

# Report to the Nebraska Crime Commission:

## METHAMPHETAMINE INITIATIVE EVALUATION

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## Introduction

In the fall of 2007, the Nebraska Crime Commission was awarded a Community Oriented Policing Strategies (COPS) Methamphetamine Initiative grant. Funds from this grant were awarded to four state agencies for the purpose of expanding and enhancing their existing efforts to address drug-related, especially methamphetamine, issues throughout the state. Activities under this grant began on April 1, 2008 and continued through March 31, 2009. A three month extension was granted. The extension ended on June 30, 2009.

As with many social problems, the prevalence of methamphetamine related issues ebbs and flows. The fluctuation in needs related to methamphetamine related issues meant that some of the activities initially proposed under this grant lost their sense of urgency or applicability when time came to deploy them. Additionally, agencies also encountered administrative hurdles in the implementation of grant activities. As a result, there were a number modifications made to the activities conducted by participating agencies during the grant period.

In response to the changes that took place, this evaluation will examine the activities that were planned under the grant and what enhancements were intended from the activities. The evaluation will then review what activities were completed during the grant period. Lastly, the evaluation will look at the actual impact of each activity, recognizing that while some activities did not achieve their intended outcome, they did have a positive impact on methamphetamine related issues.

Within this evaluation there is a section for each agency that received funding under this grant. The analysis of the activities completed by each agency is found in their respective sections.

The actual implementation of activities is compiled from the quarterly log submitted to the Crime Commission. The Crime Commission's summaries of activities and meetings with various staff who implemented the programs form the basis for the findings of this report. The dates of the quarterly activity reports are as follows: April 1 through June 30, 2008 (first quarter), July 1 through September 30, 2008 (second quarter), October 1 through December 31, 2008 (third quarter), January 1 through March 31, 2009 (fourth quarter), and April 1 through June 30, 2009 (final quarter).

## **The Attorney General's Office**

### ***Methamphetamine Attorney***

#### **Planned Activities**

The Attorney General's Office proposed hiring a methamphetamine prosecution attorney. This attorney had three priorities. First, the attorney was responsible for training law enforcement and prosecutors throughout the rural areas of the state in the proper investigation and prosecution techniques when dealing with methamphetamine cases. This attorney worked in conjunction with other government agencies (i.e. U.S. Attorney's Office, Department of Health and Human Services, Nebraska State Patrol, etc). Finally, the methamphetamine attorney assisted rural county attorneys in the prosecution of methamphetamine cases.

#### **Intended Enhancement**

Establish a position within the Attorney General's Office with specialized expertise in methamphetamine and methamphetamine production. The position was to increase the level of contact between the AGO and law enforcement regarding methamphetamine investigations. The position was to serve as a point for providing technical assistance to local prosecutors in the investigation and prosecution of methamphetamine cases.

#### **Actual Implementation Activities**

The actual implementation of activities was compiled by the quarterly log submitted by the Crime Commission and an interview with the AGO funded by the enhancement grant. Overall, there was clear increase in communications between the AGO and law enforcement; secondarily, the AGO actively drew attention to conspiracy prosecutions as a means for more directly disrupting Nebraska's methamphetamine markets.

During the first quarter, April 1 through June 30 of 2008, several activities took place. First, a Methamphetamine Grant Prosecutor was hired. The Attorney General's office sent introduction letters to various state offices, attended several meetings, compiled informational brochures, met with NSP, provided several trainings throughout the state (Fairbury, Nebraska Volunteer Firefighters), attended several trainings (including online), conducted a comparative analysis of meth in rural areas, researched, acted as a special prosecutor in a lab case in Pawnee County, and began developing a prosecution and law enforcement strategy/indexing system.

During the second quarterly activity report, July 1 through September 30 of 2008, the Attorney General's Office attended several drug task force meetings (Metro, Tri-City, CANDO, RAP, Meth 360, WING, CODE, DENT), participated in prosecuting a jury trial, served as a special prosecutor for three cases in Hall County, met with the Crime Commission and NSP, and participated in a webinar.

