

# Tennessee's

2012

## Statewide Strategy for Drug and Violent Crime Control and Criminal Justice System Improvement



## Justice Assistance Grant Program

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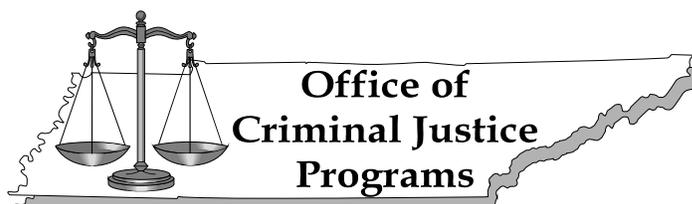


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## *Chapter 1 Executive Summary*

The Office of Criminal Justice Programs (OCJP), which is located within the Tennessee Department of Finance and Administration, continues to serve as the State Administrative Agency for the Edward Byrne Justice Assistance Grant Program in Tennessee. For two decades this Program has provided a vehicle for seeding and pioneering new programs in Tennessee.

Tennessee's implementation of this program continues to evolve along with its criminal justice system. The Byrne Justice Assistance Grant Program is helping OCJP to stimulate a multi-faceted response to crime and victimization in our state even as it supports our improvement of the infrastructure of the state's criminal justice system. With this Multi-Year Statewide Strategy, the State of Tennessee continues its commitment to reduce the incidence of drug violations and violent crime within the State's boundaries, in accordance with the National Drug Control Strategy's priorities.

### **Background: Tennessee's Criminal Justice System**

The State of Tennessee is made up of 95 counties covering an area of 41,219 square miles of mountains, rolling hills, and flood plain. Our total population in 2012 is estimated at 6.4 million which is growing at a rate 2% higher than the National average. This growth rate has made Tennessee the 17<sup>th</sup> most populous state in the U. S. There are four metropolitan areas, but six other areas are rapidly growing. Five hundred miles of rural countryside in three distinct topographic regions are divided by six major interstate highway systems. Tennessee sits astride two of the major North-South and East-West interstate transport routes for criminal activity.

Tennessee's criminal justice system includes a range of city and county law enforcement agencies, a prosecution arm, a public defense system, the state judiciary, local and state corrections, and a range of for-profit and non-profit service providers. Eight departments of state government, as well as numerous other state entities, provide everything from direct service delivery for state prisoners in residential settings to support for state prosecutors and public defenders. While law enforcement in Tennessee's 95 counties remains mostly a responsibility of local government, Tennessee has an effective array of state public safety and law enforcement agencies, such as the Tennessee Bureau of Investigation. (Appendix A contains details.)

### **Profile of the State of Tennessee**

The State of Tennessee is made up of 95 counties covering an area of 41,219 square miles of mountains, rolling hills, and flood plain. The State's total population in 2012 is estimated at 6.4 million which is growing at a rate 2% higher than the National average. This growth rate has made Tennessee the 17<sup>th</sup> most populous state in the U. S. There are four metropolitan areas, but six other areas are rapidly growing. Five hundred miles of rural countryside in three distinct topographic regions are divided by six major interstate highway systems.

There are three distinct geographical regions of the state, corresponding with the Districts of the U. S. Attorneys Offices. Tennesseans refer to these as "grand divisions." In the eastern "grand"

the hilly and mountainous areas reach elevations of over 6,000 feet above sea level. The middle grand division is mostly gentle, rolling hills whose elevations range from 500 to 1,000 feet. The middle grand hosts the second largest concentration of population and the seat of state government in the region around Nashville. The Tennessee River separates the western grand from the middle grand division. The west, approximately 10,000 square miles of territory between the Tennessee and the Mississippi Rivers, is home to Tennessee's largest city, Memphis.

## Resource Needs and Gaps

The Tennessee Office of Criminal Justice Programs (OCJP) manages a systematic, year-round cycle for tracking problems surfacing in the criminal justice system, monitoring trends in Tennessee's communities, assessing the condition of the state's resources, setting program priorities, making grant allocation decisions, managing those funded projects, measuring the performance of, and evaluating the results of those decisions. Our strategic program management process looks several years ahead of daily grants management activities at the changing needs of Tennessee's justice system. The process helps OCJP focus its future program descriptions, set its funding priorities, prepare its budget requests, and direct its limited resources into areas that promise the best return for the public's investment. (Appendix B contains details on our planning process.)

### ***Tennessee's Areas of Greatest Need***

For this planning period Tennessee OCJP relied less on the Uniform Crime Reports available from the FBI, and more on the Tennessee Bureau of Investigation's TIBRS database. OCJP extends the research beyond tracking statewide crime and corrections data, to identify specific communities with higher crime rates and track the variables associated with changes in patterns of criminal behavior. The economic downturn of the last four years has also created a great gap in funding what has typically been considered infrastructure and therefore exempt from budget cuts. Additionally, the increases in unemployment seen across the country have also had an effect on the offender population. Much of Tennessee's funding of the criminal justice system comes from offender-based fines and fees. Tennessee has seen drastic decreases in these offender based revenues over the past three years further reducing funding options for the criminal justice system. The data suggest the following eight areas of need:

- System weaknesses tied to domestic violence
- Community-based crime prevention & education activities
- Data-driven, location-based strategies to crime reduction
- Meeting basic infrastructure issues such as law enforcement equipment and criminal justice training
- A continuum of treatment for those incarcerated or under community supervision
- Coordinated approach to apprehension and prosecution of drug offenses & violent crimes
- Case backlog and programs designed to minimize time and maximize effectiveness of court
- Improve criminal justice information sharing and integrated systems

## Tennessee's Priorities for Drug Control, Violent Crime and System Improvements

Tennessee's priority areas to address the State's needs in combating drugs and violent crime as well as fitting within the scope of the National Drug Control Strategy are found in the table below.

*Figure 1: Summary of Byrne JAG Program Responses*

<b>ELEVEN PROGRAM RESPONSES</b>	<b>BYRNE JAG PURPOSE AREA</b>
1. Community Crime Prevention	Prevention & Education
2. Targeted Community Crime Reduction Program	Prevention & Education
3. Multi-Jurisdictional Drug Task Forces	Law Enforcement
4. Innovations in Criminal Investigations	Law Enforcement
5. Criminal Justice Professional Enhancement Training	Law Enforcement
6. Law Enforcement Equipment	Law Enforcement
7. Criminal Justice Technology Improvement	Planning, Evaluation & Technology
8. Pretrial Service Delivery	Prosecution & Court
9. Court Support	Prosecution & Court
10. Correctional Programming	Corrections/Community Corrections
11. Victim Services	Crime Victim & Witness

Tennessee's Statewide Strategy for 2012 identifies the programs most likely to affect the State's most urgent needs related to drugs and violent crime. All of these approaches are integrally related to the national strategy as well.

### Coordination Efforts

As in most states the majority of Tennessee's criminal justice dollars continue to be raised from local taxes and spent on local and state criminal justice priorities and problems. Crimes are committed locally, and that is where offenders are apprehended, defendants tried, sentences determined and carried out, and where services are provided. Because the Statewide Strategy serves as the blueprint for all coordinated drug and violent crime control efforts in the State, it is imperative that the State utilizes a strategic planning process that reflects the perspectives of these practitioners. It must be as inclusive as possible. To that end the Office of Criminal Justice Programs (OCJP) takes a data-driven approach and includes input from practitioners on the local, state and federal levels to assist in influencing the strategy. OCJP gathers practitioner information through a variety of planned information gatherings, training conferences and seminars, as well as through informal meetings and surveys. This strategy document is a reflection of this information gathered from across the State as well as data from across the Nation.

## Chapter 2 Data and Data Analysis

In this chapter the Office of Criminal Justice Programs (OCJP) provides a synopsis of the pertinent crime data and criminal justice system issues facing Tennessee. Whenever possible we display examples of the geo-mapped plots of those data, which OCJP uses to analyze distributions and trends among the issues. Most references are to the most recent information available from the Tennessee Incident-Based Reporting System (TIBRS) and OCJP's own environmental monitoring. But we have also attempted to place our analysis in the context of the national drug control strategy by citing pertinent data from federal sources, such as studies sponsored by ONDCP and the National Drug Intelligence Center.

As has been our policy at OCJP, we are careful *not* to allow macro-level data to drive the planning process *exclusively*; instead we “filter” the statewide incidence data through the experiences of our practitioner-partners, who contend with crime on a daily basis. Our strategy-development process uses that filtering to “feed” the problem identification stages of our planning. Therefore, this analysis includes observations made by local practitioners about the problems they face in the communities.

### Introduction

The scope of problems associated with drugs and violent crime, and our system's need for improvements, has changed since OCJP's last multi-year Statewide Strategy. The state's major issues continue to be drug trafficking, court backlogs, victim rights protection, drug treatment availability and the need for criminal justice system automation and integration. However the changes that have occurred are related to Methamphetamine and prescription drug abuse. The magnitude of the prescription drug problem in this State is illustrated by the people it is affecting. Upper socio-economic groups are being seen in larger numbers in our court system. These individuals pose a new challenge which is largely being addressed through drug courts. The methamphetamine epidemic has left the State with challenges to the economy as well as the ecology of the State.

The current data portray no dramatic upswings or decreases in crime in Tennessee, but our crime problems still place the state solidly among states in the highest tier of overall violent crime through 2011. Additionally, a disproportionate amount of violent crime is attributed to domestic violence. For now, however, we find no compelling reason in the data to make significant shifts in Byrne funding priorities for this strategy period.

The data on violent and drug-related crime suggest that three trends are continuing in Tennessee. They correspond with the national strategy's priorities:

- Community crime rates and judicial workloads are being influenced by a long overdue increase in the system's attention to domestic violence cases. Tennessee's population is also changing, and related factors are influencing crime and delinquency (e.g., pockets of poverty and school dropout rates are corresponding with areas of drug-related crime). Tennessee is experiencing exponential growth in the numbers of non-English-speaking people, especially in the central parts of the state. That trend over-taxes the criminal jus-

tice system's ability to process arrests and adjudications. These are the kinds of issues that drive our need for community-based policing, school-based drug education services, victim advocacy, court diversion and court support alternatives.

- According to a 1994 BJS study, over 70% of offenders with a history of drug involvement are re-arrested within three years of their release from incarceration. Building coping skills during the incarceration period is our greatest opportunity for effective treatment, which reduces repeat episodes. However, state corrections data indicate that Tennessee's prison populations continue to grow at a steady pace. Residential drug treatment programs, offender reentry programs and Community-Based Offender Treatment Programs are needed, but so are drug courts and other diversion alternatives that have demonstrated their effectiveness.
- Tennessee's overall violent and drug-related crime rates per 100,000 place it in the top quintile of all states' rates, along with several other southeastern states. In the drug enforcement arena, methamphetamine continues to be a serious issue for Tennessee, which has the dubious honor of hosting *both* major trafficking routes *and* a significant production industry in the southeastern part of the state. Tennessee is also at risk for the distribution of abused and diverted prescription drugs such as Oxycontin and Hydrocodone. These are the reasons Tennessee continues to need multi-jurisdictional drug enforcement and prosecution teams, continuing education, and criminal justice record systems automation and integration.

In the sections that follow we place the state's geographic and population demographics into perspective. Then we describe the societal indicators that tend to influence drug abuse and crime, and that demand prevention and diversion responses. After that we visit the data on correctional populations and the factors driving plans for treatment resources. Finally, we sum up the distribution of Group A crimes and drug incidence information we have used to make decisions on apprehension approaches.

## Data on Tennessee's Population and Socio-Economic Conditions

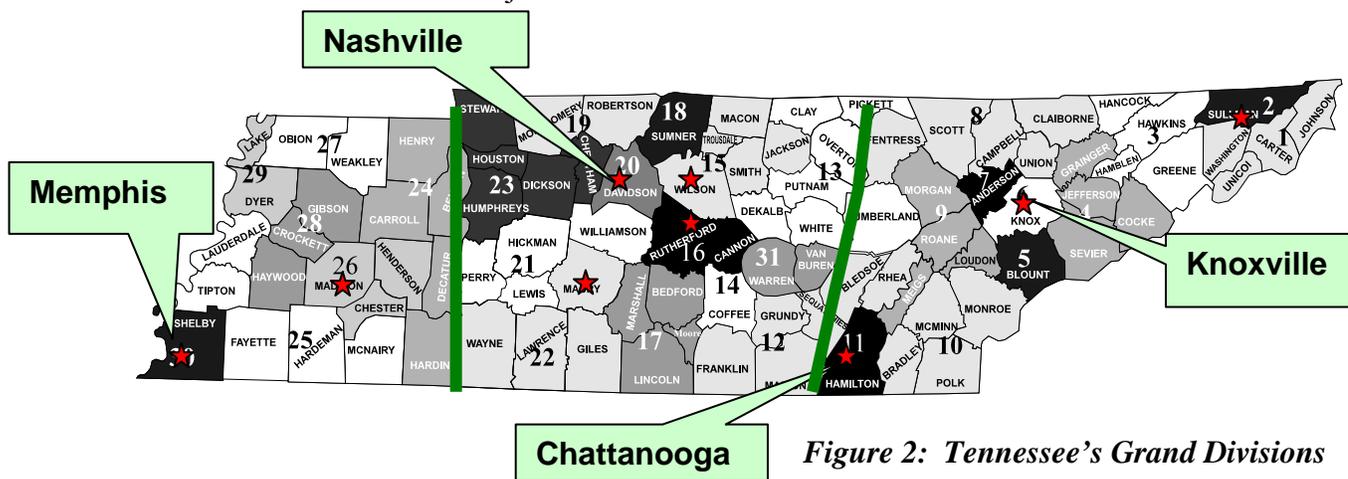
OCJP monitors the following sources of community and criminal justice system trends to be able to identify the "nature and extent of the problem in Tennessee":

- U. S. Census data on population changes;
- Uniform Crime Reporting (UCR) Data on Violent Crime;
- Tennessee Incident Based Reporting System (TIBRS);
- Drug Production, Sales and Use Data (Bureau of Justice Statistics, National Drug Intelligence Center);
- El Paso Intelligence Center (EPIC)
- Corrections Populations (Tennessee Department of Correction);
- Domestic Violence and Rape, Sexual Assault and Stalking Data (TIBRS); and
- Environmental "scans" of other criminal justice system issues derived from:
  - Routine contacts with other state agencies (e.g., Departments of Safety, Corrections, TN Bureau of Investigation, Board of Pardon and Parole) and the U. S. Attorneys and Law Enforcement Coordinating Councils;

- Conferences, retreats, routine public gatherings and work groups for grant sub-recipients and leaders in the field (e.g., TN District Attorneys General Conference, the Sheriff’s Association, the Police Chief’s Association, the TN Narcotics Officers Association, the Administrative Office of the Court, the District Public Defenders Conference, the TN Drug Court Association, the TN Coalition against Domestic Violence and Sexual Assault); and
- Regular meetings with advisory committees of system participants, such as the OCJP Criminal Justice Executive Advisory Committee and the Criminal Justice Records Improvement Task Force.

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There are three distinct geographical regions of the state, corresponding with the Districts of the U. S. Attorneys Offices (see Figure 1 below). Tennesseans refer to these as “grand divisions.” In the eastern “grand” the hilly and mountainous areas reach elevations of over 6,000 feet above sea level. The middle grand division is mostly gentle, rolling hills whose elevations range from 500 to 1,000 feet. The middle grand hosts the second largest concentration of population and the seat of state government in the region around Nashville. The Tennessee River separates the western grand from the middle grand division. The west, approximately 10,000 square miles of territory between the Tennessee and the Mississippi Rivers, is home to Tennessee’s largest city, Memphis. Northwest Tennessee, the rest of the western grand division, is quite sparsely populated. Figure 1 also illustrates Tennessee’s 31 judicial districts.



*Figure 2: Tennessee’s Grand Divisions*

There are four major cities in Tennessee, but six other major areas are expanding in population at a rapid pace. The four major cities from west to east are Memphis, Nashville, Chattanooga and Knoxville. The six additional areas of expanding population are, from west to east Jackson, Clarksville, Columbia, Murfreesboro, Lebanon, and Johnson City

**National Incident-Based Reporting System (NIBRS)**

The Tennessee Incident-Based Reporting System (TIBRS) was certified by the federal Bureau of Justice Statistics in 1998. Tennessee remains one of only a handful of states reporting 100% of its crime statistics to NIBRS. Analysis of data reported by Tennessee into the NIBRS system reveals a downward trend in violent and drug related crime. The number of incidents of these type crimes have gone down as the population in Tennessee has risen thus making the decline in the crime rate (number of incidence per 100,000 population) that much more dramatic. A five year snapshot in the table below indicates the following trends:

- **Overall Group A Crime Rate:** Group A crime includes numerous crimes against the person, property crime and crimes against society. The rate of overall Group A crime is down 13% from 2007 through 2011.
- **Murder:** The incidence of murder shows peaks and valleys over the past five years however the most current data shows an 8% decrease from the 2007 figures.
- **Rape:** The data reveal that a steady decline with a brief increase in 2010. Rape is overall down 10% since 2007.
- **Robbery:** The number of robberies has steadily declined since 2007 to a dramatic 27% decline over the past five years.
- **Aggravated Assault:** Despite a minor rise in 2011 the data shows that over the past five years the incidence of aggravated assault has been reduced by 14%.
- **Weapons violations:** The number of weapons violations has also seen a steady five year decline since 2007. The total incidence of this crime declined by 13% during this five year period.
- **Drug Violations:** Drug violations show an overall decline of 13% over the five year period.

Figure 3: TIBRS Crime Data Crime 2007 - 2011

<b>Crime Type</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Murder</b>	410	413	473	360	377
<b>Rape</b>	2,263	2,166	2,086	2,180	2,045
<b>Robbery</b>	11,176	10,847	9,727	8,413	8,140
<b>Aggravated Assault</b>	33,242	31,887	29,995	28,209	28,709
<b>Simple Assault</b>	97,917	95,884	96,039	96,814	94,792
<b>Weapons Violations</b>	6,275	6,157	6,227	5,742	5,942
<b>Drug Violations</b>	47,720	43,282	44,835	44,898	45,316
<b>Total Group A Crime Rate</b>	10,495	10,057	9,600	9,248	9,128

## ***Domestic Violence, Sexual Assault and Stalking Victimization Data***

While the overall violent and drug related crime in Tennessee has gone down the amount of crime classified as domestic violence has risen. Between 2007 and 2011 the incidence of domestic violence related murder increased 12%. Of the 377 murders occurring in 2011, 26% were attributed to domestic violence. Of the 28,709 aggravated assaults occurring in 2011, 38% were attributed to domestic violence. The impact of crime against the person as a result of domestic violence is clear. A high percentage of the overall crime against the person is related to domestic violence.

OCJP will be monitoring this trend for the upcoming planning period and will continue to leverage state and federal funding to support programs geared to prevention and toward allowing easier access to programs that will allow victims the ability to extricate themselves from the relationships that lead to victimization. The Governor's Public Safety Action Plan identifies four action steps to be taken to reduce the level of violence in the home. OCJP will work with the agencies involved in those action steps to implement the strategies identified.

## ***Drug manufacturing, Drug Trafficking and Drug Diversion Issues***

While overall drug crime has appeared to have declined over the past five years the magnitude of the drug problem has increased. The manufacturing of Methamphetamine has grown in epic proportions and taxes the states resources because of the environmental and health related impact the drug has on this State. Further, prescription drugs have become almost as large a problem in that they touch all persons in our society. The diversion of prescription drugs from lawful delivery to persons in need to be used in criminal enterprise has presented a new problem in the investigation and prosecution of these diversion cases. Finally, Tennessee appears to be a major pass-through state for drugs to be transported north and south as well as east and west. The interstate system allows drugs to be transported with relative ease from western states to the east coast and from the southern states to the north.

***Drug Manufacturing:*** Methamphetamine production, distribution, and abuse frequently are associated with violent crime in Tennessee. Producers are known to booby-trap laboratories with dynamite. Street gangs commonly distribute methamphetamine, among other drugs, and also have committed crimes such as assault and black market weapons distribution. Chronic methamphetamine abusers often display paranoia, experience hallucinations or mood disturbances, and are prone to violence.

Local law enforcement officials have noted recently that they are increasingly concerned with the serious safety and environmental hazards raised by methamphetamine production. The chemicals used in production usually contain a variety of highly flammable toxic chemicals and vapors. Toxic waste contaminates the soil, kills vegetation, and poisons water supplies. Investigators as well as the public are endangered by enforcement actions.

