, it should be

noted that in 2010 and 2011 many of the ASCLD/LAB Legacy accredited labs in Oklahoma were reaccredited under the International accreditation program. The International program was designed to enable labs throughout the world to operate under the same accreditation standards. This program introduces more customer-focused standards, increased application fees and inspection costs, and is much more stringent than the current Legacy program.

The 2010 State Plan for the Improvement of Forensic Science and Toxicology Medical Examiner Services identifies several areas of financial need. These are:

- 1) Maintaining Accreditation
- 2) Maintaining Equipment and Instrumentation
- 3) Ensuring Continuing Education and Training for Personnel

Maintaining Accreditation

To meet the requirements of accreditation, it is often necessary for agencies to create new positions or to modify the responsibilities of existing personnel. These new roles include those of Quality Assurance Manager, Safety Manager, and Quality Control Manager. The additional tasks associated with these roles add burdens to already overworked employees and can increase personnel costs for agencies. Additionally, to meet the accreditation standards, instrumentation inventories must be developed; continuing education documents for employees must be kept; facilities must be maintained; and technical and quality manuals must be current. Therefore, once accreditation is attained, the laboratory must continue to focus efforts and expend resources on maintaining it.

It is important to note that while the result improves the quality of the forensic science services, it can also contribute to the backlog of cases. The new responsibilities must be balanced with the analysis of forensic evidence, which can be difficult. The agencies are finding that being accredited requires forensic lab staff to complete significantly more paperwork as a result of the added processes and procedures, while staffing levels remain the same and caseloads are continuing to increase.

In addition to these requirements, there are also financial costs associated with accreditation that the forensic lab must bear. The annual fees for accreditation, for example, can range from \$4,500 to \$11,000. There are also on-site inspection costs which are anticipated to be approximately \$30,000 for the OSBI alone in 2011.

Maintaining Equipment and Instrumentation

The procurement and maintenance of equipment is an extremely critical factor for a forensic lab and is an ongoing expenditure in the budget. The intricate equipment used in forensic science analysis must be maintained to ensure accurate results and often improve the timeliness of the forensic science services. There is also a frequent need for equipment to be upgraded. As with any field involving technology, forensic science technology is rapidly changing and improving. Equipment in a forensic lab is becoming more automated, requiring fewer routine procedures by forensic analysts. This not only improves the timeliness of services, it can reduce case backlog and the possibility of human error.

Best practices for a forensic lab suggest the establishment of an Instrumentation Plan. The Instrumentation Plan identifies the date of purchase of the equipment, the projected period of time

for usability for the specified equipment based on rate of usage and manufacturer's recommendations, and the timeline for replacement and/or updating the equipment.

A major challenge facing all forensic labs is that equipment for any forensic science discipline is costly, not only to purchase, but also to maintain. The price of equipment can range anywhere from \$2,000 to \$300,000. For example, a comparison microscope used in ballistics costs approximately \$60,000, and the price of a Gas Chromatograph – Mass Spectrometer (GC-MS) varies between \$120,000 and \$145,000. A scanning electron with an energy dispersive microscope spectrometer which can magnify up to 500,000 times and is used to analyze gunshot residue, may cost up to \$300,000. In addition to the cost of the equipment are the required maintenance contracts. Generally, maintenance contracts on equipment cost at least ten percent (10%) of the original cost of the equipment. The accredited forensic labs have maintenance costs on the equipment which run from a minimum of \$8,000 to \$300,000 for a larger facility.

Although this forensic laboratory equipment is extremely expensive, it is critical for labs to consider securing instrumentation, computer equipment, and software that allows for faster analyses. To illustrate, an older generation of a GC-MS, often referred to as the workhorse of a forensic lab, required a sample injection by the analyst; therefore, the instrument would only process samples while the analyst was present. However, a newer model with an auto sampler will process up to 100 samples during one set up. Using the newer model, the analysts' hands-on time is greatly reduced. This allows samples to be analyzed day or night, thus reducing the backlog and the time it takes to get results. Old or slower equipment that may still be in use can create backlogs in a department with large caseloads.