For the third quarter activity report, October 1 through December 31 of 2008, the office convicted several individuals of methamphetamine distribution and manufacturing, attended several task force meetings (III Corps, CANDO), attended a training over prosecuting drug offenses, conducted a 4<sup>th</sup> amendment training in Blair, and met with the U.S. Attorney's Office.

The fourth quarter activity report, for Jan 1 through March 31 of 2008, the Attorney General's Office reviewed previous task force meeting minutes, discussed trainings with several county attorneys, conducted a drug investigation training in Kearney, and sent the prosecutor to a related training in Orlando.

## Methamphetamine Initiative Evaluation Final Report

Finally, the final quarter activity report (April 1 through June 30 of 2009) displayed several activities as well. The Attorney General's Office attended several methamphetamine hearings, attended several trainings, conducted a search and seizure, attended a county attorney conference to network, scheduled a conspiracy training, and responded to questions from various drug task force meetings.

### **Results of Implementation**

As a result of the enhancement grant, the Nebraska AGO was able to leverage the funding for the position into a stronger working relationship with law enforcement officers around the state. The funding enabled the Assistant AG to carry half of a normal caseload and dedicate the rest of his time to improving the AGO's ability to align with the investigatory and prosecutory needs associated with meth-specific cases. The benefits from this effort can be seen in the better lines of communication between the AGO and law enforcement, the deeper understanding of meth cases within the AGO, and the trainings during and following the grant period.

The State of Nebraska Methamphetamine Study in 2006 reported that methamphetamine trade had established drug distribution networks throughout the state in ways other drugs had not. The efforts of the AGO under the enhancement grant directly addressed this disturbing finding. In addition to a better sharing of intelligence, the AGO has been able to promote more attention to prosecuting conspiracy cases involving methamphetamine. By encouraging local prosecutors to develop conspiracy cases, the AGO has helped to steer limited enforcement resources to investigations and prosecutions with the potential to actively disrupt the methamphetamine market.

### **Recommendations**

- Continue to allow a member of the AGO to attend drug task force meetings around the state. It is important to continue the relationships initiated under this grant.
- Widely recruit prosecutors to the Conspiracy Training the AGO will be conducting in October. Although the Conspiracy Training could not be completed within the timeframe of this grant, it remains an important benefit of it. Since future resources are unpredictable, every effort should be made to get as many local prosecutors to attend as possible.
- Compile training materials from the Conspiracy Training into a "white paper" which can be distributed among local prosecutors.
- Continue to work with the Nebraska State Patrol to formalize a drug intelligence strategy for the State of Nebraska that enables cases to be connected. It is important that strong information links are made between the many different law enforcement agencies on which Nebraska's prosecutors depend. The AGO and State Patrol represent a natural partnership for leading this necessary, yet delicate effort.

## **Nebraska Department of Correctional Services**

The Nebraska Department of Correctional Services (NDCS) proposed several activities in order to implement the methamphetamine initiative. All of the activities proposed by NDCS were intended to improve the overall quality of methamphetamine specific treatment provided to individuals housed within the correctional system.

### ***Substance Abuse Counselor***

#### **Planned Activities**

NDCS planned to hire a full-time Chemical Dependency Counselor dedicated to methamphetamine specific treatment. This employee was to be supervised by a team of current NDCS substance abuse treatment supervisors. The primary duty of this substance abuse counselor was to “carry the responsibility for many of the treatment development and implementation strategies supported by this funding”. The counselor was to be housed in the Nebraska State Penitentiary’s Residential Treatment Community, because of increased inmate participation in treatment services at this facility. This staff was required to be a Licensed Alcohol and Drug Counselor (LDAC) and was responsible for developing and evaluating a methamphetamine treatment protocol for the Nebraska Correctional Center for Women.

#### **Intended Enhancement**

Creation of this position was intended to improve the quality of methamphetamine specific treatment by having a staff member who was focused on developing and implementing treatment techniques designed to effectively address the unique considerations related to treating methamphetamine addiction.