In 2010 Tennessee law enforcement seized 2,082 Clandestine Methamphetamine labs. This is a tremendous increase over the past several years. There are a few reasons for the increase, but the primary reason is the adaptation of the criminals to the measures being taken through statute created to combat this crime. Manufacturers have adapted to these laws by

developing loosely formed Drug Trafficking Organizations (DTO's) populated by meth addicts, prescription drug abusers, and other criminals. They use the Shake and Bake Manufacturing Method predominantly because of its ease, speed, and portability. Some of the largest of these local DTO's are sponsored by known gang members. Police efforts have also contributed to the increase in lab seizures. Law Enforcement officers increasingly use the Tennessee Meth Intelligence System (TMIS) which was created to identify offenders and their associates. TMIS use is up 492% from 2007 to 2010! The result of this use is not only meth seizures; it includes more arrests of offenders and more children rescued from the meth cooks. In 2011 we saw a drop in lab seizures primarily due to a defunding of meth lab clean-up by the Drug Enforcement Administration. In July of 2011 OCJP joined TBI and the Methamphetamine Task Force to create the Authorized Central Storage Container program that reduced the clean-up cost per lab by 80%. Meth lab seizures have risen dramatically in the last six months of 2011 and total seizures ended at 1,687.

***Drug Trafficking:*** The illegal drug market attracts the most ruthless, sophisticated, and aggressive drug traffickers. Law enforcement agencies are tasked with locating and arresting these individuals who bring cocaine, heroin, marijuana, MDMA, and methamphetamine to our neighborhoods and doorsteps. Diverse groups traffic and distribute these drugs across the Southwest Border and distributed them throughout the United States since the 1970s. In addition to distributing cocaine and methamphetamine in the West and Midwest, these Mexico-based groups now are attempting to expand the distribution of those drugs into eastern U.S. markets. Tennessee's extensive highway and interstate systems make this trafficking easier. Additionally, the Drug Enforcement Administration has identified criminal groups based in Southeast smuggle heroin into the United States. Using New York City as a major distribution hub, these criminal groups move heroin up and down the eastern seaboard and into the Midwest. The DEA has also identified domestic organizations cultivating marijuana, manufacturing Methamphetamine and LSD for transportation across the US to be distributed to high school and college students throughout the United States.

Tennessee collects no statewide statistics on the amount of drugs seized through anti-trafficking efforts however through the efforts of the Tennessee Highway Patrol, the Judicial District drug and Violent Crime Task Forces and Tennessee's local law enforcement with drug interdiction units Tennessee has seen an increase in amounts of drugs seized as well as property seized as a result of illegal activity.

***Prescription Drug Abuse and Diversion:*** Working with the Tennessee Board of Pharmacy, a coalition of health care, insurance and law enforcement entities have developed a Prescription Monitoring Program (PMP) similar to Kentucky's. Tennessee is currently working with its border states and their PMP programs to improve connectivity and interoperability as one of the action steps to the Governor's Public Safety Plan. A Blue Cross/Blue Shield of Tennessee study indicated that Tennessee has the distinction of having the highest per capita rate of prescriptions in the country. Illegally diverted prescription drugs are becoming a serious issue according to OCJP's law enforcement partners in the criminal justice agencies statewide. Tennessee has consistently been ranked among the top five states for per capita distribution of a dozen of the most abused and diverted prescription drugs. Tennessee law enforcement officials specifically mention two prescription drugs: Oxycontin and Hydrocodone. The Tennessee Bureau of Investigation's crime laboratories reportedly received 1874 exhibits related to Oxycontin or Hydrocodone, an increase of over 200% in one year. The

offense extends to doctor shopping, use of altered, forged or fraudulently obtained prescriptions, drug store robberies and burglaries, inappropriate or illegal prescription and/or dispensing all contribute to abuse and diversion of prescription drugs. Fraud against private insurance companies and the Medicaid (TennCare) program is often directly related to abuse and diversion.

***Drug Treatment Issues:*** Drug arrests and convictions raise the demand for sanctions, which places extreme pressure on the capacity of state prisons and jails. The excess spills over into community sentencing of probation and parole. The logjam can either be broken by building more facilities or by finding credible intermediate sanctions and treatment for offenders that pose lower threats to society. Because the national strategy makes drug treatment a priority, and because diversion makes sense in Tennessee, OCJP monitors the population growth in Tennessee prisons and the need for the drug courts and residential treatment.

Over the past five years Tennessee has been growing its response to the community-based offender population through reentry programs and specialty courts like mental health courts and drug courts. Tennessee has grown from a handful of drug courts in 2004 to over 40 in 2011. Tennessee also currently has two mental health courts which add to the alternatives available for community-based supervision.

## Conclusions: Problems and Needs

The data on violent and drug-related crime suggest four trends that need to be addressed through this strategic plan:

- Community crime rates and judicial workloads are being influenced by a long overdue increase in the system's attention to domestic violence cases. Tennessee's population is also changing, and that brings other socio-economic factors into play that influence crime and delinquency patterns. We are experiencing exponential growth in the numbers of non-English-speaking people, and that is over-taxing the criminal justice system. These issues are driving a need for community-based policing, school-based drug education services, victim advocacy, court diversion and court support alternatives.
- Enforcement places huge burdens on the courts' caseloads, demanding diversion alternatives. Community Corrections populations are also steadily growing, taxing a system that is struggling to offer alternatives. Reducing recidivism among drug offenders will be our greatest opportunity for effective treatment. Residential and community-based drug treatment programs are needed, but so are reentry programs that offer services needed by offenders once released back into the community.
- While drug related crime may appear to be leveling off there are specific issues that have arisen that threaten to have a much larger impact than crime itself. Methamphetamine manufacturing and use threaten the environment and the high cost of clean-up and mitigation of the labs tests the limits of the State's resources. Of additional concern are the medical costs being incurred as a result of prescription drug abuse by a much wider socio-economic population than seen with any other drug.
- While Tennessee's crime rate has appeared to be on the decline certain types of crime such as domestic violence, gang-related and human trafficking have come to the forefront as issues of primary concern to the public.

## Chapter 3 Resource Needs and Gaps

Our analysis of the data presented in Chapter 2 has led Tennessee’s Office of Criminal Justice Programs to persist in its attack on major problems facing Tennessee’s criminal justice system. Even though the index crimes against people in Tennessee have remained relatively stable or even on the decline in recent years, we continue to face challenges in the form of an economic downturn and specialized issues described previously that need to be met. Even our successes in dealing with drugs and drug-related crime create challenges by threatening to overwhelm our courts and prisons. Tennessee’s Statewide Strategy “holds the line” on our strategic priorities because three years ago we set in motion a strategy to address these issues at their sources. Community-based approaches and education are reducing demand. Court diversion and correctional treatment are helping the courts to cope. OCJP maintains rigorous multi-jurisdictional enforcement and prosecution efforts to disrupt the drug market. All of these approaches are integrally related to the national strategy as well. For the new planning period we have created a new priority dealing with emerging crime issues. We have added as a priority “Innovations in Investigations” to ensure data-driven and targeted approaches to emerging crime issues.

### Introduction

The Tennessee Office of Criminal Justice Programs (OCJP) manages a systematic, year-round cycle for tracking problems surfacing in the criminal justice system, monitoring trends in Tennessee’s communities, assessing the condition of the state’s resources, setting program priorities, making grant allocation decisions, managing those funded projects, measuring the performance of, and evaluating the results of those decisions. Our strategic program management process looks several years ahead of daily grants management activities at the changing needs of Tennessee’s justice system. The process helps OCJP focus its future program descriptions, set its funding priorities, prepare its budget requests, and direct its limited resources into areas that promise the best return for the public’s investment. (Appendix B contains details on our planning process.)

### **Tennessee’s Areas of Greatest Need**

The Tennessee Office of Criminal Justice Programs (OCJP) manages a systematic, year-round cycle for tracking problems surfacing in the criminal justice system, monitoring trends in Tennessee’s communities, assessing the condition of the state’s resources, setting program priorities, making grant allocation decisions, managing those funded projects, measuring the performance of, and evaluating the results of those decisions. At OCJP *strategic program management* is a structured process that looks three to five years ahead of daily grants management activities at the changing needs of Tennessee’s justice system. All this information helps OCJP focus its future program descriptions, set its funding priorities, prepare its budget requests, and direct its limited resources into areas that promise the best return for the public’s investment. (See Appendix B for details.)

For this planning period Tennessee OCJP relied less on the Uniform Crime Reports available from the FBI, and more on the Tennessee Bureau of Investigation’s TIBRS database. OCJP

extends the research beyond tracking statewide crime and corrections data, to identify specific communities with higher crime rates and track the variables associated with changes in patterns of criminal behavior – such as population growth, population growth among non-English-speakers, unemployment rates and Byrne JAG related program spending. Additionally, staff has been meeting with stakeholders both formally and informally to discuss areas of greatest need. The economic downturn of the last four years has also created a great gap in funding what has typically been considered infrastructure and therefore exempt from budget cuts. Additionally, the increases in unemployment seen across the country has also had an effect on the offender population. Much of Tennessee’s funding of the criminal justice system comes from offender-based fines and fees. Tennessee has seen drastic decreases in these offender based revenues over the past three years further reducing funding options for the criminal justice system. The data suggest the following areas of need:

***System weaknesses tied to domestic violence:*** In Tennessee the community is more aware of violence against women, and the number of victim service agencies has grown. Greater attention to enforcement creates greater demand on the courts. Still, inadequate law enforcement responses, prosecution, and court-imposed consequences on domestic violence offenders continue to pose problems for victims of domestic violence in Tennessee. Domestic violence training is still not provided often enough for police, judges and prosecutors; OCJP continues to fulfill this training need across Tennessee. While special police DV and prosecution units are being developed, their numbers remain small statewide. Local domestic violence task forces exist in only half of the thirty-one judicial districts, despite attempts to promote collaboration. Advocacy in the legal system is stretched thin: most judicial districts in Tennessee provide only one victim services staff member. These advocates serve victims of all violent crime, not just sexual assault victims. In rural areas, this means that the one advocate may have to serve more than one site, and be physically present only on certain days of the week. Studies have shown that victim advocates assist the effectiveness of prosecution by enhancing the participation of victims and witnesses in the legal process.

Cases are often lost when law enforcement and prosecutors attempt to use the victim’s testimony as the only evidence when the case comes to court. This traditional method often fails to secure a conviction and the victim is right back where they started. Victim’s of domestic violence have few options to extricate themselves from dangerous relationships therefore they return to their abuser. This is especially true in rural areas of the state. Law enforcement and prosecution must explore alternatives to gathering additional evidence to be used should the victim decide not to prosecute or worse yet, recant their statements. Additionally, more services need to be made available to victims of domestic violence in the areas they live and work.

***Community-based crime prevention & education activities:*** Traditionally, Tennessee has been unable to invest much in prevention programs. Because of the demographic changes Tennessee is experiencing, resources are needed to prevent the use of illegal drugs by the state’s children, including additional efforts to educate young people to the dangers of drugs and alcohol and about alternatives to violence. School-based programs can also offer children a safe and supportive environment that encourages them to reject illegal substances. Other

needed approaches include empowering partnerships for community policing and crime prevention, such as Crime Watch programs.

***Data-driven, location-based strategies to crime reduction:*** While crime rates across the state are declining there are pockets of high crime areas within many of the urban and suburban areas of the state. These high crime neighborhoods generate a inordinate amount of crime. In addition the traditional methods of dealing with this crime is not working. There are many reasons for this. Many of the mid-sized cities in Tennessee have inadequate or non-existent law enforcement crime mapping capabilities. Those with adequate crime mapping often take the wrong approach to solving the problem. Evidence-based practices are often a mystery to even the larger agencies. Finally, approaches that are developed by a single agency within a vacuum are more times than not unsuccessful. This is the traditional criminal justice approach to problem solving. We tend to think we know more than the other guy and we tend to get territorial, especially when resources are limited. Strategies that employ the following proven techniques are unknown to all but a select few in Tennessee and the need for education is crucial. Strategies to crime reduction:

- Crime mapping techniques to identify location specific high crime areas
- Multiple data sources to develop intervention strategies (data-driven approaches)
- Solicit community stakeholder responses to develop intervention strategies
- Solicit multiple practitioner input to develop intervention strategies
- Employ evidence-based or evidence informed strategies
- Develop target performance measures
- Employ the use of a researcher/evaluator

***Meeting basic infrastructure issues such as law enforcement equipment and criminal justice training:*** The downturn in the economy over the past four years has led to a reduction in resources on the federal state and local levels. A lack of resources has caused local law enforcement and other criminal justice agencies to reduce and rather than reduce manpower agencies tend to keep equipment known to be outdated, sometimes at the risk of safety to their officers. Additional training is often seen as nonessential when resource cuts occur. Law enforcement, courts and corrections agencies as well as ancillary non-profit groups have needs for training in a variety of criminal justice topics. With reductions in local funds as a result of a four year economic downswing there are less local dollars available for funding all aspects of the job and typically training dollars are the first to be cut. Additionally, issues not previously given little attention (domestic violence/elder abuse and human trafficking) and new issues (clandestine meth lab clean-up, prescription drug abuse/ diversion and the increase of gang related criminal activity) have created new needs relative to training.

***Replacement of dated Law Enforcement Equipment in economically depressed areas:*** OCJP has identified law enforcement agencies hardest hit by the economic downturn and re-directed funding to these agencies to support some basic infrastructure issues that due to declining budgets have made replacing essential equipment prohibitive. Due to shrinking funds at all levels of government agencies are forced to continue to use equipment that is outdated and that in some cases fails to be operable with newer systems purchased by other agencies. Therefore funding must be targeted and decisions based on crime rate, equipment operability and the availability of other local, state or federal funding.

***A continuum of treatment for those incarcerated or under community supervision:*** Increased law enforcement efforts, better adjudication processes and an increase in drug and violent crime sentences are causing Tennessee's felon population to continue to rise. While crime rates have remained somewhat stagnant the number of felons incarcerated in State facilities and local facilities paid with State dollars has continued to rise. These inmates are eventually returning to the community so the need is even greater to prepare these individuals for release as well as continuing their care post release. These needs must be addressed both in the institution and in the community by programs effective in enhancing the participant's cognitive, behavioral and vocational skills. Programs to address the inmate and probationer/parolee needs must be evidence-based or evidence-informed. Programs such as substance abuse treatment, victim-offender reconciliation, vocational rehabilitation, cognitive behavioral therapy and community reentry programs will fill this need.

***Coordinated approach to apprehension and prosecution of drug offenses & violent crimes:*** The possession, sale, and cultivation of illegal drugs have impacted communities in all areas of the state. The drug problem has exacerbated violent crime activity. Individual law enforcement agencies in Tennessee do not have the personnel or funding to combat the problem alone. As drug distribution activities spread over larger regions – ignoring the artificial boundaries of individual jurisdictions – law enforcement (and prosecutors) are forced to explore the need for task forces that can meld the talents of individual offices into an effective whole. There is also a need for specialized skills and expertise in rural settings where criminal enterprise takes place without regard to the size or experience of the office. Undercover work is more difficult, if not impossible, in smaller communities, where police officers are well known to the locals. For these and other reasons, the multi-jurisdictional drug and violent crime task forces fill the gaps between the traditional law enforcement organization and the need for responding to these new demands.

Tennessee continues to require the prosecutor-led multi-jurisdictional task forces. There is still a gap in the capacity of prosecutors in this non-traditional role. Ensuring successful prosecution of these cases in state and federal courts discourages expansion of this type of criminal enterprise.

Enforcement of drug and violent crime in this quickly changing world of criminal activity requires law enforcement and prosecutors to take full advantage of the technology and training available to them. Rapidly changing conditions, turnover of staff and the continuous need to update training curricula and materials illustrate other gaps to be filled.

***Case backlog and programs to minimize time and maximize effectiveness of court:*** Recent improvements in law enforcement manpower, technology and professional practice have impacted the State's adjudication system adversely. Despite a somewhat stagnant crime rate, clearance rates have improved as technologies and crime fighting techniques improve. This has caused an increase in court dockets. Add to this the complexity of new cases involving technology which prosecutors and defense attorneys alike are ill prepared to handle. Court dockets have, over the past ten years, have seen an influx of large numbers non-English speaking defendants in the system. Programs to fund court delay reduction projects will help meet the need of moving cases through the system more quickly while ensuring due process is met. These projects will expedite the process while adding accountability (interpreters) for

non-English speaking defendants, they will divert non-offending individuals with mental illness from court dockets, they will allow technology in the courtroom to expedite cases where the defendant is in pre-trial custody, they will support special pro-tem prosecutors where time and manpower require them and they will add support to the public defender system where most appropriate to ensure due process.

***Improve criminal justice information sharing and integrated systems:*** Like many states Tennessee has struggled with consolidated, coordinated statewide programs to collect, manage and disseminate information relating to crime, criminals and criminal activity. Previously a lack of accurate, reliable criminal history information that can be shared expeditiously among a variety of stakeholders in the criminal justice community has been a significant obstacle to the effective apprehension and prosecution of offenders. However, advancements in this area, primarily over the past five years, has put much of this information in the hands of law enforcement and the courts. The primary needs in this area are the coordination and continued enhancement of our statewide criminal history records system. We need to implement the improvement plan and to maintain the momentum we have already begun. Another of Tennessee's greatest needs is in the area of automation for the court record system. New equipment and increases in personnel are essential for dealing with overcrowded courts.

## Needs Analysis, Gaps and Byrne Funding Priorities

Given the limited resources Tennessee has to provide services, OCJP must balance the communities' needs with grant programs of a very limited nature. By continuously assessing Tennessee's funding capacity (such as federal and state grant prospects) OCJP maintains the best possible balance between the community's needs and Tennessee's resources. When OCJP compares state resources with the needs and demands for quality services, there is usually a gap. That analysis helps OCJP make responsible budget decisions. Keeping an inventory of resources also helps us avoid managing for crises by responding in ways consistent with OCJP's strategic direction. OCJP grants managers monitor the condition of the following federal and state grant sources for Tennessee:

- *Edward Byrne Justice Assistance Grant (JAG) Program:* OCJP administers the Edward Byrne State Justice Assistance Grant. The goal is to make communities safe, improve the criminal justice system, and reduce crime, violence and drug abuse. Special issues addressed by this program have included improvement of criminal justice records, domestic violence prevention and intervention, prevention of school violence, drug offender prosecution and treatment, information system technology, community-based policing, court and drug task force support and correctional systems improvement.
- *National Criminal History Improvement Program (NCHIP):* OCJP coordinates the state level interagency taskforce which leads the effort to improve the collection and reporting of criminal histories throughout Tennessee's criminal justice system. The Office administers grant funds and coordinates activities statewide to improve this system.

- *Paul Coverdell Grant:* This grant is used to fund the State crime lab at the Tennessee Bureau of Investigation as well as needs at the State's Medical Examiners Office.
- *STOP Violence Against Women Program:* OCJP coordinates, plans and serves as the administrative agency for Tennessee's STOP Violence Against Women Grant. The Office administers approximately 65 grants to law enforcement, prosecution, and victim services agencies.
- *Residential Substance Abuse Treatment (RSAT):* OCJP administers the RSAT Grant for state prisoners. The program provides for substance abuse treatment programs in state and local correctional facilities.
- *Victims of Crime Act (VOCA):* Tennessee's VOCA program is designed to provide high quality services that directly improve the health and well being of victims of crime. Priority is given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims. Currently over 75 grants are funded throughout Tennessee.
- *Sexual Assault Services Program:* OCJP administers the funding for this grant which is distributed to local agencies who offer services to victims of sexual assault throughout the state.
- *Family Violence Shelters:* This state program provides grants for shelter and related services to victims of family violence and their dependents. Funded shelter services are provided 24 hours a day, 7 days a week. They include shelter, crisis hotline, counseling, advocacy, transportation, referral, follow-up and community education. This program currently funds more than 30 shelter grant programs.
- *Sexual Assault Fund:* This new state-funded program was initiated in 2003. It is funded through a fine levied on all sexual assault offenders. This state initiative will fund programs that provide direct services for victims of sexual assault.