In addition to replacing antiquated equipment, there is the issue of planned termination of support by the manufacturer that labs must manage. Once the manufacturer's support ends, repair of the instrumentation may not be possible at all (in the event that the manufacturer no longer carries the parts necessary to make the repairs) or the repair could be so costly that it is cost prohibitive for the lab. Manufacturers only support old equipment for a finite period of time and after that time the equipment is no longer usable. At the end of a service life of an instrument, labs must purchase a newer model. The acquisition of a newer model can sometimes require software upgrades as well.

There are instances where some equipment can only be run by specific software which is located on an aging computer. The equipment may be still viable but the software is outdated and is no longer compatible with newer computer systems.

In other instances, when aging equipment is still used, it can be difficult, if not impossible to locate a replacement part when one is needed or to identify trained personnel who are able to work on the aging equipment. Finally, maintenance contracts typically do not support older equipment; therefore, any costs required to perform the work must be covered in full by the lab.

The inability to update or purchase equipment due to a lack of funds significantly impacts a lab's ability to process cases. Labs are faced with the dilemma of securing new funding or of cutting funds needed for other services and programs in order to update/maintain instrumentation. As evidence of the high costs associated with maintaining instrumentation, by 2011, the majority of instruments used by the OSBI's Drug and Toxicology disciplines will no longer be supported by the manufacturer. These instruments must be replaced, and it is estimated that it will cost \$1,300,770.30 to do so (based on current costs).

Ensuring Continuing Education and Training for Personnel

Under ASCLD/LAB accreditation standards, a stringent Training Plan for each forensic discipline is required. Accredited labs must maintain specific levels of training for all staff. This is especially true in the DNA discipline. Because of the rapid changes that continue to occur in this discipline, DNA analysts are federally required to receive a minimum of eight (8) hours of training each year.

The acceptable venues for training are limited and are often not available within Oklahoma. Because of this, analysts are required to travel out-of-state to obtain continuing education. Additionally, the cost to attend this training can be considerable with registration fees generally ranging from \$50 to \$1300 per analyst, which places an ongoing financial burden on the laboratory. Funding for training is often reduced or eliminated when budgets are tight; although training is still required in order to maintain accreditation.

PURPOSE AREA SEVEN: CRIME VICTIM AND WITNESS PROGRAMS (OTHER THAN COMPENSATION)

Overview

The idea of victim support services is relatively new in the criminal justice system. The concept began in the 1960's. Early research and surveys identified that a significant number of crimes were not being reported to police because the victims simply did not trust the system. Slowly, the criminal justice system recognized the need to assist the direct crime victims that suffer physical or psychological injury or the dependents of a deceased crime victim. It wasn't until 2004 that the Justice for All Act gave victims of crime several rights, including the ability to be heard at every stage of prosecution.

Currently, the primary source of federal funding for victim services is provided through the Federal Compensation Fund, administered by Department of Justice, Office for Victims of Crime, which in 2010 had a balance of over \$5 billion from remittance of federal criminal fines, penalties, special assessments and donations. In Oklahoma, the state and federal funds are administered by the Victims Division at the District Attorneys Council. In addition, the Victims Division also administers the Sexual Assault Examination Fund which processes claims for sexual assault examinations in the state from hospitals and sexual assault nurse examiner (SANE) programs. In 2010, the Crime Victims Compensation Fund paid out \$5,114,052 in claims.

Victims of crime in Oklahoma are served through a number of agencies and organizations. The funding of such services is through the implementation of the Victims of Crime Assistance (VOCA) Grant. The VOCA Grant is also administered by the Victims Division at the District Attorneys Council. The VOCA Grant is funded by the U.S. Department of Justice, Office of Victims of Crime. Established in 1984 through federal legislation, the VOCA Grant is financed through fines and assessments on criminals at the federal level. No tax dollars go into the fund. Pursuant to federal requirements, priority for funding is given to applicants that serve victims of sexual assault, domestic violence, child abuse, and un-served/underserved victims. Federal regulations require that each of these service areas receive a minimum of 10% of the total grant funds.