#### **Actual Implementation Activities**

- NDCS encountered administrative difficulties in getting approval for the position funded under this grant. Due to the delay caused by these difficulties, NDCS hired a full-time Chemical Dependency Counselor during the fourth quarter of the grant period (January 2009-March 2009). This staff person began work in March of 2009. She completed DCS Training Academy, and was oriented to DCS residential treatment programs and groups.
- By the end of the grant period, the Chemical Dependency Counselor had begun leading a treatment group that met three times a week. Groups are generally comprised of 12-16 individuals. The treatment groups the Chemical Dependency Counselor lead during the grant period were not methamphetamine specific groups. NDCS treatment staff estimate that 90% of the group engage in methamphetamine use, however, no screening is done to determine group placement based on methamphetamine addiction. All of the members of the treatment group(s) overseen by the Chemical Dependency Counselor are high-risk offenders and NDCS staff estimate that 30-40% of the inmates have indicated methamphetamine is their first drug of choice.
- During the fifth quarter, the Chemical Dependency Counselor began developing and disseminating treatment materials. A power point presentation about the dangers of

methamphetamine use was shown to approximately 300 inmates. Currently the presentation is being shown to all individuals in the treatment program, not just methamphetamine users. NDCS estimates that by January 2010, 500 inmates will be exposed to the materials routinely.

- The Chemical Dependency Counselor reviewed methamphetamine specific treatment programs, such as the Matrix Model. Based on this review, the Chemical Dependency Counselor made recommendations to the substance abuse treatment supervisors regarding scheduling for a high risk group. NDCS is planning to have the high risk group established in two to three months. She also made recommendations regarding the purchase of methamphetamine treatment materials.

## **Results of Implementation**

Although NDCS did not establish a methamphetamine-specific treatment program during the grant period, they have laid the groundwork for expanding their treatment protocols to include methamphetamine-specific treatment. NDCS now has a staff member dedicated to focusing on the unique treatment needs of methamphetamine addiction. This grant has laid the foundation for the first drug specific treatment group at NDCS, which will be a methamphetamine treatment group.

Additionally, NDCS has completed much of the planning and preparation needed to launch methamphetamine-specific treatment groups to better address the needs of this population. NDCS is now positioned to begin Phase Two of its efforts to improve the quality of care provided to methamphetamine users.

## **Recommendations**

- Develop a screening process and criteria for determining placement in methamphetamine specific treatment groups. To appropriately treat methamphetamine users, NDCS needs a system to ensure the appropriate people are being placed in the drug specific treatment groups.
- Capitalize on the momentum gained during this grant period and establish drug specific treatment groups. In the administration of these groups, utilize methamphetamine specific materials and documentation to support recovery.

## ***Assessing the Effects of Methamphetamine Use on Cognition***

### **Planned Activities**

NDCS planned to hire a half-time University of Nebraska at Lincoln (UNL) Counseling Psychology Extern. This position assisted in the review of literature on methamphetamine treatment effectiveness and materials. The extern was to develop criteria for identifying high-risk methamphetamine-dependent individuals and assessing the effects of methamphetamine on cognition. The extern assisted in assessing pre and post test measures and inmate response to overall program, curriculum, and progress.

Based on this information, NDCS planned to identify and assess the “high-risk” population. Supervisors were to develop criteria that assisted in identifying high-risk individuals

and using those criteria to test inmates, resulting in evaluation, database implementation, and assessment battery for individuals served.

### **Intended Enhancement**

NDCS intended to adapt its treatment strategies to address the cognitive deficits experienced by inmates as a result of methamphetamine use. By identifying the specific cognitive deficits, NDCS intended to provide more specialized treatment strategies that would improve the treatment outcomes for individuals who have been unable to fully engage in treatment because of their methamphetamine induced cognitive deficits. This strategy would enhance methamphetamine treatment by improving the quality of treatment received by Nebraska inmates.