In addition to the above Federal grants received by OCJP this office stays aware of other Federal funding coming to the state for criminal justice purposes. That funding includes:

- *Drug and Alcohol Prevention and services to the Department of Mental Health*
- *Prevention funds to the state Department of Education*
- *Juvenile delinquency funding to the TN Commission on Children and Youth*
- *Governor's Highway Safety Funding to the State Department of Transportation*
- *And other competitive grants received by the state*

Finally, OCJP coordinates several streams of state funding to ensure funds of leveraged to have the maximum impact to the criminal justice system. Those state streams of funding include:

- *Multiple appropriations and fee based funds to victim services programs*
- *Methamphetamine Prevention Programs*
- *Drug Court Funding*
- *Automated Fingerprint Identification System Funding*
- *Internet Crimes Against Children Funding*
- *Ignition Interlock Funding for LE agencies*
- *Automated Victim Notification Funding*
- *Multiple other direct state appropriations to local agencies*

## *Chapter 4 Tennessee's Priorities and Select Responses*

In this chapter OCJP sets out the Byrne Priority Areas established by Tennessee's strategy development process for identifying the state's drug and violent crime problems and needs.

We present Tennessee's priority areas in the pages that follow. Each priority area description provides a rationale for the Priority by discussing what needs to be achieved during the Strategy period. Under five "JAG Purpose Areas" OCJP has identified the following 11 priorities.

OCJP carefully works within the parameters of its strategic planning framework to identify selected programs to address the needs identified during planning. These programs are developed in conjunction with our work with our local state and federal partners. Abstracts are developed identifying the problem, describing the program, detailing goals, objectives and activities and finally performance measures are developed. Each federally funded program under Byrne JAG must adhere to the parameters of one of these abstracts.

### **Byrne JAG Purpose Area: Prevention and Education Programs** *OCJP Priority - Community-Based Crime Prevention Services*

The strategy is to prevent crime through the increased coordination and collaboration of law enforcement agencies, education agencies, social service agencies, and communities. OCJP intends to address prevention with programs that educate and encourage the State's youth to reject illegal drugs, tobacco, and alcohol, and to refrain from engaging in criminal activities. Moreover, efforts must be made to engage communities in actively ensuring the safety of their citizens. OCJP will continue a range of existing projects, such as partnerships for community policing and officer training in their roles in drug court diversion and "teen court" projects. Financial and administrative support for police sub-stations will continue to fill part of the gap between the community and law enforcement. The Community Policing Model is one important approach to community crime prevention. We will continue to focus data-driven drug and violence prevention programs on a range of intervention strategies.

Traditionally, Tennessee has been unable to invest much in prevention programs. Because of the demographic changes Tennessee is experiencing, resources are needed to prevent the use of illegal drugs by the state's children, including additional efforts to educate young people to the dangers of drugs and alcohol and about alternatives to violence. School-based programs can also offer children a safe and supportive environment that encourages them to reject illegal substances and the pressures of joining gangs and or bullying other students. Other needed approaches include empowering partnerships for community policing and crime prevention, such as Crime Watch programs. Programs targeting place-based solutions and implementing evidence-based programs are given highest priority.

#### ***Program Description***

The projects funded in this program area seek to develop and empower community partnerships through enhanced police leadership, and the establishment of projects that implement high quality police services. The partnership concept is central to the effective implementa-

tion of this program, which is designed to increase public awareness of criminal activities, their causes, and possible solutions. Projects would target the general population via mass media and/or public service announcements, or specific segments of the population, such as women, at risk youth, or the elderly.

### ***Program Goals and Objectives***

**Goal 1:** Improve the quality of life in neighborhoods by bolstering the relationship between law enforcement and the community, thereby controlling crime and reducing victimization.

**Goal 2:** Reduce incidents of crime and victimization by increasing community awareness of criminal activities, their causes, and possible solutions.

**Goal 3:** Reduce the incidents of criminal activity in high crime areas by focusing on youthful offenders and at-risk youth.

**Objective 1.1.** Increase community access to police through the operation of on-site precincts in high crime and/or densely populated low-income communities. These officers will work in partnership with Neighborhood Watch programs to ensure the safety of their neighborhood. Additionally, law enforcement will partner with other units of local government or community agencies to implement innovative approaches to reduce crime.

**Objective 2.1.** Increase communities' awareness of criminal activities and their willingness to collaborate with law enforcement through the use of training and/or education programs aimed at the general public.

**Objective 3.1.** Divert at-risk youth from criminal activity and increase their ability to succeed as adults without becoming involved with the criminal justice system.

### ***Activities***

Negotiate with housing authorities or landlords to provide space for a community substation. This places officers closer to the people they serve, reduces response time, and reduces residents' fear of crime. It further fosters the "partnership" concept, and enables residents to feel a part of a visible, active "team effort" in controlling crime.

Conduct community forums to gauge the knowledge and desire of the citizens to learn about the causes of drug and violent crimes. Organized meetings will identify problems, goals, objectives, and a plan to meet the needs of the community. Law enforcement will make efforts to bring city/county representatives of services to the neighborhood. Partner with or contract with various media outlets (radio, television, newspaper, etc...) for public service ads that address pertinent issues.

Support in-school and after-school programs that target diverting at-risk youth from criminal activity. Programs such as G.R.E.A.T., D.A.R.E.; and mentoring programs such as Explorer POSTs and others have been identified as effective. Create and support other programs that assist in preventing or minimizing victimization. Make age and content-appropriate presentations at schools or after school programs to identify the risks associated with criminal behavior and/or drug use.

### ***Performance Measures***

**Measure 1.1.1.** The number of officers assigned to high crime and/or low-income densely populated housing projects during each fiscal year of implementation.

**Measure 1.1.2.** The number of substations for police officers that will be developed.

**Measure 1.1.3.** Completed surveys reflect citizen satisfaction with police/community partnership initiatives and expressed reduced fears of assault, burglary, or vandalism.

**Measure 1.1.4.** Areas receiving additional officers and/or new substations will experience a decrease in the number of burglaries, assaults, and vandalism incidents. This decrease will be measured by comparing frequency of these offenses from the previous fiscal year with those during the year of grant implementation.

**Measure 2.1.1.** Residents of the project's target area indicate in surveys that they perceive positive changes in the frequency of burglaries, assaults and vandalism.

**Measure 2.1.2.** Residents of the project's target area indicate in surveys that they perceive positive changes in their levels of fear of crime.

**Measure 2.1.3.** Project reports the formation of a broad-based community organization.

**Measure 2.1.4.** The number of training or education programs conducted.

**Measure 2.1.5.** Number of attendees at presentations or meetings for the general public.

**Measure 3.1.1.** Increase number of students receiving anti-drug/violence/gang instruction.

**Measure 3.1.2.** Increase overall Grade Point Averages of students trained under the project.

**Measure 3.1.3.** Participating students indicate that involvement with the project helped them increase their leadership skills or other skills for adult living without becoming involved with the criminal justice system.

**Byrne JAG Purpose Area: Prevention and Education Programs**  
***OCJP Priority – Targeted Community Crime Reduction Program***

Tennessee's priority here is to affect change in communities hit hardest by drug and violent crime. In doing so OCJP will target the communities and offer technical assistance in building community collaboration to identify problem areas and then develop the strategies to combat crime in those areas. The building of a community and practitioner collaborative will serve to create a sense of ownership and will break down barriers between the citizens and law enforcement and will cause the practitioners to work outside their silos.

The objective is to demonstrate with actionable data how effective community collaboration can be for (a) preventing serious crime, (b) enforcing community standards on serious crime, and (c) preventing repeat offenses among these offenders. In this effort crime directs funding to the cities in greatest need (primarily crime rate). These cities will in turn use crime mapping to analyze crime by type and location to determine the locations and best strategies to employ in reducing crime. Using input from the community and practitioners evidence-based or evidence-informed strategies in each of the three areas discussed above will be developed and subsequently implemented. These strategies will result in a multi-pronged (Pre-enforcement Prevention, Enforcement and Offender Intervention) approach that works in concert to reduce the amount of crime in the community.

Targeted communities are also required to employ a researcher/evaluator from the academic community to aid them in their programs process evaluation as well as a performance evaluation to ensure data is collected and used to improve the program and to determine if the short and long term outcomes are being met.

***Program Description***

Tennessee's priority here is to affect change in communities hit hardest by drug and violent crime. In doing so OCJP will target the communities and offer technical assistance in building community collaboration to identify problem areas and then develop the strategies to combat crime in those areas. The building of a community and practitioner collaborative will serve to create a sense of ownership and will break down barriers between the citizens and law enforcement and will cause the practitioners to work outside their silos.

In this effort crime directs funding to the cities in greatest need (primarily crime rate). These cities will in turn use crime mapping to analyze crime by type and location to determine the locations and best strategies to employ in reducing crime. Using input from the community and practitioners evidence-based or evidence-informed strategies in each of the three areas discussed above will be developed and subsequently implemented. These strategies will result in a multi-pronged (Pre-enforcement Prevention, Enforcement and Offender Intervention) approach that works in concert to reduce the amount of crime in the community.

Targeted communities are also required to employ a researcher/evaluator from the academic community to aid them in their programs process evaluation as well as a performance evaluation to ensure data is collected and used to improve the program and to determine if the short and long term outcomes are being met.

### ***Program Goals and Objectives***

The **goal** is to demonstrate with actionable data how effective community collaboration can be for (a) preventing serious crime, (b) enforcing community standards on serious crime, and (c) preventing repeat offenses among these offenders.

**Objective 1.1.** Use crime mapping to identify areas with high incidence of crime.

**Objective 2.1.** Coordinate community stakeholders and practitioners to identify the greatest problems and needs in those areas.

**Objective 3.1.** Develop the specific evidence-based strategies to be implemented in the areas of prevention, enforcement and offender intervention.

**Objective 4.1.** Implement the strategies designed through the collaboration of the community planning.

**Objective 5.1.** Evaluate the performance of the strategies and overall program through the use of a professional researcher/evaluator.

### ***Activities***

Law enforcement agencies will determine the location(s) in their communities where their highest incidence of crime occurs. Communities will conduct planning through community meetings using data derived from various resources. Evidence-based strategies will be reviewed for possible use and the final determinations of the strategies to be used will be a collaborative effort. Measures to determine the extent of the project's success will also occur at this point. Other activities specific to the implementation of the strategies will occur. Process evaluation and performance measures will be collected throughout the project.

### ***Performance Measures***

The performance measures will vary depending upon the strategies undertaken by the particular communities. The measures will be evaluated by the project's researcher/evaluator.

**Byrne JAG Purpose Area: Law Enforcement Programs**  
***OCJP Priority – Multi-Jurisdictional Drug and Violent Crime Task Forces***

Tennessee’s strategy is to enhance the ability of federal, state, and local criminal justice agencies using jointly controlled operations to remove specifically targeted mid and upper-level narcotics trafficking through investigation, arrest, prosecution, and conviction. The possession, sale, and cultivation of illegal drugs have impacted communities in all areas of the state. The drug problem has exacerbated violent crime activity. Individual law enforcement agencies in Tennessee do not have the personnel or funding to combat the problem alone. As drug distribution activities spread over larger regions – ignoring the artificial boundaries of individual jurisdictions – law enforcement and prosecutors are forced to explore the need for task forces that can meld the talents of individual agencies into an effective whole. Undercover work is made more difficult, if not impossible, in smaller communities, where police officers are well known to the locals. For these and other reasons, the multi-jurisdictional drug and violent crime task forces fill the gaps between traditional law enforcement organization and the need for responding to these new demands.

***Program Description***

Tennessee Code Annotated (T.C.A.) 8-7-110 created the Judicial District Drug and Violent Crime Task Forces in order to improve collaboration, produce written inter-agency agreements, encourage the pooling of resources including personnel and equipment, and to build a better system for addressing drug issues using a team concept. These task forces are formed under each Judicial District Attorney General and include a Board of Directors or Advisory Board that represents each participating agency. The Board of Directors, with the approval of the District Attorney General, appoints a Director, develops by-laws and written Inter-Agency agreements, adheres to a budget, and conducts other related business. Each local agency that elects to join the task force must provide personnel, equipment, or funding. The T.C.A. provides that each task force special agent will have the same jurisdiction throughout the Judicial District as he/she would have within his or her respective city or county.

These Judicial District Drug and Violent Crime Task Forces, along with State Departments and local law enforcement agencies, conduct covert and overt operations to reduce violent crime and disrupt drug trafficking. Covert drug operations target upper level drug dealers; overt operations involving the Department of Safety and the Task Forces intercept the drugs while in transport. Intercepting these shipments increases law enforcement control over deliveries in Tennessee, and collaboration with other states assists in identifying drug routes.

***Program Goal and Objectives***

**Goal 1:** The first goal of the Multi-Jurisdictional Drug and Violent Crime Task Force Program is to enhance, through jointly controlled operations, the ability of federal, state, and local criminal justice agencies to remove specifically targeted mid and upper level narcotics trafficking conspiracies and offenders through investigation, arrest, prosecution and conviction. This will include all drug related violent crimes.

**Objective 1.1.** Reduce the domestic production of methamphetamines.

**Objective 1.2.** Reduce percentage of fractional or duplicate investigations and prosecutions.

**Objective 1.3.** Increase investigations, prosecution, and convictions of major multi-jurisdictional narcotics offenders.

**Objective 1.4.** Identify major drug sources and trends.

- Objective 1.5.** Increase in drug arrests and seizures through Criminal Interdiction Units.  
**Objective 1.6.** Reduce the victimization of and by illegal drugs.

**Goal 2:** The second goal of the Multi-Jurisdictional Drug and Violent Crime Task Force Program is to reduce the criminal activities of gangs.

- Objective 2.1.** Number of gang investigations.  
**Objective 2.2.** Number of specialized gang officers.  
**Objective 2.3.** Number of gang intelligence systems.

### *Activities*

Operate a multi-jurisdictional task force under the program description, with formal memoranda of agreement among all participating agencies and offices. Work as one agency to develop and implement a strategy to set up an intelligence system that will infiltrate illegal drug trafficking offenders and organizations. Gather intelligence from confidential informants and other information sources. The drug task forces will continue their collaborative efforts on investigations, arrests, asset seizures and forfeitures, prosecution and conviction of serious offenders.

### *Performance Measures*

- Measure 1.** Number of meth investigations initiated;  
**Measure 2.** Number of meth related search warrants issued;  
**Measure 3.** Number of meth related arrests made;  
**Measure 4.** Amount of meth seized;  
**Measure 5.** Number of methamphetamine labs shut down;  
**Measure 6.** Number of meth dump sites discovered;  
**Measure 7.** Number of meth dump sites mitigated or cleaned up;  
**Measure 8.** How much meth precursors were seized in grams;  
**Measure 9.** How much meth was purchased in grams and what was it's street value;  
**Measure 10.** Number of total investigations initiated;  
**Measure 11.** Number of drug seizures;  
**Measure 12.** Quantity of drugs seized by weight and type;  
**Measure 13.** Value of property and/or cash seized and forfeited;  
**Measure 14.** Number of suspects arrested;  
**Measure 15.** Number of defendants prosecuted;  
**Measure 16.** Number of agencies participating in task force;  
**Measure 17.** Number of agencies not participating in task force;  
**Measure 18.** Number of public service meetings/classes held/numbers in attendance;  
**Measure 19.** Number of gang investigations occurred;  
**Measure 20.** Number of arrests resulted from these investigations;  
**Measure 21.** Number of successful prosecutions resulted from these investigations;  
**Measure 22.** Number of officers received intensive training on gangs;  
**Measure 23.** Number of officers were solely dedicated to gang interdiction activities;  
**Measure 24.** Number of gang units were in operation;  
**Measure 25.** Number of gang intelligence systems were developed;  
**Measure 26.** Number of intelligence systems were subscribed to for gang related purposes;  
**Measure 27.** Number of officers were trained on these systems or given access to systems.

**Byrne JAG Purpose Area: Law Enforcement Programs**  
***OCJP Priority – Innovations in Criminal Investigations***

According to the U.S Department of Justice COPS<sup>1</sup> Office, during the last two decades, crime analysis has become an integral part of police operations because it provides assistance to agencies in apprehending offenders, supporting investigations, and disrupting criminal networks. Uses of geographic information systems, formal training, and various mapping techniques have enabled crime analysts to synthesize and streamline information into useful products that support many community-and problem-oriented initiatives.

A great deal of planning and development goes into developing new and effective task forces for criminal investigation – whether those task forces are organized to combat gangs, internet crime, cold case units, or other task force approaches.

Efforts will be made to enable law enforcement agencies to be more effective by using analysis to direct a targeted approach against the many facets of criminal activity, specifically including drug and violent crime.

***Program Description***

The purpose of the Program for Innovative Criminal Investigations is to encourage process improvements in the field of criminal investigations, to enhance the effectiveness of enforcement activities, and to create new and innovative approaches to criminal investigations. Projects funded under the program include, but are not limited to, creating new multi-jurisdictional task forces for investigation, use of crime analysis based on the S.A.R.A and Smart Policing Models, conducting computer forensics investigations, operating cold case units, and operating anti-gang investigation and enforcement units. (Drug task force operations and gang prevention units are not supported by this program.)

Task forces organized under the Innovative Investigations program will, like the drug task forces, work alongside state law enforcement departments and local law enforcement agencies. They will conduct covert and overt operations to reduce violent crime, disrupt gang-related violence, infiltrate internet crime operations, close cold cases, and fulfill other investigative purposes for which multi-jurisdictional collaboration is a prerequisite. Projects under this program may emphasize the use of data analysis to target law enforcement response to criminal activity. These projects will demonstrate the use evidence-based initiatives, such as incorporating a crime analysts who possesses the critical skills and abilities necessary to be trained in techniques for identifying problems, solutions, and comprehensive strategies to help reduce crime and disorder problems.

***Program Goals and Objectives***

The Program for Innovative Criminal Investigations has three goals and ten objectives, which include the following:

**Goal 1:** Develop innovative processes that will enhance the effectiveness of investigations.

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<sup>1</sup> Office of Community Oriented Policing Services, U.S. Department of Justice

**Objective 1.1.** Research, plan, implement, evaluate and promote new procedures that may be adopted by criminal investigators pursuing gang-related, internet-based, cold cases and other forms of crime in Tennessee.

**Objective 1.2.** Reduce the percentage of fractional and duplicative investigations and prosecutions in the project's geographical area.

**Objective 1.3:** Increase the clearance rate of gang-related, internet-based, cold cases and other forms of targeted crime or crime in a targeted area of a specific community in Tennessee.

**Goal 2:** Create and develop task forces of jointly controlled operations among the federal, state, and local criminal justice agencies whose purposes are to remove targeted conspiracies and offenders through investigation, arrest, prosecution and conviction. This will include gang-related, internet-based, cold cases and other forms of crime.

**Objective 2.1.** Increase the number of multi-jurisdictional criminal investigation task forces.

**Objectives 2.2.** Increase the number of agencies collaborating in investigations and prosecutions of gang-related, internet-based, cold cases and other forms of crime in Tennessee.

**Objective 2.3.** Increase the number of cases investigated, prosecuted, and convicted among gang-related, internet-based, cold cases and other forms of crime in Tennessee.

**Goal 3:** Support investigation of gang-related, internet-based, cold cases and other forms of crime by employing proven investigation processes to these or other crime in targeted areas.

**Objective 3.1.** Increase the number of gang-related case investigations.

**Objective 3.2.** Increase the number of internet crime investigations.

**Objective 3.3.** Increase the number of cold case investigations.

**Objective 3.4.** Increase the number of other specialized investigations.

### *Activities*

Projects funded under this program will employ proven investigation processes, increase the clearance rate of targeted types of crime, address a need in criminal investigation not previously met and/or increase the number of agencies involved in collaborative activities.

### *Performance Measures*

**Measure 1.** The number of new procedures adopted in the field by criminal investigators.

**Measure 2.** The clearance rate of gang-related, internet-based, cold cases and other forms of crime addressed by the project compared with the average clearance rate for cases of the type for the period.

**Measure 3.** The number of new multi-jurisdictional criminal investigation task forces created in Tennessee by the project.

**Measure 4.** The number of agencies involved in collaborative investigations and prosecutions of gang-related, internet-based, cold cases or other crime for the project's task forces.

**Measure 5.** The number of cases investigated, prosecuted, and convicted among gang-related, internet-based, cold cases and other forms of crime addressed by the new task force.

**Measure 6.** The number of collaborating agency heads who indicate that the new task force addressed an investigative need that had previously been unmet.