In 2010, VOCA funds were awarded to 97 recipients across the state totaling \$4,308,044. These organizations that serve victims of violent crime in Oklahoma include: 1) thirty-one (31) Domestic

Violence shelters and Sexual Assault Programs; 2) twenty-three (23) Victim Witness Assistance Programs; 3) seventeen (17) child advocacy centers; 4) twenty (20) Court Appointed Special Advocate Programs; 5) three (3) law enforcement programs; 6) two (2) tribal programs; and, 7) an award to the Office of the Chief Medical Examiner.

According to the National Criminal Justice Association, some states use Byrne JAG funding to expand and supplement the support provided to victims through the Crime Victims Fund, primarily by funding initiatives such as anti-human trafficking task forces, prevention programs for the exploitation of seniors, support services to victims of domestic violence and families of homicide victims, fraud hotlines, cybercrime initiatives, witness protection programs, DNA and cold Case analysis, and crime information centers. Byrne JAG also funds youth and family services, youth mentoring, juvenile and adult diversion programs, care for victims with mental illnesses, counseling, and advocacy. Further, Byrne JAG-funded multi-jurisdictional task forces work collaboratively with victim and social service organizations to identify victims and convict the perpetrators.

CRIME VICTIMS

In 2010, the Oklahoma Statistical Analysis Center at the Oklahoma State Bureau of Investigation conducted the first statewide crime victimization survey. The purpose of the Oklahoma Crime Victimization Survey (OCVS) was to generate statewide crime estimates for Oklahoma. It is very similar to the National Crime Victimization Survey, which measures the amount and kinds of crime a household encounters during a six-month period preceding the interview. Respondents are surveyed twice a year each year for three years. Over 60,000 families participate in the survey and based on their responses, national rates are extrapolated. In Oklahoma, researchers also developed estimates based on a sample of the population. Estimates calculated from this survey were based on a sample of 200 adults. As a result of this survey, researchers gained a better understanding of Oklahomans' perceptions of crime and their opinions of the criminal justice system. In 2011, researchers plan to conduct another victimization survey with a sample of 1,000 adults. The most important statistic these surveys capture is the extent of crimes not reported to law enforcement and why victims don't report them.

The results of the Oklahoma survey indicated that twenty-four percent (24%) of the participants reported that they were a victim of at least one crime. Most crimes that occurred were reported to law enforcement; overall the victim filed a police report 50% of the time. According to respondents, an estimated 62% of violent and property crimes were reported to law enforcement in 2010, including 100% of motor vehicle thefts, 89% of burglaries, 54% of simple assaults, and 38% of larceny/thefts.

Additionally, highlights from the OCVS include:

- Over one-fourth of the 200 respondents think criminal justice funding should be directed at prevention and education.
- Thirty-five percent (35%) believe drugs and alcohol are most responsible for crime in their community.
- Oklahomans are satisfied with the efforts of law enforcement.
- Overall, Oklahomans feel safe in their community.

Respondents reported an estimated 96,000 violent crimes and 468,000 property crimes in 2010. This includes thousands of unreported incidents. It is also important to note that summary reporting in Oklahoma is organized where the most serious crimes committed during a single incident is reported for official statistics. Lessor counts are typically not recorded.

In 2010, 46.7% of all incidents in the state occurred in Oklahoma and Tulsa counties. Nearly half, 49.5%, of all incidents occurred in the summer. Almost all crimes occurred either near the victim's home or inside the home. Oklahomans list an estimated \$1 billion in stolen and damaged property in 2010. Victims in Oklahoma were predominantly married, white, non-Hispanic females, who were at least 40 years old. Almost 75% of the victims knew their perpetrators and 12.9% said they were at least casual acquaintances.