### **Actual Implementation Activities**

- NDCS hired the extern in the first quarter of the grant period.
- In the third quarter, NDCS began discussions to shape an assessment battery that assesses the negative impact of methamphetamine dependence on cognition.
- During the fourth and fifth quarters the extern conducted an assessment battery comprised of 10 tests on 60 high-risk inmates from the Nebraska State Penitentiary's Residential Treatment Community who had self identified themselves as methamphetamine users. The extern analyzed the results from this assessment battery and prepared a report synthesizing the findings. The assessment battery identified three areas where the sample demonstrated marked differences from the participants in similar studies. These findings provide NDCS with guidance in structuring future methamphetamine specific treatment.
- The findings from the battery assessment were presented to approximately 30 NDCS substance abuse treatment staff. A power point presentation summarizing the findings was created and distributed in association with the presentation.
- NDCS began adapting its current treatment materials into power point presentations to address the cognitive deficits of this population.

### **Results of Implementation**

NDCS gained a better understanding of the cognitive deficits experienced as a result of methamphetamine use. From the reports provided it is unclear whether this information will be used to identify offenders at a "high risk" as a result of the substance use. The findings can be applied when selecting and/or adapting treatment materials for methamphetamine specific treatment.

NDCS staff have a greater awareness of impact of methamphetamine use on cognition. This will allow them to structure future treatment strategies to reflect the treatment needs of this population. NDCS staff also have access to and training in how to use the computer and electronic equipment necessary to display power point presentations and other modified treatment materials.

### **Recommendations**

- Identify treatment programs and materials that already incorporate strategies that address the cognitive deficits identified by the assessment battery.

- Decide how these cognitive deficits impact selection criteria and placement within methamphetamine specific treatment groups.

## ***Developing Additional Treatment Methodology***

### **Planned Activities**

NDCS planned to develop additional treatment methodology, including technology such as biofeedback and neurofeedback. NDCS, in conjunction with contracted researchers, was to review the literature relating to these topics and prepare a series of technical reports. NDCS was also to conduct a pilot project incorporating the technology and treatment protocol identified through this process.

### **Intended Enhancement**

Once again, NDCS intended to adapt its treatment strategies to address the unique treatment needs of methamphetamine use. By incorporating additional treatment methodology, NDCS would enhance methamphetamine treatment by improving the quality of treatment received by Nebraska inmates.

### **Actual Implementation Activities**

- NDCS collected research on treatment methods that appeared promising and might have required further investigation and/or pilot testing.
- Researchers created a series of four technical reports which included a literature review, treatment protocol, equipment, cost and a summary of a six person pilot study.
- NDCS complete a pilot study utilizing EEG biofeedback. Six inmates volunteered for the pilot.

### **Results of Implementation**

NDCS gained a better understanding of additional treatment methodology that can be used in treating methamphetamine use and addiction. The findings can be applied when establishing new treatment protocols.

### **Recommendations**

- Incorporate the findings of this research when creating treatment protocols for methamphetamine specific users.

## ***Enhancement of Treatment Methods-Matrix Model***

### **Planned Activities**

NDCS planned to enhance treatment methods through utilizing the Matrix Model. The Project Director at the Department of Corrections was to be briefed on the Matrix model to better determine if components of the Matrix Model could be implemented. During this grant period NDCS planned to compare the components of the Matrix Model to current NDCS practices to determine the feasibility of Matrix Model implementation.

## **Intended Enhancement**

NDCS intended to implement a treatment model designed to address the unique treatment needs of methamphetamine use. By incorporating a treatment model specifically for methamphetamine treatment, NDCS would enhance the quality of treatment received by Nebraska inmates.