**Byrne JAG Purpose Area: Law Enforcement Programs**  
***OCJP Priority – Criminal Justice Professional Enhancement Training***

The strategy is to assist criminal justice personnel in receiving the most current training on specialized topics that will help them build the skills necessary to perform their duties and offer services to the offenders and the community in a safe, efficient, and just manner. As theories and practices change in the field of criminal justice, professionals have difficulty identifying training in evidence-based practices. While criminal justice agencies struggle to keep up with the infrastructure needs of their individual agencies the new and emerging issues tend to take a back seat to basic criminal justice needs.

The ever-changing landscape of the justice system places criminal justice professionals in the precarious position of needing cutting edge training in specialized topic areas in order to stay on top of the newest issues and topics of concern. Law enforcement agencies and other criminal justice practitioners have needs for training in investigations in areas of homicide, rape, child molestation, internet crime, human trafficking, and homeland security issues, as well as drug-related issues like prescription diversion, trafficking, methamphetamine, and other issues.

***Program Description***

The projects funded in this program area seek to develop professionalism in the criminal justice system through enhanced education of the system's practitioners and planners (i.e., judges, law enforcement officers and correctional staffs). Projects in this program will increase the criminal justice practitioner's knowledge of a particular topic or area of expertise within the system, so as to make them more effective. Projects under this program will emphasize collaboration among agencies in order to leverage the scarce resources available. Ultimately, the community will benefit from better-trained, more professional criminal justice planners and practitioners.

***Program Goal and Objectives***

**Goal:** Improve the professionalism of criminal justice practitioners and planners and, thereby make more effective the criminal justice system's response to crime.

**Objective 1:** Analyze the training needs of the target audience of any training to be delivered under the program.

**Objective 2:** Develop all training courses using well designed instructional approaches and curricula.

**Objective 3:** Train and certify all trainers, and evaluate the performance of trainers supported by the program. (Train the trainer and/or certification may not be a part of a particular grant)

**Objective 4:** Train the maximum number of targeted professionals that funding will permit.

**Objective 5.** Increase the level of knowledge of criminal justice practitioners and planners.

***Activities***

Plan and implement topic- or area-specific training, aimed at increasing the knowledge level of criminal justice professionals. Do this through collaboration with multiple agencies. The need for this type of training must be shown. Proven experts with experience in the field and

on the topic of instruction must be employed as facilitators of the training. Training must be advertised and be cost effective for the students.

***Performance Measures***

**Measure 1.1:** The percentage of training participants who indicate that the training met their needs.

**Measure 1.2:** The percentage of students who rate the training as relevant to their jobs.

**Measure 2.1:** The number of agencies that were used to plan and implement the training and their involvement level.

**Measure 2.2:** The percentage of collaborating agency representatives who indicate the course was well designed.

**Measure 3.1:** The number of trainers trained and “certified” as competent trainers.

**Measure 3.2:** The percentage of training participants who indicate that the trainer(s) performed well during the training.

**Measure 4.1:** The number of criminal justice professionals trained in each topic area supported by the program.

**Measure 4.2:** The number of different agencies receiving training.

**Measure 5.1:** The percentage of participants who state that they accomplished the courses’ stated learning objectives (i.e. increased knowledge of the topic area).

**Measure 5.2:** The percentage of students who rate the training as effective.

**Byrne JAG Purpose Area: Law Enforcement Programs**  
***OCJP Priority – Law Enforcement Equipment***

The economic downturn of the past 6 years has led to budget cuts on the local, state and federal levels. **This has led law enforcement and other criminal justice agencies to forgo the usual** replacement of equipment in order to save jobs. This has resulted in the continued use of outdated equipment by law enforcement. This can lead to safety issues for both the individual as well as the community. In response to this issue OCJP’s strategy is to employ a data-driven approach to identify law enforcement agencies in need of replacement or first time equipment that will make their jobs and their communities safer. The following is used to determine need:

- Those not already receiving Justice Assistance Grant funds
- TBI crime rates by jurisdiction
- TBI fingerprint submission data by agency

***Program Description***

The economic downturn of the past 6 years has led to budget cuts on the local, state and federal levels. **This has led law enforcement and other criminal justice agencies to forgo the usual** replacement of equipment in order to save jobs. This has resulted in the continued use of outdated equipment by law enforcement. This can lead to safety issues for both the individual as well as the community. In response to this issue OCJP’s strategy is to employ a data-driven approach to identify law enforcement agencies in need of replacement or first time equipment that will make their jobs and their communities safer. The following is used to determine need:

***Program Goals and Objectives***

**Goal 1:** Improve the safety of police officers in smaller more rural agencies.

**Goal 2:** Improve the efficiency of agencies in less populated communities.

**Goal 3:** Improve the efficiency and safety of State law enforcement agencies.

**Objective 1.1:** Fund TIBRS compliant agencies not already receiving JAG funds directly from BJA.

**Objective 1.2:** Purchases of equipment affecting safety will include in-car video cameras and communications equipment.

**Objective 2.1:** Fund TIBRS compliant agencies not already receiving JAG funds directly from BJA.

**Objective 2.2:** Purchases of equipment affecting efficiency will include computers and automated fingerprint identification equipment.

**Objective 3.1:** Provide available funding to law enforcement agencies for improvement of safety and efficiency.

OCJP assists both local and state law enforcement agencies in this regard as funding becomes available and as it becomes necessary.

***Activities***

Activities include the purchase and installation of equipment as well as the training of appropriate staff

***Performance Measures***

Performance measures consist of the agency meeting timelines attributed to the objectives listed above and the counting of staff charged with using the equipment.

**Byrne JAG Purpose Area: Planning, Evaluation & Technology**  
***OCJP Priority – Criminal Justice Technology***

Like many states, Tennessee has struggled in the area of consolidated, coordinated statewide programs to collect, manage and disseminate information relating to crime, criminals, and criminal activity. The lack of accurate, reliable criminal history information that can be shared expeditiously among a variety of stakeholders in the criminal justice community has been a significant obstacle to the effective apprehension and prosecution of offenders. The primary needs in this area are the coordination and continued enhancement of our statewide criminal history records system. However, in recent years significant progress in reversing this historical condition has been made.

***Program Description***

In Tennessee, most criminal justice records originate with law enforcement agencies such as local police and sheriff's departments. The TBI began implementing the Tennessee Incident Based Reporting System (TIBRS) in 1995. The implementation process mirrored the federal National Incident Based Reporting System (NIBRS). Byrne grant funding was used to establish a statewide uniform crime reporting system and award grants to local law enforcement agencies for hardware and software automation. In 1996, over half of the 265 police and 95 sheriff's departments did not submit crime statistics. Much progress has been made. The TBI's Statistical Analysis Center reports that all of Tennessee's police and sheriff's departments are currently submitting crime statistics through TIBRS.

Tennessee, in an effort to improve the accuracy, timeliness and completeness of criminal history information records, has National Criminal History Improvement Program (NCHIP) funds from the Bureau of Justice Statistics (BJS) for the implementation of an Integrated Criminal Justice Information System (ICJI) project. In July 2006, legislation to formalize the ICJI Committee was signed into law. Improvement is still needed and efforts are continuing to link system, ensure timeliness of information and to eliminate redundancy.

***Program Goals and Objectives***

**Goal 1:** Improve the safety and security of Tennessee's citizens by providing state and local law enforcement agencies with a single point of access to useful criminal justice data.

**Goal 2:** Improve automated final disposition reporting by state and local law enforcement agencies throughout Tennessee.

**Goal 3:** Reduce the amount of errors in TIBRS submissions to the TBI.

**Objective 1.1:** Facilitate easy access to information by state and local law enforcement agencies through WEB-based transmission and retrieval of information.

**Objective 2.1:** All 95 counties, 31 D.A.'s offices, and court clerk's offices throughout the state will improve the current manual process of distributing the case judgment (final disposition) document by integrating their procedures with automated reporting.

**Objective 3.1:** Provide training and technical assistance to local law enforcement agencies for state required TIBRS certification.

***Activities***

Local and state law enforcement agencies will select a vendor through their governmental entity's competitive process. Agencies will enter in to the contract, receive the equipment and deploy, test and train on the equipment prior to the close of the grant contract period. Payment of the vendor will also take place prior to the end of the grant contract period.

***Performance Measures***

**Measure 1:** Number of pieces of equipment deployed.

**Measure 2:** Number of officers positively affected by this equipment.

**Measure 3:** Number of agencies and or agents/troopers affected by deployment of state equipment.

**Byrne JAG Purpose Area: Prosecution & Court**  
***OCJP Priority – Pretrial Services***

Recent improvements in law enforcement manpower, technology and professional practice have impacted the State’s adjudication system adversely. There is a backlog of cases in courts across the state. There is a need to build upon the base provided by the current pre-trial programs, developing jurisdiction-specific approaches to divert some from the system, while developing plans to better serve those remaining in the system.

The strategy is to develop pretrial services that offer meaningful alternatives to incarceration, such as assessments for pretrial release for those unable to make bond, forensic social worker advocates to assist those in need of specialized services, and mental health critical incident team responses to divert those non-offending individuals from the system. The priority focuses on pretrial service delivery projects designed to divert less serious offenders from full involvement in the criminal justice process and to streamline the pretrial process. Projects funded under this priority may include:

- Pretrial release assessment projects
- Mental Health Critical Incident Response Teams
- Forensic Social Workers
- Other appropriate projects that meet the above criteria

***Program Description***

Projects funded in this program area will be specifically designed to identify and divert less serious offenders into alternative resources in order to improve the efficient flow of cases through the court system. The program focuses on case diversion to make justice more effective and efficient. This program is not intended to supplant, replace or otherwise duplicate any existing diversion programs or current positions. Nor is it meant to provide positions that would otherwise be needed to ensure the court’s required infrastructure within the local judicial district.

***Program Goal and Objectives***

**Goal:** Enable the court system to function more efficiently and effectively in the processing of referred drug-related and violent cases of crime, by expediting the process for less serious offenders.

**Objective 1.1.** Provide resources to the court system that will allow it to develop procedures, technological resources, and other approaches that enable less serious offenders to be diverted from the court system into an immediate alternative program.

**Objective 1.2.** Promote more efficient and effective case processing in eligible courts while maintaining due process.

***Activities***

Increase the number of pre-trial service programs under the court’s jurisdiction.

*Performance Measures*

**Measure 1.1.1.** Increase the number of offenders who will enter newly organized diversion programs during each fiscal year of the program's funding.

**Measure 1.1.2.** Court dockets will decrease from the fiscal year prior to the grant's implementation.

**Measure 1.2.1.** Decrease the time between arrest and adjudication.

**Measure 1.2.2.** Decrease the number of cases on the court docket.

**Byrne JAG Purpose Area: Prosecution & Court**  
***OCJP Priority – Court Support***

Tennessee’s strategy is to provide an additional mechanism for decreasing the backlog in the court system. Increased reporting and investigation are overloading our court systems. The continuing demand is for programs that will:

- Provide resources for public defenders and prosecutors to divert less serious offenders to intermediate sanctions; and
- Improve the criminal justice system’s response to child abuse, domestic violence, and drugs/violent crime by funding early case preparation, vertical prosecution, and specialized training for prosecutors, public defenders, and the staffs of drug courts.

A variety of approaches to this priority will be considered. Some of the projects include:

- Foreign language interpreters to support courts with non-English speaking clients
- Early intervention of youth (e.g., “youth courts”)
- Other specialized courts such as mental health courts

While limits on resources minimize funding for specialized prosecution positions, OCJP will find other avenues for supporting prosecution and defense efforts, by streamlining the adjudication process while maintaining the due process rights of the defendant.

***Program Description***

Projects funded in this program will provide an additional mechanism for decreasing the backlog in the court system. Increased reporting and investigation are overloading our court systems. Projects under this priority will Provide resources for public defenders and prosecutors to divert less serious offenders to intermediate sanctions and/or improve the criminal justice system’s response to child abuse, domestic violence, and drugs/violent crime by funding early case preparation, vertical prosecution, and specialized training for prosecutors, public defenders, and the staffs of drug courts. Efforts to this end may include:

***Program Goal and Objectives***

**Goal:** Enable the court system to function more efficiently and effectively in the processing of referred drug-related and violent cases of crime, by expediting the process for less serious offenders.

**Objective 1.1.** Provide resources to the court system that will allow it to develop procedures, technological resources, and other approaches that enable enable the courts to process cases more efficiently through the system.

**Objective 1.2.** Provide supplementary personnel and/or technology to the court system that will promote more efficient and effective case processing in eligible courts while maintaining due process.

### *Activities*

Increase the number of pre-trial service programs under the courts jurisdiction. Increase specialized personnel or technology that will improve (efficient & effective) the flow of cases through the court system.

Tennessee's strategy is to provide an additional mechanism for decreasing the backlog in the court system. Increased reporting and investigation are overloading our court systems. The continuing demand is for programs that will:

- Provide resources for public defenders and prosecutors to function more effective.
- Provide judges with the needed courtroom equipment to allow the judicial process to function more efficiently and effectively.
- Improve the criminal justice system's response to non-English speaking defendants by supplying court interpreters
- Foreign language interpreters to support courts with non-English speaking clients
- Early intervention of youth (e.g., "youth courts")
- Other specialized courts such as mental health courts

While limits on resources minimize funding for specialized prosecution positions, OCJP will find other avenues for supporting prosecution and defense efforts, by streamlining the adjudication process while maintaining the due process rights of the defendant.

### *Performance Measures*

**Measure 1.1.1.** Court dockets will decrease from the fiscal year prior to the grant's implementation.

**Measure 1.2.2.** Decrease the time between arrest and adjudication.

**Measure 1.2.3.** Decrease the number of cases on the court docket.

**Byrne JAG Purpose Area: Corrections/Community Corrections**  
***OCJP Priority – Correctional Programming***

Increased penalties through statute and tougher sentencing policies have led to an increase in drug and violent crime sentences that are causing Tennessee’s felon population to continue to rise. While crime rates have remained somewhat stagnant the number of felons incarcerated in State facilities and local facilities paid with State dollars has continued to rise. These inmates are eventually returning to the community so the need is even greater to prepare these individuals for release as well as continuing their care post release. These needs must be addressed both in the institution and in the community by programs effective in enhancing the participant’s cognitive, behavioral and vocational skills. Programs such as substance abuse treatment, victim-offender reconciliation, vocational rehabilitation, cognitive behavioral therapy and community reentry programs will fill this need.

There is a need to develop, implement, enhance, and evaluate reentry strategies that will ensure the safety of the community and the reduction of serious, violent crime. This can be accomplished by preparing targeted offenders to successfully return to their communities after having served a significant period of secure confinement in a state training school, juvenile or adult correctional facility, or other secure institution.

***Program Description***

Projects funded in this program area will be prison/jail-based or community-based correctional programming that is designed to address the need of the offender related to assessment of risks and needs, education, intervention of addiction, skill building, integration, assessment and treatment of mental illness, criminal thinking errors and other support services. **Projects will include a continuum of care approach for eligible offenders in state correctional facilities, county jails, or community-based programs and will start in the correctional setting following the offender into community-based programs after release.** The program model will focus on the primary problems of the offender by providing structured services that focus on the development of the offender’s cognitive, behavioral, social, and vocational skills. Funding will be provided for projects using **evidence-based approaches** and will focus on integration, support, and accountability.

***Program Goals and Objectives***

**Goal 1:** Reduce the use of standard jail and prison beds and other correctional services by eligible offenders by diverting them into rehabilitative programs.

**Goal 2:** Reduce crimes committed by eligible offenders.

**Goal 3:** Promote public safety through these reductions.

**Goal 4:** Increase the personal, familial, and societal accountability of eligible offenders.

**Goal 5:** Promote effective interaction and the use of resources among local criminal justice agencies and community agencies.

***Activities***

The projects funded under this program will use evidenced based practices and tools for assessing risk of recidivism of the offender/participant and to identify each individual’s needs

to be addressed by the project. The project must target the population with highest risk to recidivate and must provide an individualized aftercare/re-entry plan and identify the linkage process with community based programs that will assist with re-entry for each offender/participant. The Re-entry project should indicate how it plans to address programming in the following areas: education, and/or treatment of substance abuse, mental health or co-occurring disorders, identification and alteration of criminal thinking errors; building and strengthening cognitive, behavioral, social and vocational skills. The Re-entry projects must identify and describe the working partnership between the correctional facility(ies) and the community service provider(s).

### ***Performance Measures***

**Measure 1.1.** Number of times arrested and incarcerated in jail and/or prison measured by:

**Measure 1.2.** Amount of time in jail and/or prison measured by:

**Measure 2.1.** Number of felony arrests within one year of either graduation or termination.

**Measure 2.2.** Number of misdemeanor arrests within one year of either graduation or termination.

**Measure 3.1.** Number of felony or misdemeanor arrests for crimes against persons [re: public safety] measured within one year of either graduation or termination.

**Measure 4.1.** Number that has restoration of custody rights/visitation rights.

**Measure 4.2.** Number that completed training in parenting skills, family system dynamics and family reunification planning.

**Measure 4.3.** Number employed, re-employment, and/or improved employment.

**Measure 4.4.** Number who made education gains, completed GED.

**Measure 4.5.** Number completed evidence based Cognitive Behavioral Program or other CBT.

**Measure 4.6.** Hours of community service provided.

**Measure 4.7.** Amount of child support payments fines, court costs, program costs, and restitution paid.

**Measure 4.8.** Number of driver licenses restored or State ID issued.

**Measure 4.9.** Number completed training on: anger management, life skills, coping skills and problem solving.

**Measure 4.10.** Number that received therapeutic services for: substance abuse, mental health or co-occurring issues.

**Measure 5.1.** List of individuals, agencies, and organizations with which the program collaborates.

**Measure 5.2.** Rate of satisfaction with the quality of collaboration among the program's partner agencies.

**Byrne JAG Purpose Area: Crime Victim & Witness**  
***OCJP Priority – Victim Services***

One of the largest problems facing the courts is the geographic isolation of our very rural communities. Victims there face additional obstacles to justice. In rural areas limited access to legal assistance services often discourages victims from coming forward in support of the prosecution. There are also the challenges of cultural diversity and language barriers. The courts are seeing a larger number of domestic violence and sexual assault cases involving Spanish-speaking victims. Effective services require interpreters. Without advocacy and information services these victims are not adequately informed of the services available to them by law – and that poses limitations on justice for all.

***Program Description***

The purpose of this program is to make positive differences in the lives of crime victims and their families by making them aware of their rights, allowing them to fully participate in the prosecution process, advising victims of the resources available to them in their community, and by granting easier access to assistance in coping with their situation. Projects under this priority will create a easy access to programs to victims prior to adjudication of the defendant, during the adjudication and post-adjudication. The projects under this grant may vary depending upon the determination of greatest need but may include the following:

- Victim advocates
- Victim service providers
- Coordinators of multiple Victim services or providers of those services
- Other projects that fit into the parameters identified above

***Program Goal and Objectives***

The federal program goal is to facilitate a speedy recovery from criminal acts and to provide victims with a sense of support. According to the “Victims’ Bill of Rights” (TCA 40-38-101), the Tennessee General Assembly “finds and declares that victims and witnesses shall have certain rights in this state and that they shall be made aware of these rights.

**Goal 1:** Ensure that victims recognize their legal rights under the statutes of the State of Tennessee;

**Goal 2:** Assist crime victims to participate as much as possible in the criminal justice process during the prosecution of the case;

**Goal 3:** Help crime victims to know how they may access the resources available to them in their community;

**Goal 4:** Support the crime victim as he or she attempts to cope with the circumstances created by the crime;

**Goal 5:** Serve crime victims with high quality and satisfactory services; and

**Goal 6:** Collaborate effectively with shelters, law enforcement, legal services, health care, schools, prosecutors and other community agencies involved in services for victims of crime.

**Objective 1.1.** Crime victims will recognize their legal rights.

**Objective 1.2.** Crime victims will know how to participate in the court and prosecution processes.

**Objective 1.3.** Crime victims will know how to access resources available to them.

**Objective 1.4.** Crime victims will receive help to cope with their loss and injuries (i.e., financial, social, physical, psychological).