Victims cited several reasons for not reporting crimes to law enforcement. The most common reason was a belief that law enforcement would be inefficient or ineffective. Many reported that they considered the crime a personal matter and nearly 21% reported they "took care of it (themselves)." Many more said they considered the crime too minor to report or could not prove that a crime had taken place. Still others, 11%, said they did not want the perpetrator to get into trouble.

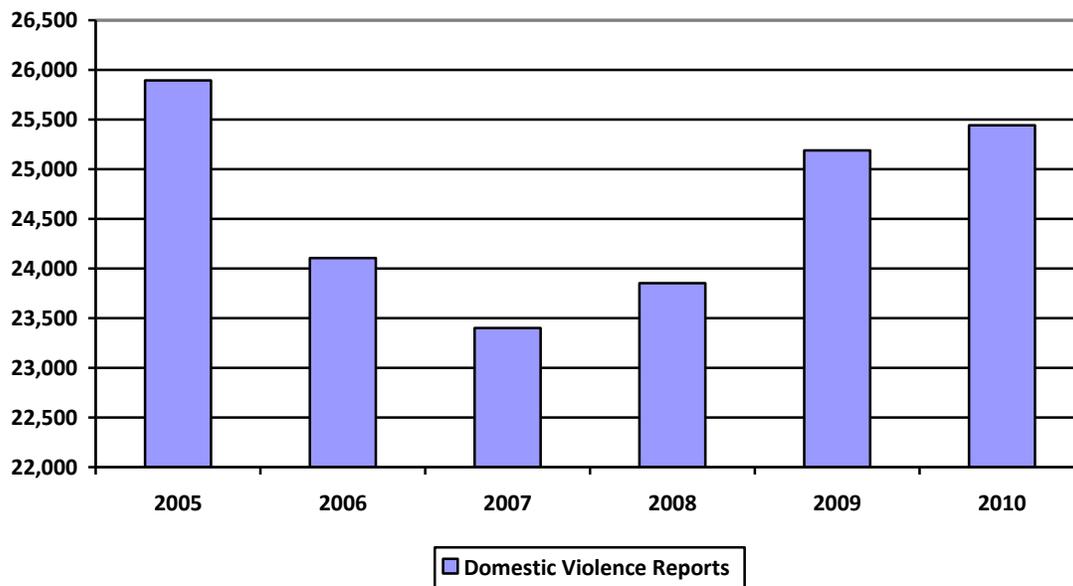
DOMESTIC VIOLENCE HOMICIDE

Domestic Violence homicides continue to plague Oklahoma. From 1998 to 2010, 1,059 men, women, and children have died as a result of domestic violence homicide in Oklahoma. Oklahoma was ranked #11 in the country for women murdered by men in 2011. In 2010, Oklahoma was ranked 15th. The Domestic Violence Fatality Review Board (DVFRB), a division of the Victim Services Unit in the Office of the Attorney General, has been reviewing cases statewide for a decade looking for indicators or "red flags" in the cases that, if handled differently, might have changed the outcome. These red flags spark system-wide changes either through something as simple as implementation or as formal as legislative action.

As a result, the DVFRB has seen systems become more aware and responsive to the needs of victims and has been the driving force behind the implementation of laws that improve the ability of victims and the system to protect and better collaborate at all levels across the state. However, even with a decade of work behind them, Oklahoma still saw 31 domestic homicides in 2009, 73 in 2010, and has already seen 52 in 2011.

According to UCR data for Oklahoma, domestic violence crimes peaked in 2005 at 25,893. Rates dropped off for the following three years and have been climbing steadily towards that high.