## **Actual Implementation Activities**

- Nine complete copies of the Matrix Model treatment materials were purchased and made available to the treatment staff. Each substance abuse treatment counselor working for NDCS was provided a copy of the Matrix Model Counselor's Treatment Manual produced by the U.S. Department of Health and Human Services.
- During the third quarter, nine substance abuse treatment staff from five institutions across Nebraska attended a day-long training session on the Matrix Model. Staff learned how the Matrix Model works and can be implemented in programming. Staff reported on their current treatment practices and provided feedback on the feasibility and challenges of implementing the Matrix Model in their respective institutions.
- The Juvenile Justice Institute (JJI) at the University of Nebraska at Omaha (UNO) compared current NDCS treatment practices with the protocols and practices set forth in the Matrix Model. JJI completed a report analyzing the feasibility of implementing the Matrix Model throughout the NDCS system. The report highlighted ways in which the Matrix Model easily fit with current practices and discussed places where modifications would need to be made to accommodate the protocols set forth in the model.
- While the Matrix Model was not implemented throughout the NDCS during the grant period, certain institutions incorporated aspects of the model in their existing treatment practices. The Omaha Correctional Center (OCC) used it in a Continued Care Group that meets weekly. The model appeared to increase attendance and flexibility, work towards continuity, and strengthen the program overall. OCC also used several handouts from the Matrix book in its relapse prevention sessions. Tecumseh State Correctional Institution utilized some worksheets from the Matrix book, implemented certain incentives as rewards, and attempted to counsel inmates with Motivational Interviewing, a key component of the Matrix Model.

## **Results of Implementation**

NDCS completed the research and planning necessary to make a decision regarding the use of the Matrix Model in its treatment program. Key staff have been introduced to the model and have begun working with components of the model in conjunction with their current treatment practices. The foundation has been laid for the implementation of the Matrix Model throughout the NDCS system

## **Recommendations**

- Develop a plan for implementation of the Matrix Model that includes modifications that would need to occur to accommodate the Matrix Model.
- Ensure that all staff receive adequate training on the Matrix Model.
- Establish a system for ensuring that the Matrix Model is being implemented with fidelity.

## ***Fidelity to Motivational Interviewing***

### **Planned Activities**

NDCS planned to develop a process to ensure staff were utilizing Motivational Interviewing (MI) with fidelity. NDCS substance abuse treatment staff were to be trained some Motivational Interview Treatment Integrity Coding System (MITI), as system for assessing fidelity within the first three months of the contract. All NDCS staff were to complete a 20 minute counseling session adhering MI principals. The sessions would then be coded by the UNO and the results would be used by NDCS to improve MI fidelity.

### **Intended Enhancement**

NDCS intended to ensure that the quality of methamphetamine specific treatment was enhanced by monitoring where new and existing treatment protocols were being implemented with fidelity.

### **Actual Implementation Activities**

- During the fourth quarter, Nicole Kennedy from UNO trained 13 key NDCS counseling staff on the MITI coding system and assessing MI fidelity using digital recording devices. NDCS had originally planned to have all substance abuse treatment staff complete recording, but administrative delays in the first quarters of the grant period prevented this from happening. Due to the shortened timeframe in which to complete the recordings, NDCS and UNO decided to code recordings from key staff to give NDCS a idea of how MI was being utilized.
- NDCS staff recorded two sessions utilizing MI with a substance abuse client. After the first recording was submitted, UNO coded each recording and provided feedback to staff regarding the strengths and weaknesses in MI. Each report contained individualized recommendations for improving MI skills. A similar analysis was given to each individual after their second recording was submitted. The second recordings were completed after the MI training discussed below. Staff were able to see how they had improved.
- UNO completed a summary report that analyzed the NDCS staff's MI ability as a whole. The report was design to instruct future improvement in Motivational Interviewing.
- NDCS hired an MI trainer from the Motivational Interviewing Network of Trainers (MINT) to train employees in the fundamentals Motivational Interviewing. All 54 of NDCS substance abuse treatment staff attended the two day training. Comments and feedback from the training were positive overall. Those who attended felt the training was “taught by knowledgeable instructors, had good practice scenarios, helpful handouts, fostered open communication and allowing inmates to begin to solve own problems, established relationships and rapport, and emphasized individualized treatment”. Several commented on wanting more advanced training offered in the future. A third day of follow up training was held several weeks later after treatment staff had had the opportunity to apply what they had learned in the first training.