**Objective 1.5.** Crime victims and witnesses will consider victim services to be satisfactory.

**Objective 1.6.** Victim advocates will collaborate with other providers of service in the community.

### ***Activities***

This Program provides a variety of services to support victims and witnesses throughout the criminal justice process. There is created in each judicial district the position of victim witness coordinator (TCA 8-7-206) to be appointed by the district attorney general. The duties of the victim witness coordinators shall include:

- (1) After the return of an indictment or presentment, advising victims of their rights under title 40, ch 38, part 1;
- (2) After the return of an indictment or presentment, keeping victims and witnesses informed of court dates and actions affecting their cases, including evidentiary hearings, trial dates, and sentencing hearings as provided for in 40-38-111;
- (3) After the return of an indictment or presentment, assisting victims and witnesses to better understand the way the criminal justice system works, including the procedure and basis for continuances of cases and the procedure involved in the plea bargaining process;
- (4) After the return of an indictment or presentment, assisting victims to become more involved in the processes which affect the perpetrator of the crime, such as the plea bargaining process, including pre-sentence reports and the sentencing hearing itself;
- (5) Assisting in obtaining restitution to victims of crime directly from the perpetrator of the crime when possible;
- (6) Assisting eligible victims in obtaining benefits from the criminal injuries compensation program and
- (7) Assisting victims with a variety of services to help them cope with their loss and injuries (ie. Social, financial, physical and psychological).

### ***E. Performance Measures***

**Output Measure 1.1:** Number of victims served;

**Output Measure 1.2:** Number of victims instructed on how CJ system works;

**Output Measure 1.3.** Number of victims for whom warrants were filed;

**Output Measure 1.4.** Number of cases disposed;

**Output Measure 1.4.** Number of victims who received assistance in obtaining restitution from perpetrator;

**Output Measure 1.5.** Number of victims receiving restitution;

**Output Measure 1.6.** Number of victims assisted to apply for victim comp benefits;

**Output Measure 1.7.** Number of victims receiving benefits from victim comp program; and

**Output Measure 1.8.** Total dollar values of victim compensation claims filed by VW coordinators.

## *Chapter 5 Tennessee's Priorities and Select Responses*

### **OCJP's Strategic Planning Partners**

Tennessee OCJP has developed a sophisticated on-going process for involving state and local officials and just as important practitioners in criminal justice planning. The problems and needs OCJP gathers from these and other sources are translated into priorities for action, which are later linked to one or more of Tennessee's grant program areas. OCJP has regular and frequent communication with the Tennessee associations and professional organizations representing various components of the criminal justice system. These contacts provide an important source of data and feedback for the planning process. Much of the information on problems and needs contained in **Chapter 2** comes from OCJP's direct linkages with criminal justice system practitioners.

The Strategy results from ongoing efforts to utilize the expertise of practitioners in all components of the criminal justice system at the local and state levels, because OCJP believes that the leaders and practitioners of our local, county and state criminal justice agencies know more about the needs, directions, threats, opportunities, and weaknesses of these operations than anyone else.

Accordingly, OCJP considers these organizations and the professionals they represent as its partners in planning. They include the Tennessee District Attorneys General Conference, the Sheriff's Association, the Police Chief's Association, Tennessee Narcotics Officers Association, the Administrative Office of the Court, the District Public Defenders Conference, the Tennessee Association of Drug Court Professionals, the Regional Organized Crime Information Center (ROCIC) and others. At the state level our partners include the Tennessee Bureau of Investigation, the Alcoholic Beverage Commission, the Tennessee Law Enforcement Training Academy, the state departments of Safety and Homeland Security, Health, Correction, Children's Services, Mental Health and Substance Abuse Service, and the Board of Probation and Parole. All provide input directly to the Office of Criminal Justice Programs. (Appendix A elaborates on the composition of the justice system in Tennessee.)

In following the premise that the practitioners are the backbone of our system OCJP takes both a bottom up as well as a top down approach to planning. We rely on practitioners at the grass roots level to identify the resources needs and gaps to be filled in their program specific areas. However, OCJP also takes advantage of the wisdom of its State's leaders in determining direction of the strategy. OCJP is a member of the "Governor's Public Safety Subcabinet Working Group" tasked with creating Tennessee's Public Safety Action Plan. Much of the Public Safety Action plan is incorporated into OCJP's strategic plan. Both approaches described above are accomplished through the following documented contacts:

- Face to face contact with individual partners
- Attendance at organizational meetings of partners
- Group trainings which include partners
- Special called meetings of partners
- Other

OCJP records data from frequent **face-to-face** contact grants managers have with practitioners. Grant managers may also attend local community meeting such as community anti-drug coalition meetings. These contacts serve as a source of data regarding problems, priorities, and programs. Specially called meetings such as the December meeting of Drug Court Stakeholders give OCJP insight into special issues and possible solutions. Through technical assistance provided by the National Criminal Justice Association, for the above, and the National Governors Association (NGA) for the following OCJP is able to collect a great amount of information for strategic planning purposes. The Governor's Public Safety Subcabinet Working Group convened Multiple Stakeholder groups consisting of State and local leaders and practitioners to examine specific problem areas in the criminal justice system and offer solutions. A total of over 250 stakeholders had input into the State's Public Safety Plan, which guides, to some extent this strategy. The different stakeholder group sessions that were convened are as follows:

- Violent Crime
- Methamphetamine
- Domestic Violence
- Prescription Drugs
- Drug Court
- Repeat Offenders

**Public gatherings** of different types are used to gather information on community needs and concerns as the situation dictates. In addition to voices from the community, local law enforcement personnel, local prosecutors, defense attorneys and public defenders and members of the judiciary also have a voice. On occasion **surveys** have been sent to other criminal justice experts to determine the needs and priorities of the broader criminal justice community. State departments and agencies involved in the criminal justice system are encouraged to submit plans that depict their own problems, issues, needs, gaps, and possible program/project responses.

OCJP also serves on or **attends regular meetings of numerous advisory groups** which enable them to document information valuable for strategic planning purposes. Some examples of these routine meetings are:

- The Governor's Public Safety Subcabinet Group
- The Integrated Criminal Justice Steering Committee
- Tennessee Statistical Analysis Center Board Quarterly Meetings
- The Youth Court Advisory Committee
- Sex Offender Treatment Board
- Tennessee Association of Drug and Alcohol Services
- The TN Association of Drug Court Professionals Advisory Committee Meeting
- The Methamphetamine and Prescription Drug Diversion Task Force Meetings
- The Internet Crimes Against Children Task Force
- Domestic Violence State Coordinating Council
- Sexual Assault Protocol Committee
- Community Anti-Drug Coalitions of Tennessee

- The Tennessee Crime Prevention Coalition
- The Tennessee Sheriffs Association
- The Tennessee Association of Chiefs of Police
- The Tennessee Gang Investigators Association

Staff at OCJP frequently attend and the office sometimes co-hosts training events that identify problem areas within the system and possible mitigation techniques (programs). These training events may occur in Tennessee but may also be National events as well. It is from these training events that OCJP staff document issues, problems, concerns, gaps in services and community or statewide needs. They also identify the various solutions. Some of the recent training events attended this fiscal year 2012 include:

- National Criminal Justice Association Annual Conference
- National Governors Association Public Safety Policy Academy
- National Institute of Justice Public Safety Summit
- National Association of Drug Court Professionals Conference (Nashville, TN)
- National Meeting of Drug Court Coordinators from each state
- Family Violence Prevention Services Administrators Conference
- Victims of Crime Administrators Conference
- STOP Violence Against Women Administrators Conference (Nashville, TN)
- TN Connecting for Children's Justice Annual Conference
- TN Coalition to end Domestic and Sexual Violence Annual Conference
- TN Coordinated Community Response to Sexual Violence Institute
- Tennessee Narcotics Officers Association
- Clandestine Meth Lab Class (Nashville, ROCIC)
- TN Drug Court Coordinators Seminar

OCJP is tasked with developing certain advisory groups and working directly with them to address topic specific problem areas. The groups below are currently convened and facilitated by OCJP staff. A major part of the law enforcement and prosecution community enjoys organized input through participation in regular quarterly meetings OCJP holds with the **Judicial District Drug and Violent Crime Task Forces**. The Tennessee Bureau of Investigation, the Tennessee District Attorneys General Conference, the State Comptroller of the Treasury office and the Department of Safety and Homeland Security are often represented at these meetings. OCJP also has quarterly meetings with its **Drug Court Advisory Committee** which includes Judges, Prosecutors, Public Defenders, academia, treatment personnel and Drug Court Coordinators. OCJP convenes bi-annual meetings with the **Family Violence Advisory Committee**, made up of practitioners and State level leaders. OCJP also convenes, at least annually, the **Sexual Assault Advisory Committee**, made up of state and local professionals working in the area of services for victims of sexual assault. All of the above groups focus on problems, issues and concerns related to system improvement, such as how these agencies can work together through information sharing, improved communication, and evaluation efforts. These meetings provide a formal source of detailed input on the problems facing the justice system and possible future directions. OCJP grants managers are accounta-

ble for recording the data and their observations, and for quarterly meetings to compare notes and draw conclusions about trends among their grant sub-recipients.

### ***Federal Participation in Strategy Development***

Federal participation in state and local law enforcement no longer means merely supplying money and the policy attached to it. Federal participants have become significant suppliers of expertise to state and local governments. OCJP considers it both desirable and important for all concerned to have federal participation in the strategy development process through the input of U.S. Attorneys or their Law Enforcement Coordinators. OCJP supervisors and staff coordinate with the **U.S. Attorneys** for the western, middle, and eastern districts of Tennessee, especially as the strategy is being developed. The **National Criminal Justice Association** has also been instrumental in the facilitation of strategic planning at OCJP. The **National Governors Association** assisted the Governor's Subcabinet planning group in identifying priorities and in developing stakeholder groups to guide the Governor's Public Safety Plan.

### ***Coordination among Federally- Funded Programs***

OCJP's many federal programs place it in a good position to coordinate and leverage Byrne JAG-funded programs with other federally funded programs in Tennessee, particularly those supporting state and local drug abuse treatment, education and prevention. This coordination extends to programs as diverse as the local direct Byrne JAG grants, the Stop Violence against Women Program, the Victims of Crime Act Grant, the Residential Substance Abuse Treatment Program for State Prisoners (RSAT) Grant, the Paul Coverdell Crime Lab Improvement Grant through NIJ, the Criminal History Records Improvement Program and the Sexual Assault Services Program. In addition to our coordination of Department of Justice programs, we coordinate with state-supported programs such as those below:

- Victim Notification System Fund
- Sexual Assault Fund
- Internet Crimes Against Children Fund
- Meth-Free Tennessee Appropriated Funds
- State Drug Court Treatment Program
- Child Abuse Fund
- Ignition Interlock Fund
- Automated Fingerprint Identification System Fund

Coordination also occurs with other agencies and their grant programs, including the Children's Justice Act and the Juvenile Justice Accountability Act. Tennessee's continued support for the National Drug Control Policy's priorities is accomplished in part because of the availability of a multi-faceted enforcement-treatment strategy supported under OCJP's umbrella.

### ***Coordination with Other State Agencies and Funded Programs***

The Office of Criminal Justice Programs also actively pursues a cooperative, collaborative relationship with the following departments of Tennessee state government which receive federal funds for drug education, treatment and prevention.

***Residential Substance Abuse Treatment for State Prisoners:*** This program, also administered by OCJP, provides for substance abuse treatment for state prisoners with an emphasis on the under-served population of women inmates. These inmates are held in state and local correctional facilities. RSAT funds and Edward Byrne Memorial Grant funds are being used to establish a continuum of care for substance abuse treatment that includes assessment, outpatient care, inpatient care, and aftercare for a variety of offenders with a need for this type of intervention. Byrne funds are used to purchase substance abuse prevention, outpatient and aftercare services, while RSAT funds are used to address the needs of offenders requiring substance abuse treatment.

***State Drug Court Program:*** The Drug Court Treatment Act was designed to facilitate the implementation and continuation of existing drug court treatment programs in Tennessee. The Act recognizes a need in the criminal justice system to reduce the incidence of drug use and abuse, drug addiction and crimes committed as a result of these offenses. The Office of Criminal Justice Programs administers the drug court treatment program by offering support, training, and technical assistance to drug courts as well as awarding, administering and evaluating drug court treatment grants.

***Administrative Office of the Courts:*** The Administrative Office of the Courts (AOC) provides support to the Tennessee Supreme Court and the entire Tennessee Court System. Duties of the office include preparing the court system's annual budget; providing judicial education; maintaining law libraries, computers, other equipment; offering training and technical assistance and other administrative and support functions.

***Department of Health:*** The Department of Health plays a crucial role in Tennessee's efforts to fight crime and delinquency in addition to its more traditional role of pursuing a broad public health agenda. One program that OCJP coordinates with its victim-witness and domestic violence training programs is the Department's grant with the Centers for Disease Control and Prevention for sexual assault education and prevention. OCJP is collaborating with the state's Bureau of Health Services Violence Prevention Unit to train and support public health educators and rape crisis centers for effective measurement of prevention results in its statewide rape and sexual assault prevention projects. As the agency of state government tasked with the prescription monitoring program they are key to the State's efforts to identify prescription drug abuse.

***Department of Mental Health and Division of Alcohol and Drug Abuse Services:*** The Tennessee Department of Mental Health is an important partner in facilitating reform within Tennessee's criminal justice system. Important crossover issues such as the mentally ill in jails and prisons, and responding to underlying mental illness among drug and chemical abusers are examples of shared agendas. The department plays a leadership role in assuring that TennCare directed at mental health services plays an important part in addressing the problems of mentally ill people who reside in our criminal justice system. As the agency of state government tasked with targeting substance abuse and chemical dependence, it directs an important part of Tennessee's efforts to combat drug-related crime and delinquency through prevention efforts aimed at youth and adults. Treatment, intervention and rehabilita-

tion services for thousands of Tennesseans are provided each year through out-patient and residential treatment facilities across the state.

***Department of Children's Services:*** The Department of Children's Services, created in 1996, consolidated all services to children formerly provided by multiple departments. While all the department's services are important, those of particular interest to OCJP are programs for delinquent youth, probation, aftercare, treatment and rehabilitation programs for identified youth. OCJP also coordinates with the programs of the Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) – i.e., the formula grant program, the challenge grant program and other programs – by interacting with Tennessee's administering agency, the Tennessee Commission on Children and Youth. TCCY's director is a member of OCJP's Statewide Criminal Justice Executive Advisory Committee. In addition, members of the OCJP staff participate in Commission meetings, focus groups and training efforts.

***Department of Education:*** Collaboration with the Department of Education occurs around a number of issues, particularly school safety and drug, gang and violence- resistance training.

***Department of Human Services:*** The Department of Human Services is the state agency responsible for administering a variety of services throughout Tennessee, including Temporary Assistance for Needy Families (TANF), food stamps, Medicaid, Child Support Services, Child Care Services, Adult Protective Services, and Rehabilitation Services. There are areas of significant collaborative importance to criminal and juvenile justice collaboration and coordination. TANF is especially important to achieving goals of self-sufficiency and economic independence – often a critical barrier to resolving family violence situations.

***Commission on Children and Youth:*** The Tennessee Commission on Children and Youth (TCCY) was created in 1988. TCCY is an independent state agency that advocates for improvement in the quality of life for children and families; collects and disseminates information on children and families for the planning and coordination of policies, programs and services; administers the federal Juvenile Justice and Delinquency Prevention Act (JJDP) in Tennessee; and administers and distributes funding for teen pregnancy prevention programs.

***Tennessee Office of Homeland Security:*** The Governor created the Office after the 9/11/01 tragedy, at the direction of President Bush and Attorney General Ashcroft. The mission of the office of Homeland Security is to develop and coordinate a comprehensive strategy to secure the State of Tennessee from terrorist threats and attacks, taking its lead from the National Office of Homeland Security. OCJP will coordinate with the Tennessee Office of Homeland Security while supporting this initiative in any way possible.

Information sharing, networking, joint planning and evaluation are some of the ways that agencies coordinate the federally funded program efforts. Concerted efforts are made each year to coordinate availability of grant moneys to local and state entities from these sources to reduce duplication and fragmentation.

***Note:*** Appendix A describes the criminal justice system in Tennessee. Appendix B explains the system Tennessee Office of Criminal Justice Programs uses for strategically planning and

managing the state's criminal justice grants. Appendix C summarizes the evaluation strategy we have developed for managing these grants.

## **Federal Participation in Strategy Development**

Federal participation in state and local law enforcement no longer means merely supplying money and the policy attached to it. Federal participants have become significant suppliers of expertise to state and local governments. OCJP considers it both desirable and important for all concerned to have federal participation in the strategy development process through the input of U.S. Attorneys or their designees. U.S. Attorneys for the western, middle, and eastern districts of Tennessee are notified of meetings of OCJP's Criminal Justice Executive Advisory Committee, especially when the strategy is being finalized. OCJP also makes a special effort to include appropriate representatives on a special topic work or advisory groups that may be of particular interest to United States Attorneys or where their expertise may be most in need. During the course of each year, OCJP works with the USA Offices to sponsor training such as the "Victims of Crime Conference," the Methamphetamine Conference" and another two-day training course on methamphetamine. OCJP will continue to make the process for providing that input as efficient and flexible as possible. Moreover, OCJP will continue to take advantage of the information sharing opportunities offered through the meetings of the Law Enforcement Coordinating Councils (LECCs) of each of the U.S. Attorney's Offices in Tennessee.

The most readily addressable portion of our collaborative agenda is the set of concrete problems and the specific objectives and tasks we share across agency boundaries. For example, intelligence developed as a by-product of a Byrne-supported local multi-jurisdictional task force becomes knowledge that feeds an Organized Crime and Drug Enforcement Task Force (OCDETF) effort involving money laundering, gangs, or public corruption. However, much of the state criminal justice planning agenda is limited to state and local concerns, which are not generally of great interest to U.S. Attorneys. The challenge for OCJP is to make it worthwhile and relevant for them.

## **Coordination of Byrne JAG with Other Federal Funding**

Tennessee is pleased to continue working with the federal administration on program development, operation and planning matters. OCJP's many federal programs place it in a good position to coordinate JAG-funded programs with other federally funded programs in Tennessee, particularly those supporting state and local drug abuse treatment, education and prevention. This coordination continues to help us achieve important objectives not always possible with just one source of funding. Coordination also occurs with other agencies and their grant programs, including the Children's Justice Act and the Juvenile Justice Accountability Act. Tennessee's continued support for the National Drug Control Policy's priorities is accomplished in part because of the availability of a multi-faceted enforcement-treatment strategy supported under OCJP's umbrella.

The following Department of Justice and one Department of Human Services Grant Programs are administered by OCJP in coordination with the Edward Byrne Justice Assistance Grant Program:

***National Criminal History Records Improvement Program (NCHIP):*** The Office convenes the state level interagency Task Force, which leads the effort to improve the collection and reporting of criminal histories throughout Tennessee's criminal justice system. Projects funded through the NCHIP Grant are focused on updating and expanding uniform crime reporting and increasing the submission of fingerprints and dispositions from agencies in the field. The 5% set-aside in the Edward Byrne Grant supports this objective by providing funding for the Tennessee Incident Based Reporting System (TIBRS), the incident-based crime reporting system designed to complement criminal history records improvement projects funded through the NCHIP Grant.

***Stop Violence Against Women Program:*** The STOP Violence against Women Program promotes a coordinated and integrated approach to improving the criminal justice system's response to violence against women. The approach supports more than 50 Tennessee grants among law enforcement, prosecution, the courts, victim advocates and service providers. The goal of the STOP Program is to encourage states and localities to restructure and strengthen the criminal justice system's response and to be proactive in addressing violence against women, drawing on the experience of all the participants in the system, including the advocacy community.

***VAWA, VOCA and Family Violence Programs:*** Two Tennessee Programs funded through the Edward Byrne Memorial Grant (i.e., Domestic / Family Violence Training and Victim/Witness Program) are working collaboratively with other projects funded by OCJP through the VAWA Grant, the VOCA Grant, and the Department of Health and Human Services Family Violence Shelter Grant. Coordination ensures an effective continuum of prevention and intervention in the area of domestic violence. With combined funds of over ten million dollars, these grant programs are working together in Tennessee to ensure that effective domestic violence training and prevention programs are in place for law enforcement personnel, that victims receive the support services they need, that perpetrators of domestic violence are swiftly and effectively prosecuted, and that emergency residential services are available for immediate occupancy when domestic violence occurs. Other programs OCJP administers and coordinates are listed below.

***Paul Coverdell Grant:*** This grant is used to fund the State crime lab at the Tennessee Bureau of Investigation as well as needs at the State's Medical Examiners Office.