Domestic Violence Reports 2005-2010



One of the most successful strategies implemented to battle domestic violence in Oklahoma has been the implementation of the Domestic Violence and Sexual Assault Resource Prosecutor and Coordinated Community Response Project. The project, funded through a discretionary grant awarded to the District Attorneys Council, started in 2007 with a goal of developing six (6) Coordinated Community Response (CCR) Teams in Oklahoma. By the end of the first year of the grant, there were almost 19 CCR Teams in place. The project was so successful, federal funding was renewed in 2009. As 2011 came to a close, there were 27 active teams in Oklahoma and three (3) teams in development.

The Domestic Violence and Sexual Assault Resource Prosecutor (DVSARP) serves as a resource for prosecutors by providing technical assistance and consultation to 70 prosecutors throughout the state on issues of domestic violence and sexual assault. The position also develops, coordinates and/or facilitates training for more than 400 prosecutors and other allied professionals, including the judiciary, law enforcement, dispatchers, and correctional/probation and parole personnel. The DVSARP also develops resources for prosecutors throughout the state to enhance the arrest and prosecution policies and procedures for domestic violence, including distribution of a semi-annual newsletter on current domestic violence and sexual assault issues.

The project also funds a full-time Coordinated Community Response (CCR) Specialist. In implementing the project, the CCR Specialist provides technical assistance and consultation to existing CCR Teams and assists developing teams. The program provides CCR Team Trainings for approximately 170 CCR Team members and provides technical assistance and consultation to CCR Coordinators via phone, fax, and email in the form of research, national best practices, team dynamics, innovative processes and procedures, and systemic changes to ensure victim safety and offender accountability. The coordinator works with the DVSARP to provide training for other professionals, including the judiciary, law enforcement, correctional/probation and parole personnel, and dispatchers.

Coordinated community response brings together not only the professionals that respond to domestic violence, but includes laypersons, community leaders, faith leaders, and others, to address domestic violence in their communities. The purpose of a coordinated community response is to develop a climate within the community where victims are safe and batterers are held accountable. A coordinated community response is not the sole responsibility of the domestic violence service providers, but of the whole community.

Within a coordinated community response is a Domestic Violence Task Force (DVTF). The task force is comprised of the professionals and community members that come together to improve the community's response to domestic violence. Through the DVTF, formal and informal networks to enhance communication and collaboration are established. The goals of a DVTF generally include facilitating community education, identifying multidisciplinary training, coordinating public awareness and legislative education, identifying gaps in services, and building resources for victims to create a coordinated community response.

A Coordinated Community Response (CCR) Team is often, but not always, a committee of the DVTF, comprised of a specific group of criminal justice professionals. The function of this group is to address changes within the criminal justice system. Generally, a CCR Team is comprised of an assistant district attorney, law enforcement representatives, court personnel, probation and parole personnel, victim service providers, and batterers' treatment program providers. The CCR Team develops protocols and procedures that enable agencies to work together. It also reviews cases for professionals from different disciplines an opportunity to talk, resolve problems, and make changes within the system in order to improve the community's response to domestic violence.

VII. JAG PROGRAM PRIORITIES

After a careful examination and review of the data and the survey results, the JAG Board made informed decisions concerning the most effective and efficient usage of the limited resources dedicated toward reducing drugs and violent crime in Oklahoma.

For the 2012 – 2016 State Strategy, the following goals were established:

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

APPENDIX A

JUSTICE ASSISTANCE GRANT BOARD ROSTER

Voting Members

Suzanne McClain Atwood, Executive Coordinator

District Attorneys Council
Richard Smothermon, Designee

Janet Barresi, Superintendent

Department of Education
Lisa Endres, Designee

Mike Boring

District Attorney – District I

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Jim Adams, Designee

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State of Oklahoma
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Oklahoma County Sheriff's Department

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Allen Litchfield, Designee

The Honorable Mark F. Green

U.S. Attorney for the Eastern District

Assistant Special Agent in Charge Rich Salter

Drug Enforcement Administration

Rob Ryan, Group Supervisor

APPENDIX B

RESOURCES

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