## **Results of Implementation**

The initial codings revealed that NDCS staff needed more training in MI to improve their ability to provide substance abuse treatment. NDCS was made aware of a training deficiency and was able to address it during the grant period. NDCS staff have been trained in MI, a technique that is crucial to the Matrix Model and that is also helpful in dealing with ambivalence in all clients. Staff are better prepared to address ambivalence in their substance abuse clients and have been introduced to a critical skill utilized in the methamphetamine specific treatment program, the Matrix Model. With these treatment skills, NDCS staff will be able to provide a higher quality of treatment.

NDCS has begun developing a system for evaluating staff competency and fidelity to treatment models. Such a system allows NDCS supervisors to ensure that the treatment protocols and programs that are being administered in the institutions are functioning with excellence and fidelity. Without such a system, NDCS will have difficulty ensuring that the measures they are implementing to promote methamphetamine specific treatment are being implemented properly.

## **Recommendations**

- NDCS should continue to monitor fidelity to MI through MITI coding and should expand the coding to include all substance abuse treatment employees as originally envisioned in this grant.
- NDCS should help its employees continue to grow and improve in the MI skills by providing on-going training opportunities.

## ***Summary of NDCS Activities***

NDCS did not implement any methamphetamine specific treatment practices during the grant period. However, NDCS has laid the foundation for this implementation process. As a result of this funding, NDCS has done all the planning and preparation necessary to implement methamphetamine specific treatment in Phase Two of this process. NDCS plans to apply all the research and information accumulated during this grant period as it improves the quality of treatment that it provides to methamphetamine users.

Because NDCS's activities during this grant period consisted of research and planning, this evaluation does not analyze the number of the individuals who benefitted from treatment enhancements under this grant or the impact of treatment enhancements on inmates. This evaluation has instead focused on the activities that were completed in the grant time and their potential if further developed in Phase Two of this process. NDCS estimates that 300 people, although not all methamphetamine users, had been exposed to materials developed under this grant. It further estimates that 500 inmates will benefit from the practices that will be implemented as a result of the planning and research completed under this grant.

## **Probation Administration**

The Office of Probation Administration (OPA) focused all of their efforts for this methamphetamine initiative on methamphetamine specific treatment of juveniles on the probation system.

### ***Methamphetamine Treatment for Juveniles***

#### **Planned Activities**

OPA planned to provide substance access to methamphetamine specific treatment for abusing youth and young adults placed on probation by the courts that did not have access to treatment dollars from probation's traditional voucher system. Probation was to develop a screening tool to determine eligibility for the program and work with local treatment providers to gain access to methamphetamine specific treatment groups.

#### **Intended Enhancement**

The intended enhancement was to provide methamphetamine specific treatment to juveniles in the probation system. This enhancement provides better treatment to methamphetamine users and provides funding for probationers who cannot access funding through probation's existing voucher program.

#### **Actual Implementation Activities**

- In the first quarter, met with outside groups concerning treatment possibilities and decided to use Heartland Family Service as a treatment provider.
- OPA decided to use Fee for Service Voucher Program to distribute treatment funds for this project.
- OPA created guidelines for the State Probation Matrix Incentive Grant, created the Probation Teen Matrix Model Pilot referral form, conducted several meetings with probation staff, and sent a memo to Omaha-area treatment providers.
- The referral form to determine if a youth needs to be admitted into Matrix treatment was also created in the first quarter.
- In the second quarter, OPA created guidelines for State Probation Matrix Initiative Grant Checklist, sent monthly emails to juvenile officers, and set up a meeting for a Matrix Steering committee.
- In the third quarter, monthly emails to juvenile officers were sent out, adult probation officers working with juveniles in Omaha met, investigation officers began screening for use and abuse of meth.
- In the fourth quarter activity report, one youth was found eligible for the program. A Juvenile substance Abuse Treatment Voucher was created, monthly email continued being sent out, meeting with adult probation officers assigned to juveniles continued, and all officers investigating are screening for meth use and abuse.
- OPA used a worksheet to identify whether or not every juveniles on probation was appropriate for the Matrix Model programming. The worksheet consisted of several key criteria, and if the probation officer checked all four boxes, this meant the juvenile was eligible for Matrix Model treatment. The four criteria included: (1) A moderate or higher score on the YLS; (2) a juvenile adjudicated in the Juvenile Courts of Douglas, Sarpy,

Cass, and Otoe Counties; (3) Prior or active use of methamphetamine or other stimulant drugs that has been identified in a substance abuse evaluation or a probation officer YLS investigation; (4) a substance abuse evaluation conducted by a registered provider utilizing the standardized model identifying the need for Outpatient Counseling or Matrix specific treatment.