***Residential Substance Abuse Treatment (RSAT):*** OCJP administers the RSAT Grant for state prisoners. The program provides for substance abuse treatment programs in state and local correctional facilities.

***Sexual Assault Services Program:*** OCJP administers the funding for this grant which is distributed to local agencies who offer services to victims of sexual assault throughout the state.

## Appendix A: The Criminal Justice System in Tennessee

The Tennessee criminal justice system operates with the cooperation of several different organizations and branches of government. The majority operate at the local level. The various components of the system include law enforcement, the court system (the judiciary, prosecution, public and private defenders), jails, corrections, probation and parole, prevention, treatment providers and victims' services agencies.

### ***Components of the Tennessee Criminal Justice System***

***Local Law Enforcement:*** The initial response of the criminal justice system begins with law enforcement. Currently there are over 300 municipal police departments, 95 county-elected sheriffs and sheriffs departments, 27 judicial district drug task forces as well as state level law enforcement agencies throughout Tennessee. Sheriffs' offices provide law enforcement to many unincorporated and numerous rural parts of the state. Beyond the role of providing law enforcement to significant portions of the state, Sheriffs also administer Tennessee's county jail system, which houses more than 20,000 inmates. Other important functions of the Sheriffs include court security and delivery of civil process.

***Prosecution:*** In Tennessee each of the state's 31 judicial districts is represented by a **district attorney general** (DAG) elected for a term of eight years. The district DAGs are responsible for the prosecution of criminal cases on behalf of the state. Over two hundred (200) assistant district attorneys general assist these chief prosecutors, with the support of over one-hundred-ten (100) criminal investigators, over fifty (50) victim witness coordinators and assistants, and other support personnel. The **Tennessee District Attorneys General Conference** was created by the General Assembly in 1961 to provide for a more prompt and efficient administration of justice in the courts of the state. The conference is comprised of district attorneys general from the state's 31 judicial districts. In 27 of the 31 judicial districts, the District Attorney General oversees a Judicial District Drug and Violent Crime Task Force. **Tennessee's Multi-Jurisdictional Drug and Violent Crime Task Forces** were created in the late 1980's as a direct response to the federal enactment of the anti-drug abuse acts of 1986 and 1988. They are supported by grants from the Byrne Grant, fines and penalties, and assets forfeiture monies. The model for the Task Force structure followed in Tennessee closely adheres to the structure promoted at the federal level. The Task Force structure promotes an improved response to drug trafficking and drug-related crimes by facilitating the integration of previously fragmented law enforcement services. Through the use of a mutual aid agreement single local law enforcement agencies can pool resources with other law enforcement agencies and work more effectively with federal agencies and other segments of the criminal justice system.

***Public Defense:*** Tennessee's **public defenders** represent indigent persons accused of crime. There are twenty-nine district public defenders in Tennessee and two local public defenders – in Shelby and Davidson Counties (Memphis and Nashville). District public defenders are elected by the citizens of their judicial districts and serve eight-year terms. Public defenders and their assistants are licensed attorneys, duly admitted to practice law before the courts of Tennessee. If a person is charged with a crime that carries a possible jail sentence, and he or

she cannot afford an attorney, one will be appointed by the court. In most cases, it will be the local public defender. Criminal investigators are also an important part of the public defender team. Investigators assist the lawyers in analyzing evidence and preparing the case for trial. The Public Defenders Conference employs 31 district public defenders, over one hundred (100) assistant public defenders, over fifty (50) criminal investigators, and a number administrative personnel. The Executive Director coordinates activities of public defender offices across the State and acts as liaison for the Conference among the other branches and divisions of state government.

The ***Tennessee Bureau of Investigation*** (TBI) is an independent agency of state government. TBI is accountable to the District Attorneys General and to the Judiciary for its performance of services, and to the Executive and Legislative branches for its support functions. The TBI has the statutory authority to investigate any criminal violation upon the request of the District Attorney General for that judicial district. Moreover, the TBI has original jurisdiction over violations of narcotics laws, fugitive investigations, organized crime, public corruption, official misconduct, Medicaid/TennCare fraud and patient abuse in any Medicaid-receiving facility. The TBI assists local law enforcement agencies with investigations at their request and also cooperates with federal law enforcement agencies on joint investigations. TBI also provides support services for local law enforcement agencies, such as forensic crime lab services and information systems that provide statewide access to a wide variety of crime information.

The ***Tennessee Department of Safety*** also operates at the state level. Tennessee's first State Police Force was created in 1919, and patterned after the historic Texas Rangers. A decade later Governor Henry Horton created the Tennessee Highway Patrol, as an offshoot of the State Police Force. The department itself was established by the General Assembly in 1939. TDS has experienced significant development since then. Today, the department and its highly trained state troopers and enforcement officers are responsible for safety on more than 15,000 miles of state and federal highways.

The ***Tennessee Supreme Court*** is the state's highest court, and the court of last resort. The five Supreme Court justices hear appeals of decisions from other courts and interpret the laws and Constitutions of Tennessee and the United States. Justices are elected on a "yes-no" vote every eight years. Under the revised "Missouri Plan," known here as the "Tennessee Plan," the justices represent each of the state's three grand divisions. By constitutional mandate, the court meets in Knoxville, Nashville and Jackson. The Supreme Court has jurisdiction to review civil and criminal cases appealed from lower courts. Appeals are granted or denied at the discretion of the justices, except in capital punishment cases, where appeals are automatic. The Appellate Court Improvements Act expanded the state Supreme Court's jurisdiction in 1992. Under the act, the state's high court may assume jurisdiction over undecided cases in the Court of Appeals or Court of Criminal Appeals when there is special need for an expedited decision. The Supreme Court also has jurisdiction in cases involving state taxes, the right to hold public office or issues of constitutional law. Attorneys present arguments before the Supreme Court. Unlike trials in lower courts, there are no witnesses, juries or testimony. After justices have heard oral arguments and reviewed attorneys' written briefs, they issue written opinions. Tennessee Supreme Court opinions can be appealed only to the federal courts, which may or may not agree to consider an appeal.

***Intermediate Appellate Courts:*** The 12-member *Court of Appeals* hears most appeals of civil (i.e., non-criminal) cases from lower courts. All final decisions of the Court of Appeals may be appealed to the Tennessee Supreme Court. The Court of Appeals meets in Knoxville, Nashville and Jackson, sitting in panels of three judges. Court of Appeals judges are selected under the Tennessee version of the "Missouri Plan." When a vacancy occurs on the Court of Appeals, the 15-member Judicial Selection Commission recommends three candidates from the grand division of the state in which the vacancy exists. The governor appoints a new judge from the list of three candidates. Court of Appeals judges run on a "yes-no" ballot every eight years. Voters decide to retain or reject the judges, who run unopposed.

The *Court of Criminal Appeals* hears trial court appeals in felony and misdemeanor criminal cases. The twelve Court of Criminal Appeals judges also are selected under Tennessee's version of the Missouri Plan. Panels of three judges sit monthly in Jackson, Knoxville and Nashville to hear cases. As with the Court of Appeals, the Court of Criminal Appeals meets at other places and times as necessary. Also like the Court of Appeals, the Court of Criminal Appeals does not conduct trials. Instead, the records of the original trials in lower courts are reviewed; attorneys present the legal issues.

***Trial Courts:*** Tennessee's 95 counties are divided into 31 judicial districts. Within each district are Circuit Courts and Chancery Courts as provided by the state Constitution. Some districts also have legislatively established Criminal Courts. Judges of these courts are elected to eight-year terms. Circuit Courts are courts of general jurisdiction in Tennessee. Circuit judges hear civil and criminal cases and appeals of decisions from City, Juvenile, Municipal and General Sessions courts. The jurisdiction of Circuit Courts often overlaps that of the Chancery Courts. Criminal cases are tried in Circuit Court except in districts with separate Criminal Courts established by the General Assembly. Chancery Courts are a good example of the court system's English heritage. The traditional equity courts are based on the English system in which the chancellor acted as the "King's conscience." Chancellors may, by law and tradition, modify the application of strict legal rules and adapt the relief given to the circumstances of individual cases. Criminal Courts are established by the General Assembly to relieve Circuit Courts in areas where they are justified by heavy caseloads. Criminal Courts exist in 13 of the State's 31 judicial districts. In addition to having jurisdiction over criminal cases, the 29 Criminal Court judges hear misdemeanor appeals from lower courts. In districts without Criminal Courts, criminal cases are handled at the trial level by Circuit Court judges. Probate Courts in Shelby and Davidson counties were created by the legislature and given exclusive jurisdiction over probate of wills and administration of estates. These courts also handle conservatorships and guardianships.

***Courts of Limited Jurisdiction:*** General Sessions Court jurisdiction varies from county to county, based on state laws and private acts. This court, which hears civil and criminal cases, including matters formerly handled by justices of the peace, serves every county. Civil jurisdiction is restricted to specific monetary limits and types of actions. Criminal jurisdiction is limited to preliminary hearings in felony cases and misdemeanor trials in which a defendant waives the right to a grand jury investigation and trial by jury in Circuit or Criminal Court. General Sessions judges also serve as juvenile judges, except in counties where the legislature has established a separate Juvenile Court. General Sessions judges are elected to eight

year terms. Juvenile Court jurisdiction is vested in General Sessions Courts in all counties except those in which the law establishes special Juvenile Courts. Juvenile Courts have exclusive jurisdiction in proceedings involving minors alleged to be delinquent, unruly, dependent and neglected. Juvenile Courts also have concurrent jurisdiction with Circuit, Chancery and Probate Courts in some areas. Municipal Court, also known as city court, has jurisdiction in cases involving violations of city ordinances. Generally, a city judge has authority to assess fines up to \$50 and jail sentences up to 30 days. However, jurisdiction varies widely from city to city. There are now however a number of municipal courts with jurisdiction over some criminal cases,

The *Office of the Attorney General and Reporter* was established by Article VI, Section 5 of the Tennessee Constitution. The justices of the Tennessee Supreme Court appoint the attorney general for an eight-year term. The attorney general is the chief legal officer of the state. Through the AG's staff, the Attorney General represents the interests of the state in a variety of areas. The attorney general represents officers and agencies of the state in all civil litigation before state and federal courts. The attorney general prosecutes all criminal cases in the appellate courts and exercises original prosecution powers in the areas of securities and state contract fraud. The AG also has the authority to institute ouster proceedings and civil actions for antitrust violations, consumer fraud and environmental enforcement. In addition to courtroom duties, the attorney general provides legal advice to state departments and agencies and the General Assembly. Formal opinions of the attorney general on legal issues are rendered to state officials upon request. The attorney general also approves all administrative regulations and leases as to form and legality. Finally, in the exercise of the office's reporter function, the attorney general reports the opinions of the Tennessee Supreme Court and Court of Appeals. A chief deputy, who is responsible for coordinating and supervising the work of the office, including review of substantive work, general management of the office, and participating in policy formation, assists the attorney general. The attorney general is also assisted by the solicitor general, who is responsible for reviewing opinions before submission to the attorney general, and for supervising and coordinating the appellate work of the office.

**Corrections:** Corrections in Tennessee is not one unified system, but a group of independently operating entities – jails, prisons, probation and parole offices. As with law enforcement, correctional activities are organized, administered and financed by local and state jurisdictions. In general, the State of Tennessee administers those convicted of felonies (serving a year or more). The *State Department of Correction* maintains twelve facilities for men and women across the state. These facilities house approximately 16,652 average daily populations at any one time. In addition, private companies under contract with the Department operate two facilities that house an additional 3204 Tennessee felons. *County jails* are administered by sheriffs. They serve two purposes: (1) housing people who have been arrested for a crime and are awaiting trial and (2) housing offenders who have been convicted of misdemeanors and sentenced to less than one year of incarceration. Other lock-ups exist as short-term holding facilities pending transfer. Approximately half of the “accountability” agenda is the responsibility of the *State Department of Probation and Parole*, whose average monthly community services and parole populations make community sentencing a major element of Tennessee's sanctioning strategy.

The remaining departments of Tennessee State government directly responsible for components of the criminal justice system are as follows:

- *Finance and Administration, Office of Criminal Justice Programs* (S.A.A. for Department of Justice) – OCJP is the State Administrative Agency for many U.S. Department of Justice programs. In addition OCJP administers Federal Department of Health and Human Services grant dollars as well as several grant programs supported by state-appropriated dollars. The Tennessee Department of Finance and Administration is the umbrella fiscal, budgetary and administrative overhead and oversight agency for Tennessee state government.
- *Department of Children’s Services* - The Department of Children’s Services, created in 1996, consolidated all services to children formerly provided by multiple departments. While all the department’s services are important, those of particular interest to OCJP are programs for delinquent youth, probation, aftercare, treatment and rehabilitation programs for identified youth.
- *Commission on Children and Youth* – The Tennessee Commission on Children and Youth (TCCY) is an independent state agency that advocates for improvement in the quality of life for children and families; collects and disseminates information on children and families for the planning and coordination of policies, programs and services; administers the federal Juvenile Justice and Delinquency Prevention Act (OJJDP) in Tennessee; and administers and distributes funding for teen pregnancy prevention programs.
- *Department of Health* - The Department of Health plays a crucial role in Tennessee’s efforts to fight crime and delinquency in addition to its role of pursuing a broad public health agenda. As the agency of state government tasked with the prescription monitoring program they are key to the State’s efforts to identify prescription drug abuse.
- *Department of Mental Health and Division of Alcohol and Drug Abuse Services* - The Tennessee Department of Mental Health is an important partner in facilitating reform within Tennessee’s criminal justice system. Important crossover issues such as the mentally ill in jails and prisons, and responding to underlying mental illness among drug and chemical abusers are examples of shared agendas. As the agency of state government tasked with targeting substance abuse and chemical dependence, it directs an important part of Tennessee’s efforts to combat drug-related crime and delinquency through prevention efforts aimed at youth and adults. Treatment, intervention and rehabilitation services for thousands of Tennesseans are provided each year through out-patient and residential treatment facilities across the state.

Finally, OCJP and all of the agencies previously described depend upon numerous *non-profit agency partners* whose agencies deliver prevention, intervention and treatment services to at-risk children, offenders and victims of crime. Without their support the multitude of criminal justice missions could not be accomplished in Tennessee.

### ***The Governor’s Public Safety Subcabinet Planning Group***

The Governor’s Public Safety Subcabinet Working Group is made up of the Governor’s Cabinet as well as other Executive Branch leaders working in some way with the criminal justice system. This working group was given the mission of an action plan to significantly impact crime in Tennessee and to take the lead in implementing the action plan and identifying its success. The Governor’s Public Safety Sub-Cabinet Working Group further worked along-

side the six stakeholder groups previously described to develop the State's action plan and is overseeing the implementation of each of the. These ideas can become the basis for OCJP's development of a new program or modification of an existing one. It is precisely the role of both the advisory committee and the executive committee to make these program-level recommendations. However, final decisions to fund or not fund individual projects covered under an existing BJA-approved program remain the responsibility of OCJP.

## Appendix B: Strategic Process for Program Planning & Management

The Tennessee Office of Criminal Justice Programs (OCJP) manages a systematic, year-round cycle for determining the communities' needs, identifying the justice system's problems, setting program priorities, making grant allocation decisions, managing those funded projects, and evaluating the results of those decisions. *Strategic program management* is a

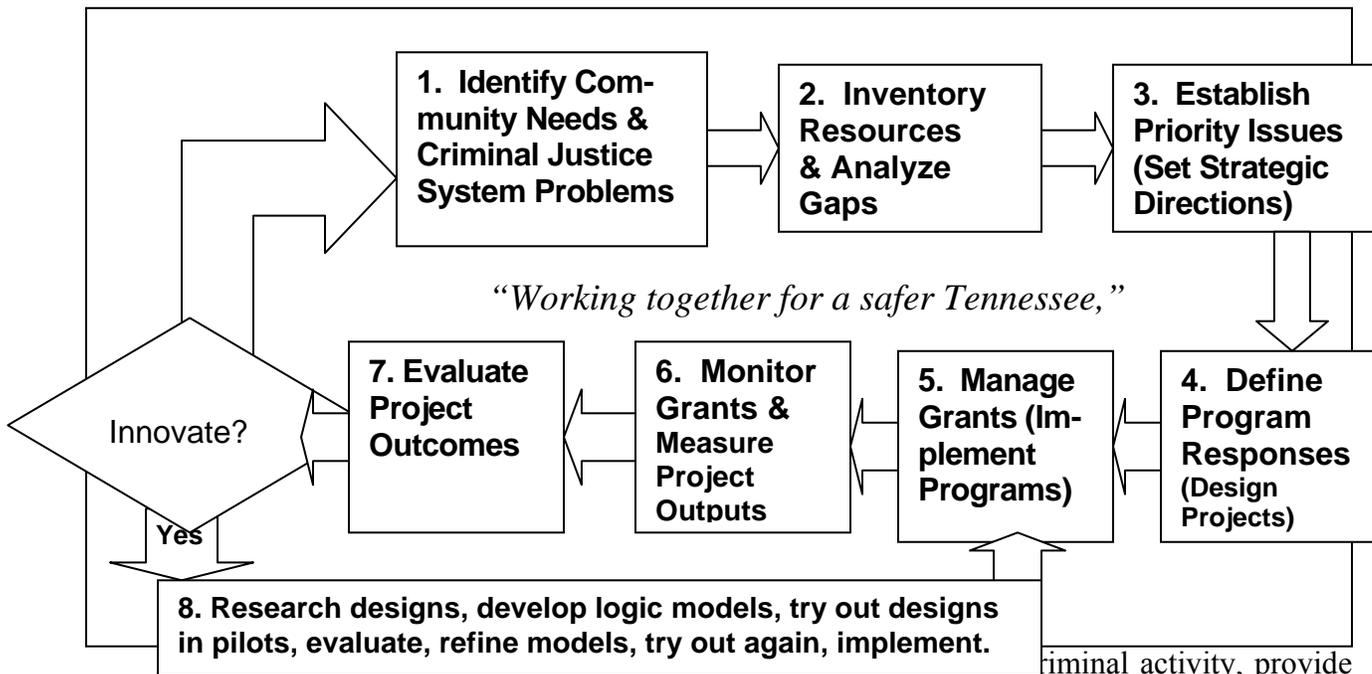
structured process that looks three to five years ahead of daily grants management activities at the changing needs of Tennessee’s justice system. OCJP tracks problems surfacing in the criminal justice system, monitors trends in Tennessee’s communities, assesses the condition of the state’s resources, and measures the recent performance of OCJP-funded programs. All this information helps OCJP focus its future program descriptions, set its funding priorities, prepare its budget requests, and direct its limited resources into areas that promise the best return for the public’s investment. The process described in this Appendix is a simplified version taken from OCJP policy.

**Mission and Vision:** Strategic management takes place within the mission of OCJP:

“The Office of Criminal Justice Programs is committed to a safer Tennessee for all of its citizens. OCJP functions as a strategic planning agency that secures, distributes and manages federal and state grant funds for Tennessee. While collaborating with other public and non-profit agencies, OCJP utilizes these grant monies to support innovative projects statewide in efforts to reduce criminal activity, provide services for victims of crime and promote overall enhancement of the criminal justice system in Tennessee.”

OCJP’s vision, “*Working together for a safer Tennessee,*” provides the day-to-day backdrop for grants management activities. A graphic depiction of OCJP’s eight-stage strategic program planning and grants management process appears in Figure 17 below. It is a systematic, fact-based, stakeholder-driven approach to priority-setting which is facilitated by the staff of the Office of Criminal Justice Programs.

**Figure 4. OCJP’s Strategic Program Planning and Grants Management Process**



criminal activity, provide services for victims of crime and promote the enhancement of the criminal justice system in Tennessee. Three procedural “tracks” are going on continuously throughout the year. First, OCJP is exercising management control over the numerous grants already in place. Second, OCJP is collecting and analyzing the data we need for directing the programs of the future. Thirdly, OCJP is constructing the multi-year planning and accountability documents that the

fundings require. By completing the eight steps in the strategic management process OCJP staff are attending to all three responsibilities simultaneously.

### **1. Identify Community Needs and Criminal Justice System Problems**

OCJP has programs and projects in place *now* to deal with *current* needs and problems. But for OCJP to make long-range improvements, we occasionally have to make changes in our funding priorities. Those changes will always be in response to the challenges surfacing in Tennessee's communities and its criminal justice agencies. The professionals in the field will usually see these trends first, but OCJP strives to be among the first to know about changes in criminal justice and domestic violence issues, so that the Office can steer its *future* programs in new strategic directions. OCJP looks to the field for its information.

OCJP monitors the following sources of community and criminal justice system trends to be able to identify the "nature and extent of the problem in Tennessee":

- Uniform Crime Reporting (UCR) Data on Violent Crime;
- Tennessee Incident Based Reporting System (TIBRS);
- Drug Production, Sales and Use Data;
- Corrections Populations (TDOC);
- Domestic Violence and Rape, Sexual Assault and Stalking Data (various sources);
- Information on Other Criminal Justice System Problems and Issues:
  - Geographic coverage of enforcement, prosecution and victim services;
  - Under-served populations;
  - Mentally ill in jails and other special populations in corrections;
  - Other issues (victims' rights, gangs, child pornography, racketeering, immigration, parental abduction, money laundering, etc.).

OCJP grant managers concentrate on their own program areas, using state and local participation to gather and document information on the "nature and extent of the problem" in Tennessee's communities and its criminal justice system. They continuously:

- Monitor the data sources (i.e., UCR, TIBRS, Internet, professional literature, federal grants management sources, university offerings, National Drug Control Policy, etc.) routinely, documenting findings in a record for periodic discussion at OCJP;
- Maintain routine contact with other state agencies (e.g., state Departments of Safety, Corrections, Children's Services, Mental Health and Retardation, TN Bureau of Investigation, Board of Pardon and Parole, Alcoholic Beverage Commission) and the U. S. Attorneys and Law Enforcement Coordinating Councils;
- Attend and sponsor conferences, retreats and work groups for grant sub-recipients and leaders in the field, keeping records of developments and topics of interest to OCJP;
- Attend routine public gatherings of the professionals OCJP considers *stakeholders* in the criminal justice system (such as the TN District Attorneys General Conference, the Sheriff's Association, the Police Chief's Association, the TN Narcotics Officers Association, the Administrative Office of the Court, the District Public Defenders Conference, the TN Drug Court Association, the TN Coalition against Domestic Violence and Sexual Assault, victim services agencies' administrators);

- Maintain regular phone and in-person contact with grant sub-recipients, and maintain a log of information obtained about system issues and community needs;
- Conduct surveys, focus groups and other forms of first-hand data collection;
- Meet regularly with advisory committees of system participants, such as the OCJP Criminal Justice Executive Advisory Committee, VOCA Resource Planning Group, STOP Violence against Women Program Planning Group, Criminal Justice Records Improvement Task Force, etc.

## **2. Inventory Resources and Analyze Gaps**

Given limited resources, OCJP must balance the expectations of criminal justice system stakeholders with what the data say about the communities' needs (i.e., service demands). By continuously assessing Tennessee's funding capacity (such as federal and state grant prospects) OCJP maintains the best possible balance between the community's needs and Tennessee's resources. When OCJP compares state resources with the needs and demands for quality services, there is usually a gap. That analysis helps OCJP make responsible budget decisions. Keeping an inventory of resources also helps us avoid managing for crises by responding in ways consistent with OCJP's strategic direction. OCJP grants managers monitor the condition of the following federal and state grant sources for Tennessee:

- *Edward Byrne Memorial Grant Program*: OCJP administers the Edward Byrne State and Local Law Enforcement Assistance Formula Grant. OCJP awards Byrne grants to state and local governments to make communities safe, improve the criminal justice system, and reduce crime, violence and drug abuse. Special issues addressed by this program include improvement of criminal justice records in Tennessee, domestic violence prevention and intervention, prevention of school violence, drug offender prosecution and treatment, information system technology, community based program support, court and drug task force support and correctional systems improvement. This program currently funds more than 130 local and state projects.
- *National Criminal History Improvement Program (NCHIP)*: OCJP coordinates the state level interagency taskforce which leads the effort to improve the collection and reporting of criminal histories throughout Tennessee's criminal justice system. The Office administers grant funds and coordinates activities statewide to improve this system.
- *STOP Violence Against Women Program*: OCJP coordinates, plans and serves as the administrative agency for Tennessee's STOP Violence Against Women Grant. The Office administers approximately 65 grants to law enforcement, prosecution, and victim services agencies.
- *Residential Substance Abuse Treatment (RSAT)*: OCJP administers the RSAT Grant for state prisoners. The program provides for substance abuse treatment programs in state and local correctional facilities.
- *Victims of Crime Act (VOCA)*: Tennessee's VOCA program is designed to provide high quality services that directly improve the health and well being of victims of crime. Priority is given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims. Currently over 75 grants are funded throughout Tennessee.

- *Sexual Assault Services:* This federal program offers funding to OCJP to redistribute to agencies who serve the victims of sexual assault. A variety of programs serve these specific victims with these funds.
- *Family Violence Shelters:* This state program provides grants for shelter and related services to victims of family violence and their dependents. Funded shelter services are provided 24 hours a day, 7 days a week. They include shelter, crisis hotline, counseling, advocacy, transportation, referral, follow-up and community education. This program currently funds more than 30 shelter grant programs.

**2.1. Inventory of Resources:** OCJP grants management personnel develop and maintain an informal “database” of information that describes the “state of the art” in Tennessee law enforcement, prosecution, courts, public defense, offender treatment, jails and prisons, and victim services. These data are obtained by monitoring the trends and attending the gatherings of the state’s criminal justice system components. OCJP merges this in-house pool of knowledge and experience with OCJP’s own Access database of grant funds by program year. That database specifies a great deal of detail about the grant contracts (e.g., organization, geographic location, contacts, amounts) of all grant sub-recipients. Grant managers also track the federal and state funding sources for information on Congressional and state Legislative trends in decision-making, such as anticipated funding cuts or enhancements. Finally, grants managers are also building the storehouse of knowledge when they maintain good records on the performance (and performance issues) of their existing grant sub-recipients – Tennessee’s core resources for criminal justice and victim services.

**2.2. Resources Gaps Analysis:** OCJP grants managers slip into a planner role on those occasions when new money becomes available, when old grants change or are reduced, or when a significant community need or criminal justice system problem surfaces. On those occasions grants manager/planners are called on to analyze the data from all these sources, and to draw preliminary conclusions about the strengths and weaknesses of the current spending patterns. In those places where the funding falls short, where there are demonstrable gaps in the geographic distribution of the funds, or where there is a verifiable population that is under-served or un-served, OCJP has discovered a *gap* in its support of the system.

**2.3. Areas of Greatest Need:** The most critical of these resources gaps must be filled if funding will allow. These are the areas of greatest need. OCJP grant manager/planners may develop an issue paper or a data analysis memo drawing conclusions about the “areas of greatest need” to use in engaging their stakeholder partners in conversations about the issues and alternative approaches for solutions. The alternatives may in some cases evolve into new program designs or models for funding.

### **3. Establish Priority Issues (i.e., Set Strategic Directions)**

OCJP places a high value on quality working relationships with Tennessee’s criminal justice system stakeholders. Their satisfaction is a goal for OCJP. Therefore, the Office engages local government and community leaders, grant sub-recipient administrators, state agency part-

ners and other stakeholders whenever OCJP needs help setting new priorities. These partnerships help OCJP envision new directions for existing programs, and encourage “ownership” for solutions that go beyond what state and federal grants can do alone. The experience and wisdom of those partners help OCJP craft its multi-year strategies and program plans for funding sources.

**3.1. Participatory Priority-Setting Process:** Before OCJP articulates changes in the primary Programs to be funded, it convenes advisory groups of stakeholders. OCJP uses one type group for criminal justice priorities and one for victim services priorities. OCJP facilitates these topical or profession-specific work groups to obtain advice for OCJP planners on the following:

- The problems, issues and trends OCJP has identified in community needs and the state’s criminal justice system;
- The condition of state and federal grant revenues available for allocation to Tennessee agencies and local governments;
- The staff’s suggestions for program priorities and program descriptions; and
- Their recommendations on the final design of that year’s grant solicitations.

**3.2. Timing of the Priority-Setting Process:** Issue-analysis meetings happen as the need arises, but only if there is reason to believe a change is needed in the *programs* OCJP will fund. When community issues or justice system problems demand a change in programs, OCJP’s Director convenes the Executive Criminal Justice Advisory Committee to review the recommendations of the issue-analysis work groups, to help OCJP establish priority issues for funding. These Priorities will drive any changes to the core programs OCJP will fund, by clarifying any changes in the federal Program Abstracts. Generally this happens every four years unless no new challenges have been noted in the Tennessee criminal justice system.

**3.3. Current Priority Issues:** The six priority issue areas OCJP has arrived at for the current funding cycle continue to be Offender Apprehension, Court Support, Offender Rehabilitation, Victim Advocacy, Community-based Services, Criminal Justice Records Improvement. Those OCJP staff involved in preparing the Byrne Strategy and its annual Updates summarize these priority issue areas for the strategic planning documents every four years. Each priority is described in terms of the programs addressing the issue area, their BJA approval date, their relationships to the national drug control priorities, their Byrne purpose areas, and their performance measures (i.e., intended accomplishments). These issue priorities are addressed directly by the state’s six Program Abstracts.

#### **4. Define Program Responses & Project Design Requirements (Logic Models):**

Seldom will any planning cycle yield a wholesale change in the Programs funded by OCJP grant awards. In those years when a new issue or challenging new set of circumstances forces a change in the state’s array of Programs, OCJP staffers develop an amendment to the state’s

existing set of Program Abstracts. The program responses are the central component of the state's application for federal funds under the various grant programs. These programs, in turn, define the types of projects that will be funded by OCJP. OCJP offers these specifications in its solicitations of local government and non-profit agencies. Desirable project designs are usually stated in the form of "logic models" that spell out the intended project purposes (i.e., outcome-driven project designs) and the measures of success that will be used by OCJP in year-end project evaluations. These performance measures address the accomplishment of program purposes, which tie back to the "nature and extent of the needs and problems" discovered during the needs assessment stage of OCJP's planning approach.

**4.1. *Development of Program Abstracts:*** The Abstracts are the formal descriptions filed with the Bureau of Justice Administration noting the problems to be addressed, the target populations, the activities to be performed, and the measures of success envisioned for an area of funding. Tennessee OCJP maintains eight Programs in its law enforcement section.

**4.2. *Federal grant application process:*** OCJP staff members all have assigned responsibilities for completing the state's applications for federal Byrne JAG, RSAT, NCHIP, Coverdell, STOP, Family Violence, Sexual Assault Services Program and VOCA grants. Each grant application has its own rigorous requirements, deadlines and formats.

**4.3. *Development of Strategy Documents and Annual Updates:***

- *Criminal Justice:* OCJP prepares a Statewide (Byrne) Strategy for Drug Control, Violence Prevention and Criminal Justice System Improvement every four years. The Department of Justice (Bureau of Justice Administration) also requires an annual Strategy Update to report changes in the state's Strategy, if any is planned. In Tennessee, this development process is not a paper-compliance exercise designed simply to generate Byrne funds. It is an attempt to bring together the local law enforcement community in a shared vision for the improvement of criminal justice in Tennessee – independent of the federal revenue stream.
- *Victim Services:* OCJP also prepares an annual Implementation Plan for the STOP Violence against Women Program, which in many ways serves as the equivalent of the Byrne Strategy for victim services in Tennessee.

## **5. *Manage Grants (Implement Programs)***

OCJP views program implementation as the assurance that federal and state funds are used in ways that produce high-quality *project* performance. That is, a program's success is the sum total of the performance of the projects that address that program. Program implementation begins with the sub-recipient awards process. OCJP's grant management responsibilities begin there as well.

**5.1. *State sub-grant awards process:*** The process for soliciting applications from local governments and state agencies begins before the announcement of the state's grant award. Some significant work is completed before OCJP receives notice of the federal grant amount, but once the Office knows about funding availability the announcement of

the sub-recipient application due dates is released. OCJP leadership develops “boiler-plate” contract shells. Over the next few months:

- A work group of experienced and qualified sub-recipient administrators usually helps OCJP staff develop the state’s solicitation. When a new program or a new type of project is envisioned, the work group helps OCJP develop a project design (“logic model”) to spell out the purpose, goals, inputs, activities, outputs and desirable outcomes of a successful project proposal. For major new project solicitations or for highly provocative ones, OCJP may even convene a series of peer reviews for the new project designs. The advisory groups that advise on the project specifications are often asked to help review and rank the applications received at OCJP later.
- OCJP staff members develop the solicitations for their own program areas, customizing standard formats and modeling after previous successful solicitations. In addition, staff develop weighted rating criteria for guiding the application review process, and train their advisory groups in the criteria.
- OCJP staff travel around the state in teams on “road trips” to disseminate the solicitations, which are structured “requests for applications.” These sessions are usually delivered in public gathering places in half-day training and Q & A sessions.
- OCJP staff process the applications, arrange meetings of advisors to discuss the applications, and facilitate the groups’ reviews of the sub-recipients’ applications.
- OCJP staff maintain detailed records of the selection decisions, “populate” the database, notify the sub-recipients of the state’s decisions, and deal with questions.
- OCJP staff distribute contracts, establish and maintain the sub-recipient’s project file, trouble-shoot the contract’s signing and distribution, and ensure that the initial project reports are filed by the sub-recipient as required.

**5.2. Policy Management:** OCJP grants managers monitor their assigned grants’ administration sources, such as the Federal Register and the federal grant administrators’ web sites, and stay abreast of developments in the field. They review sub-recipient manuals, trouble-shoot consistency with contracts policy changes, and keep the manuals current by revising them as needed. Grant managers also arrange for training and sub-recipient staff development as needed to keep the sub-recipient’s performance at its best.

**5.3. Federal Collaboration:** Grants managers collaborate with the federal grant managers in Washington D.C. and in the regional offices. Many federal managers conduct regular phone calls, conference calls, eMail communications, and the occasional site visit to Tennessee. The OCJP grant manager is responsible for coordinating these methods and for ensuring quality communications with the federal manager of the grant.

**5.4. Grant Coordination:** Grants managers coordinate all OCJP-administered, federally-funded programs in Tennessee. OCJP enhances the effectiveness of several federal programs in Tennessee by integrating their use: Local Law Enforcement Block Grant (LLEBG), the Violence against Women Act (VAWA or STOP grant), Byrne JAG Program, National Criminal History Improvement Plan (NCHIP), Paul Coverdell Grant Program, Sexual Assault Services Program (SASP), Victims of Crime Act (VOCA), and the Residential Substance Abuse Treatment (RSAT) Grant. OCJP also coordinates with the

agencies responsible for administering the Children’s Justice Act and the Juvenile Justice Accountability Act grants in Tennessee.

**5.5. Compliance Management:** Grants managers coordinate with the Program Accountability Review (PAR) staff, making regular contacts to discuss the program/fiscal monitoring status of all grant sub-recipients (once completed). Managers also are responsible for preparing PAR staff to understand the projects’ logic models and their expected project outcomes.

## **6. Monitor Grants and Measure Project Outputs**

Monitoring is a quality-control enterprise. Each grant manager functions as a quality assurance expert. Grant managers routinely collect and analyze the key performance data required by the sub-recipients’ contracts – both because the funders require the data to be reported and because the data are the most reliable way of managing the sub-grant.

**6.1. Monitoring Grant Performance:** Each grant manager is responsible for collecting and analyzing project performance data contained in the grants’ required output reporting. The task involves notifying sub-recipients about the upcoming reporting deadlines, answering questions about the required reports, and processing the reports as they arrive at the Office. Once the data are in hand, the grant manager examines the patterns, looking for clues about the nature of the productivity, comparing the units of service delivered or the number of arrests made against the overall project budget. Managers are encouraged to do “benchmarking” and “baselining” to determine how the project’s performance compares to others like it (and against its own past performance). Performance data can offer the grant manager huge opportunities for clarifying grant expectations, provide technical assistance, and coax the best performance possible from the project’s budget.

**6.2. Performance Reporting:** Grant managers each prepare and submit semi-annual and annual reports to the funding agencies. Adhering to the grant’s requirements, managers aggregate the data into summaries that match the formats prescribed by the federal programs. They submit the data in automated and hard copy form, and track the submission to be sure it meets federal requirements. Requirements are different for criminal justice and victim services projects.

## **7. Evaluate Project Outcomes**

OCJP believes that evaluation provides essential information for completing the strategic management cycle. The data on outcomes tell funders whether the programs and projects they designed and funded were effective in addressing the source problems identified during the assessment stage of the planning cycle. In that way, evaluative data not only “look backward” over past project performance, but they “look forward” to drive future innovations at the state level. Routinely collected program outcome data helps OCJP see what is working, what is not working, and what to invest in for the future.

In Tennessee, OCJP evaluates its grant *programs* by evaluating its *projects*. The sum total of *project* performance is the statement of *program* effectiveness. Moreover, routine evaluation at OCJP is a grassroots-oriented approach because more rigorous approaches are too expensive to conduct on every program every year. At OCJP the grant sub-recipients themselves are responsible for collecting and reporting their own performance data. That way, the sub-recipient (which stands to learn the most about how to improve) gets the information first-hand, and outside evaluators will have actionable data on hand when they need them. OCJP's grant sub-recipients explain what their agency will measure (and how) at the time of their grant applications, then OCJP monitors to ensure they follow through on those commitments. Evaluating victims' outcomes and the impacts of law enforcement on community safety is entirely different from monitoring and measuring project outputs (i.e., the "production" data). The focus is on what changes were effected in the community or the victim.

**7.1. Sub-recipient Training and Technical Assistance:** To get the outcome data, OCJP grants managers take responsibility for preparing their sub-recipients in the basic information they need for obtaining clarity on their project's purpose. Then they coach sub-recipients about the measures and data collection they will need to use. They do informal training on "logic models," then integrate evaluation with their routine technical assistance and grant support functions.

**7.2. Outcome Reporting:** Grant managers prepare annual reports on outcomes to the funding agencies that require them. Adhering to the grant's requirements, managers aggregate the data into summaries that match the formats prescribed by the federal programs. They submit the data in automated and hard copy form, and track the submission to be sure it meets federal requirements. Outcome reporting requirements are different for law enforcement and victim services projects.

## **8. Innovate (Program Innovation Cycle)**

To keep its programs effective OCJP needs to promote innovations *both* in the operation of existing projects *and* in the ways the criminal justice system defines its primary issue areas and program responses. OCJP can and should circulate the project performance data it collects, in order to drive innovations in project designs and improved service delivery processes. And, of course, the Office must use the evaluative data on what works to "seed" innovative new projects when the funds are available. In their "strategic planning mode," OCJP staff can compare project outcome data with national "state-of-the-art" practices and "best-practice" trends, write a position paper, develop a new logic model and craft alternative program designs. Or, they can facilitate these same tasks with working groups of field professionals. In their grants manager mode, OCJP staff can help sub-recipients capture and analyze performance data, conduct self-assessments, plan for in-house performance improvements and actually make those improvements. In either case, the challenge is in how OCJP uses the data already in hand.

In *Figure 18, Strategic Program Planning and Management at TN OCJP*, there is a summary of the eight-stage strategic management process used by OCJP.