- Nine hundred and seventy-five worksheets were completed during the grant period. Of the 975 juveniles examined, only seven had all four boxes checked. These seven juveniles were not admitted to treatment because it was determined that they needed a higher level of care, residential treatment.

## **Results of Implementation**

Although no juveniles were referred to the program for treatment, OPA, as a result of this grant, has developed infrastructure systems to facilitate the screening and placement of juveniles in substance abuse treatment. It now has a prototype for screening documentation that can be adapted to future needs and has developed a comprehensive screening protocol that can be implemented on a broad basis. OPA has developed a partnership with a local treatment provider to provide treatment to juveniles.

## **Recommendations**

- Utilize the existing screening documentation and protocols in the development of future treatment programs.

## **State Patrol**

For the Nebraska State Patrol, the primary focus of the methamphetamine initiative was the investigation of methamphetamine crimes and identifying and dismantling clandestine laboratories. The proposal composed of four sections: investigation of methamphetamine offenses, responding to clan labs, project administration, and coordination with other agencies.

### ***Investigation of Methamphetamine Offenses***

#### **Intended Enhancement**

Part of the State Patrol's proposal was to enhance the investigation of methamphetamine offenses. Investigations were to expand use of available intelligence in coordination with federal and local agencies. Specific techniques included trying to build better cases for conspiracy prosecutions, using pen register applications such as Pen-Link better, and exploring how the new Fusion Center could help to better identify and apprehend suspects.

#### **Actual Implementation Activities**

The actual implementation of activities was compiled from the quarterly log submitted from the Crime Commission.

- Each quarterly report details numerous methamphetamine cases being investigated.
- Although the Patrol must be careful to reveal too much about ongoing investigations, numerous references are made to controlled purchases being made in support of ongoing conspiracy investigations.
- Reports clearly identify several operations as related to building conspiracy cases and not simply resulting in individual arrest or indictment.
- Throughout the course of the enhancement period, the Patrol scheduled and attended or at least attempted to attend, Pen Link training.

#### **Results of Implementation**

In addition to the clear emphasis the Patrol placed on conspiracy investigations during the grant period, it extended its use and application of Pen Link, and maintained attendance at drug task force meetings throughout the state. Given the nature of discussions at the beginning of the grant period, the Patrol was uncertain how well it would be able to do these activities without the support from the enhancement grants. As an example of the capacity issues the Patrol faced during the grant period, declining state revenues were forcing the Governor to leave several trooper positions unfilled. Consequently, the enhancement funding enabled the Patrol to make progress towards stronger use of investigatory techniques such as Pen Link and investigation relationships such as multiple drug task forces.

#### **Recommendations**

- Continue to build on the Patrol's expanding use of Pen Link as key tool for building conspiracy cases.

- Continue to support the regional drug task forces through regular attendance and participation. The Patrol and AGO's attendance at these meetings is extremely important to conveying the need for shared intelligence across agency lines.

## ***Clan Lab Response***

### **Intended Enhancement**

The NSP was to work with state and local clan lab teams to properly respond to incidents. State teams were supposed to be prepared to respond if local lab teams were unable. Five bunkers in the state store hazardous materials obtained until specialized disposal services are able to pick it up. "With the decline in clan lab incidents, the NSP will continuously evaluate the numerous officers required to provide safe, efficient response." The NSP proposed hiring ten new drug investigators over the next three years. These investigators were to eventually become certified clan lab investigators. New equipment will need to be purchased for the new officers to conduct their investigations as well.

### **Actual Implementation Activities**

The actual implementation of activities was compiled from the quarterly log submitted to the Crime Commission. While the clan lab response occurred during this time, it appears those activities were not funded by the grant money.

## ***Coordination with Other Agencies***

### **Intended Enhancement**

During the initial discussions prompted by the enhancement grant award, all parties expressed concern about the potential loss of the regional drug task forces due to funding cuts. As one of the primary methods by which operational intelligence was being shared, it was feared that if nothing was created as an alternative means of coordinating intelligence, investigations and prosecutions of meth cases would suffer and the State's ability to pursue conspiracies would be severely hampered. As a result, the Patrol identified improved intelligence gathering, organization, and use as one of the enhancements it could pursue during the grant period.

### **Actual Implementation Activities**

The actual implementation of activities was compiled from the quarterly log submitted to the Crime Commission.

- The Patrol continued to increase its technical capacity to leverage information through means such as Pen Link.
- The Patrol prepared two Pen Link-generated presentations for the Attorney General and the US Attorney. The charts assisted the Patrol investigator to explain the ranking of drug distribution groups, links between suspects, and the scale of the conspiracy across suspects.
- The Patrol conducted investigations with the US Attorney's Office, the Attorney General, and multiple local law enforcement agencies around Nebraska.

- The Patrol coordinated the sharing of intelligence with law enforcement agencies outside Nebraska.

## **Results of Implementation**

As a result of its activities, the Patrol reinforced its claim as the primary state-wide point of reference for shared operational intelligence. Its active investigations with multiple local, federal, and interstate law enforcement agencies and prosecutors places it as the central repository and management source through which critical operational intelligence should pass. The challenge left in the wake of the enhancement grant activities is whether the technical capacity of the Patrol is sufficiently advanced for it to sustain such a role over time. For example, a number of references are made in the Activity Reports that the Patrol's Criminal Intelligence Division struggles with current reporting procedures and database capacity. This observation is not meant as a criticism of the Patrol, but simply a reminder that these technical capacity issues remain preconditions to the Patrol becoming more effective in its management of operational intelligence on behalf of the State.

## **Recommendations**

- The Patrol needs to continue improving its technical capacity to leverage information through means such as Pen Link, the Fusion Center and any other technical database available.
- The Patrol may need to look at how it's current intelligence management capacity aligns with the evolving needs of the AGO, US Attorney, local prosecutors, and local law enforcement scattered across Nebraska. It will be important for the Patrol to clearly delineate not only its capacity to support centralized intelligence operations, but also to clearly identify what it simply cannot do.
- The Patrol might consider preparing a memorandum or "white paper" examining these questions in depth and analyzing what the fiscal needs may be in the wake of the enhancement grant. As stimulus funding and a renewed recognition for problem-oriented policing becomes more apparent at the federal level, these efforts could form the basis for a persuasive need and use for such external funding.

## Activities Administered by Crime Commission

### ***Law Enforcement Physicals***

#### **Planned Activities**

The Nebraska Crime Commission planned to pay for 129 local law enforcement officers to get the physicals that they would need to remain certified to respond to CLAN labs. Local law enforcement officers must pass the physicals on a yearly basis to remain certified. The Nebraska State Patrol currently has funding for the CLAN investigators to have the physicals. Rural law enforcement agencies were intended to receive these funds for physicals.

#### **Intended Enhancement**

The Crime Commission intended to enable local law enforcement agencies to maintain certification of their officers to respond to CLAN labs. This enhances the state's ability to appropriately respond to methamphetamine labs across the state.

#### **Actual Implementation Activities**

- The Crime Commission sent out a letter to all local law enforcement agencies announcing the availability of funds on January 18, 2008.
- Reminder notices were sent on NCJIS four times during the grant period.
- Flyers were developed and passed out at the recent LECC conference in May 2009. The conference was attended by over 100 law enforcement officers.
- The Crime Commission reimbursed law enforcement agencies for 31 physicals.

#### **Results of Implementation**

Due to the decrease in methamphetamine labs throughout the state, local law enforcement, especially in rural areas, are opting not to remain certified to respond to CLAN labs. This grant allowed those rural agencies seeking to retain certification the ability to access the physicals needed to maintain officer certification.