**Figure 5, Strategic Program Planning and Management at TN OCJP**

<b>Stage of Process</b>	<b>Cycle</b>	<b>TN OCJP Program (Grant) Management Activities</b>
<b>Clarify OCJP Mission, Vision &amp; Grant Purpose</b>	<b>Jan-Dec</b>	<ul style="list-style-type: none"> <li>• Remain abreast of OCJP logic model, mission, vision, values.</li> <li>• Review Federal guidelines &amp; trends in the field for changes in grant program purposes, priorities and target populations.</li> </ul>
<b>Identify Nature &amp; Extent of Problems and Needs</b>	<b>Aug-Dec</b> <b>Oct</b>	<ul style="list-style-type: none"> <li>• Plot and review data sources (e.g., Census, TIBRS, CTAS, key conferences, focus groups &amp; survey results: justice system &amp; SR assessments of community needs performance &amp; evaluation data).</li> <li>• Summarize current and anticipated problems for monitoring.</li> </ul>
<b>Analyze Resources: Identify Gaps and Opportunities</b>	<b>Nov-Dec</b>	<ul style="list-style-type: none"> <li>• Analyze expected state/federal funds for increases/decreases in amounts.</li> <li>• Analyze sub-grant spending and distribution of current grants to identify total obligations and state “coverage” with grants.</li> <li>• Identify grants that are ending or being curtailed (see program monitoring &amp; evaluation), and fund amounts released.</li> <li>• Identify resources that can be reallocated: innovation/expansion.</li> <li>• Determine service gaps, unmet or under-met needs &amp; geo-map.</li> </ul>
<b>Set Strategic Direction</b>	<b>Dec-Jan</b>  <b>Mar</b>	<ul style="list-style-type: none"> <li>• Determine priority of funding for next grant cycle: <ul style="list-style-type: none"> <li>○ Define program purposes in abstracts &amp; identify priority areas and projects for funding;</li> <li>○ Engage advisory committees and steering groups;</li> <li>○ Develop &amp; submit grant applications, Byrne Strategy/Updates, STOP Implementation Plan.</li> </ul> </li> <li>• Formulate action plans for contending with budget cuts.</li> <li>• Inform communities &amp; providers of funding availability.</li> <li>• Train sub-recipients on contractual and performance requirements.</li> </ul>
<b>Manage Grant Evaluations &amp; Award Process</b>	<b>Apr-May</b>	<ul style="list-style-type: none"> <li>• Manage the proposal review process (selection panels, grant proposal evaluations).</li> <li>• Make awards of sub-grants.</li> <li>• Send notices of award and negotiate contracts.</li> </ul>
<b>Identify and Design Innovative Projects</b>	<b>July-June</b>	<ul style="list-style-type: none"> <li>• Formulate action plans for “seeding” innovative projects.</li> <li>• Identify innovative projects for funding or replication.</li> <li>• Facilitate logic model designs of new model projects.</li> <li>• Develop core outcome measures for new programs/projects.</li> </ul>
<b>Monitor and Measure Programs</b>	<b>Jul-June</b>	<ul style="list-style-type: none"> <li>• Review monitors reports, audit reports and project evaluations.</li> <li>• Require improvement or corrective action plans, as required.</li> </ul>
<b>Evaluate Projects and Programs and Report to Funders</b>	<b>Jul-June</b>	<ul style="list-style-type: none"> <li>• Review annual reports of actual outputs and outcomes against each sub-grant’s intended (funded) success measures.</li> <li>• Sponsor external program evaluations as appropriate.</li> <li>• Develop annual OCJP program performance report.</li> <li>• Review current array of grants/programs/projects against grant purposes, priorities and targeted populations.</li> <li>• Develop &amp; submit Byrne &amp; Victim Services Annual Reports to feds.</li> </ul>

**Continuous Improvement in Ongoing OCJP Planning Activities**

OCJP has continued to deal with several implementation issues since creating its strategic management process in 2000. For example, we are still orienting practitioners to the new process. We have had to motivate and facilitate practitioner participation, and we have had to gather the groups' work products for future program and strategy development decisions. We have also had to develop our own staff's planning skills while contending with their ongoing grants management workloads. Each year since 2001 we have developed action plans to advance the system, and have been executing these plans for three years now. For the upcoming year, 2004, our improvement priorities for OCJP planning and management are as follows:

1. WORK SMARTER!

- Enhance management of staff time;
- Improve in-house work flows to reduce stress;
- Eliminate unnecessary and duplicative activities;
- Build support for creative thinking (make time);
- Take advantage of resources;
- Develop a concrete plan for improving analysis of evaluation data we've collected;
- Use internal policy manual more reliably; and
- Install calendaring for scheduling internal work group meetings.

2. INTERNAL & EXTERNAL COLLABORATION

- Attend cross-discipline meetings, conferences, trainings;
- Make Criminal Justice and victims meetings available to both groups;
- Look for joint projects (office collaboration);
- Build staff expertise (i.e., skills in training management);
- Build legal support and knowledge;
- Ensure that more timely answers from fiscal staff will reach grant managers;
- OBF, PAR, fiscal will develop a process for implementing Policy 3;
- Effectively communicate with Information Services Management & the budget office; and
- Improve the integration of OCJP units for Criminal Justice, Victim Services & Fiscal.

3. OUTREACH

- Coordinate with proven Sub-recipients to identify areas in need;
- Conduct focus groups to look for ways to outreach;
- Develop an information page and newsletters to enhance sub-recipient communications;
- Conduct separate "road shows" for victim sub-recipient grants;
- Conduct follow up meetings with sub-recipients after "road shows";
- Meet with sub-recipients twice a year to discuss their concerns & needs, especially training needs; and
- Develop and deliver training to meet sub-recipients' needs.

Evaluation is a systematic assessment of the results or outcomes of a program's efforts. It is a critical component of any effective strategic program management scheme. At the Tennessee Office of Criminal Justice Programs, evaluation sheds light on six targets of management focus. That is, we use evaluation "to measure actual outcomes against the intended outcomes of the program; to discover achievement and results; to discover deviation from planned achievements; to judge the worth of the program; to identify unintended consequences; and to recommend expansion, contraction, elimination, or modification of the program."<sup>i</sup>

### ***Building Program Effectiveness through Evaluation: Assumptions***

Most experts would agree with Steven Aos, the principal researcher at Washington State's Institute for Public Policy. Aos recognizes that few criminal justice programs evaluate at the most sophisticated and reliable levels. Few can afford to! Nor is it easy to find a state criminal justice planning agency equipped to conduct the so-called "five-point evaluation designs" favored by University of Maryland researchers – i.e., random treatment and control groups using rigorous statistical methods to examine a range of intervening variables besides participation in the intervention itself.<sup>ii</sup> We consider Tennessee typical in that sense. We simply cannot evaluate *every* project for impacts *every* year.

However, Tennessee's strategy does recognize the importance of pursuing rigorous evaluation designs. We do that by judiciously combining in-house process analyses with ongoing monitoring of sub-recipient outcomes data and periodic evaluation studies using outside experts. Our rationale is that even the most rigorous evaluation designs are based on good process analyses and readily available outcomes data. By gathering those data on an ongoing basis we generate the baseline requirements for future studies at a much lower cost than that required by contracting for those services. The staff at Tennessee's Office of Criminal Justice Programs is beginning to excel at producing these important tools, which can serve as inputs for sophisticated research designs. Meanwhile, we can use the process evaluation data to improve the performance of our funded projects and our own grants management processes.

The Tennessee evaluation strategy for Byrne-funded programs takes a three-part approach:

- *A. Clear Project Designs (Program Logic):* We insist on well defined project "logic models" in all grant applications. Applications are reviewed for explicit analyses of the needs that form the basis for a project, specific statements of project purposes and goals, and indicators of intended results. To receive a grant award projects must be able to demonstrate what they intend to accomplish and describe how they will produce and measure results.
- *B. Performance Analysis and Process Evaluation with Performance Data (including outcomes):* Funded projects must produce actionable data for determining whether they have implemented what was funded, and with what results. OCJP provides a great deal of technical assistance and support to ensure that funded sub-recipients are able to produce data that measure critical project outputs and outcomes. Grant managers at OCJP monitor

the Byrne program performance data carefully and intervene as necessary. We manage a performance improvement process, not just a compliance monitoring process.

- *C. Impact Evaluations of Funded Programs:* Tennessee contracts with proven external researchers for comprehensive evaluations of its most significant programs as a complement to outcome measurement and process evaluation. OCJP plans at least one of these major efforts every two-to-four years. For example, the state's major Byrne-funded programs are the Multi-Jurisdictional Drug and Violent Crime Task Forces (MJTFs) and the Residential Substance Abuse Treatment (RSAT) program. In 2001 the Office of Criminal Justice Programs completed a contracted evaluation of the MJTF projects statewide; we are continuing to implement performance improvement recommendations that resulted from that study.

### ***Tennessee's Evaluation Design***

Tennessee's comprehensive evaluation strategy was designed to address BJA's criteria for effectively managed programs.<sup>iii</sup> OCJP has built this strategy into its criminal justice grants management processes. The components essential for a complete evaluation system are in place and working. We of course are still phasing in the approach to impact evaluation throughout the system – a longer-term cycle. The three components of our design follow:

***A. Clear Project Designs (Program Logic):*** In 2000 few Tennessee Byrne grants spelled out clear project designs and performance measurement procedures. Since 2000 Byrne sub-grant recipients have been trained and applicants have been required to supply logical descriptions of their projects' goals and objectives. Our grant review teams analyze and rate their logic models.

Tennessee's evaluation design is simple: Evaluation should be built in from the beginning of each management cycle, whether at the state program or local project level. As new initiatives are undertaken in Tennessee OCJP will ensure that new and existing sub-recipients are (a) capable of identifying their measures of important performance outputs and intended results, and (b) capturing and reporting those data to OCJP. We began the cycle in 1998 by assisting victim services sub-recipients to develop logical evaluation designs for their projects. By 2001 we had trained nearly 150 victim services sub-recipients and supported over a dozen Byrne correctional treatment sub-recipients as they developed baseline project designs and performance management techniques. We are continuing to use these experiences as a model process for other sub-recipients. For example, in 2002 we applied it to 37 Byrne-funded prosecutors' victim assistance project coordinators and 25 MJTF sub-recipients. In 2004-'05 we intend to repeat this approach with new drug court grant applicants for OCJP funding.

OCJP has been advising potential applicants that we require Byrne applications – in program areas where performance outputs are measurable (e.g., offender rehab and treatment, victim advocacy, and some forms of apprehension) – to be stated in clear descriptions of the proposed project's purpose and intended results. We insist that these applications for OCJP-administered funds describe in "logic model" terms their project's purposes, goals or intended outcomes, funded activities, and measures of success. (Although victim services sub-

recipients call these “logic models,” criminal justice professionals simply call this good project design.) We continue to communicate our expectation that *funded and trained* sub-recipients must be gathering performance data, so that we have data in hand for every year of the grant. Each new grant cycle we expect more projects will have logical, clear project designs, with specific baseline measures. In future award cycles OCJP will be positioned to award the grants to the most feasible applications that meet OCJP program priorities, and offer readily measurable performance criteria. That, in turn, should permit OCJP to base part of its future allocation decisions on analyses of sub-recipients’ performance data – just as we do now with various victim services grant programs.

***B. Performance Analysis and Process Evaluation with Performance Data:*** More sophisticated evaluations depend on process evaluation to produce management data describing a project’s adherence to its design and its actual performance before they may address benefits or cost-benefits. Performance analysis describes what a program intends to accomplish and what is being delivered. Process evaluation describes how well the project performed according to its design, and at what cost. Outcomes measurement describes the results of the intervention (i.e., what happened to participants), given the project’s objectives.

*The Importance of Performance Data for Process Evaluation:* OCJP’s program managers are responsible for supervising their sub-recipients’ data collection and reporting. OCJP program managers also use regular sub-recipient contacts and other sources of information (e.g., observation, monitoring, audit reports) to verify project activities in selected program areas. OCJP is making a concerted effort to visit the field more often for practitioner gatherings and occasional site visits.

In 2002-2003 OCJP helped residential correctional treatment projects to identify and capture process and outcome data. These groups identified their key processes and performance measures, developed data collection instruments and procedures, and began submitting performance and outcome data to OCJP. In 2003 OCJP staff analyzed the outcome data obtained from these projects, and crafted a number of performance improvement interventions. Staff made follow-up site visits and planned corrective action to coincide with the evaluative findings. OCJP used this experience to begin planning evaluation activities for other Byrne grant sub-recipients as well. The lessons we are learning will be adopted with other sub-recipient types in future years.

For 2004 OCJP has planned to assist in the development of logical project designs for new drug court projects. In order to help potential sub-recipients become ready to meet these requirements in 2004-’05, OCJP will provide technical assistance through an advisory group of practitioners representing the substance abuse treatment and specialized fields of drug courts. Technical assistance sessions on performance measurement will help potential drug court grant sub-recipients clarify their project designs based on researched models of “best practice.” They will also help OCJP define appropriate and acceptable performance for projects of the types being funded. That, in turn, will help us prepare specific solicitations for comprehensive program evaluations during evaluation cycles in 2004-2007. We are considering just such solicitations for RSAT, prosecutors’ victim assistance and drug court providers. Our 2004-’05 drug court provider solicitations will require sub-recipients of the types we have trained to report performance data on measures we have “tuned” to their project types. Pro-

viders that receive awards will be required to report their performance beginning with the mid-year reports due in January 2006. Meanwhile, we continue to add sub-recipients to the list of projects we have trained in performance measurement. Continuing to improve the collection and reporting of project outcome measures is an OCJP priority for 2004-'07.

**C. *Impact Evaluations of Funded Programs:*** Impact evaluations are, by nature, complicated research studies. Reliability and validity issues generally necessitate control groups for comparison with the populations participating in the funded interventions – or longitudinal analyses of what happened to a sample of participants over time (e.g., recidivism studies). Although some such studies can be conducted by targeting example projects, more often they are statewide examinations of a number of projects and their populations. These are usually conducted by highly trained and experienced professionals. Variables such as these make impact evaluations expensive. In conjunction with ongoing process analyses and performance measurement, research studies can make sense to an agency like Tennessee OCJP, but they must be planned and managed wisely.

We acknowledge the empirical reliability issues raised by measuring performance alone. Reliable control-group and longitudinal studies *do* matter to us. But it is also true that evaluation designs must “fit” the conditions under which projects are operated if they are to generate useful management information. The evolving nature of local criminal justice programming in Tennessee dictates that we concentrate our limited resources on process evaluation: discovering which projects have drifted away from what they planned to implement, getting them back “on track,” and identifying the actual results they produce when they actually perform as designed. More rigorous research designs addressing the spectrum of project types statewide can occur among major programs on a rotating basis, given a two-to-four-year cycle. Central to Tennessee’s evaluation design, then, are these two assumptions:

- *The reason we measure outcomes is to support ongoing improvements in local performance and state program management.* Tennessee’s grant programs are intended to accomplish certain outcomes (e.g., reduce recidivism, raise street prices of illegal drugs, enhance the social skills of drug offenders, or produce other changes in participants, such as new vocational skills). Using Tennessee’s “grassroots-oriented” Byrne evaluation strategy helps us know when we have accomplished those outcomes, and when changes in programming might enhance those outcomes. Such an approach permits Tennessee to remain abreast of project performance routinely, between major research studies.
- *We manage state criminal justice programs by evaluating local project performance.* That is, the success of Tennessee’s programs depends primarily on how well local *projects* meet local needs. Evaluating Byrne projects provides us with the knowledge of what works so that we can apply that knowledge over the long term to improve both the performance of the project and the results of the criminal justice system for the public. While we appreciate our obligation to conduct evaluations for federal and state funding sources, Tennessee OCJP’s highest priority lies securely on producing information that can be used on a daily basis for managing the success of local projects.

In 2000 our highest priority external evaluation was the analysis of the Multi-Jurisdictional Drug and Violent Crime Task Force Program, Tennessee's largest Byrne program. The completion of that evaluation in 2001 helped Tennessee determine the direction of its Byrne program for the new millennium. It identified opportunities for fine-tuning project designs, for leadership intervention, and for future MJTF implementation by state and local agencies. During 2002 OCJP encouraged the MJTF projects to implement many of the evaluator's recommendations. OCJP then monitored the performance-improvement activities of the sub-recipients.

### ***Rationale for Tennessee's Evaluation Design***

System ineffectiveness may be *identified* by evaluation, but finding solutions depends on better program development, i.e., problem identification, issue identification, priority setting, program identification. These, of course, are all activities that take place *before a program is announced, applications are received, and awards are made*. OCJP realizes that to improve program performance we must cycle evaluation findings back into our program development practices. Integrating evaluation into the strategic management process is the key.

***Integrating Evaluation with Strategic Program Management:*** OCJP recognizes the importance of integrating evaluation.<sup>iv</sup> BJA has recommended that states can enhance integration by involving evaluators in grant review processes and allowing them to control project monitoring. At OCJP evaluators are *not* separate from program management. We *are* the policy-makers, planners, project monitors, project directors and evaluation managers. OCJP is taking two important steps to address the critical issue of integrating evaluation:

- First, incorporating evaluative findings with performance improvements is a major function of our strategic program management process (see Chapter 2). We stress evaluation as a major responsibility of the OCJP program manager, and we have built our staffing patterns and workload assignments around this assumption. As OCJP has incorporated evaluation activity into the grant management cycle, we have re-assessed our workloads and staffing patterns to match these responsibilities.
- Second, OCJP continues to improve integration by insisting on evaluative data reporting as a minimum requirement for grant awards and for our own program development and design work. This stance has required that our staff become more proficient in providing technical assistance and training for grant applicants and sub-recipients. These functions have been a challenge, but we have built our staffing patterns and our workload assignments on these expectations as well. (OCJP conducts an annual staff retreat, and one of the major objectives each year is to re-assess our progress on the transition to strategic management functions, including process evaluation and its accompanying workloads.)

***Methodology for Process Evaluation and Performance Management:*** OCJP program managers review all Byrne-funded projects yearly. Each major OCJP project receives a performance review based on annual performance and spending data each year. Other OCJP evaluative efforts (e.g., site-visits, frequent telecommunications, statewide meetings, and exchanging correspondence) occur for most programs on a rotating basis. Field visits are made to a selection of projects or to gatherings of sub-recipient agencies. The Tennessee Office of Program Accountability Review conducts additional program and fiscal evaluations, under

the direction of OCJP managers. OPAR's monitoring reports to OCJP are valuable supplements to the overall monitoring and program evaluation conducted by OCJP grant managers. Details on these approaches follow:

- ***Semi-annual Reports:*** Applicants are required to submit a plan for evaluation as part of their project's design. Projects that are funded are then required to submit annual reports of project performance data. The projects' narrative addenda also address challenges or obstacles that have surfaced during project implementation. OCJP staff use written reports submitted by projects to track their progress, and to determine whether a project accomplished what it said it would accomplish in the period specified. Taken together, the projects' performance reports also contribute to process evaluation when used in conjunction with other sources of information on a program (e.g., site visits, etc). Our plan for the upcoming strategic cycle is to enhance project reporting as we continue to clarify project logic models, by encouraging electronic submission of information. Besides improving the quality and timeliness of OCJP's evaluative data, automating report submission will have the added advantage of supplying its own mechanism for aggregating and tracking program data. That in turn should permit more effective and efficient methods of tracking and documenting changes in a project's direction. It should also free up OCJP managers' time to make sure these documents are accurate and useful. Improved reporting is yet another reason for building the logic model analysis into the program development process at grant award time.
- ***Field Visits:*** Tennessee's unique geographic pattern requires OCJP to pay special attention to what is important information to gather. The real issue is how to gather information that is relevant and useful for program performance management most efficiently. When evaluation resources are limited, the key is to appreciate the important variations or typologies of a program, and to gather and share crucial data on each variation (if not each project). Involving "people," not simply relying exclusively on paper methods of gathering information, is important. But placing too much emphasis on geographic representation, as if performance can only be addressed by observing the physical location of each project, can over-extend the evaluators' capacity – at the expense of effectively managing the program. Although we place a premium on being in contact with grantees "in the flesh," we do not always attempt to make on-site visits to every project. It is often more efficient to have group meetings with similar sub-recipients, often at the site of one project, as a means of gathering and sharing information. OCJP will continue to review its data collection processes to make better use of telephone, email and other forms of distance interaction.

***Methodology for Impact Evaluations:*** The State of Tennessee contracts with experienced research providers for impact evaluations. OCJP is dedicated to the state's contract-solicitation and provider-selection processes. That involves the development of a detailed solicitation (request for proposals), competitive bidding and a careful proposal review and award cycle. OCJP is currently planning to contract for a comprehensive evaluation of either its second-largest program – the Residential Substance Abuse Treatment Program or another important program, that of prosecutor-based victim assistance services. An evaluation of ei-

ther program by an independent contractor will mean that 15% of Tennessee’s Byrne funding will once again be subject to a comprehensive program evaluation under this plan.

The evaluation of Tennessee’s Residential Substance Abuse Treatment Program will address several areas, possibly to include the following:

- Design of a comprehensive approach for the research project.
- An analysis of the outcome data and OCJP process evaluation data on such variables as:
  - Participant socialization and behavior change;
  - Participant job skills or vocational abilities;
  - Participant substance abuse behavior; and
  - Recidivism among program graduates.
- An examination of costs and benefits.

An evaluation of the victim assistance program would address six or seven “core” client outcomes as well as a number of performance measures in a full range of locations and staffing patterns for these 37 projects.

OCJP’s goal is to support impact evaluation of a least one program or significant project every two to four years. OCJP will explore approaches to maximizing limited resources with the Statistical Analysis Center, local universities and the advisory board.

***Evaluation Staffing:*** Byrne grant managers in Tennessee carry primary responsibility for a range of evaluation functions – from helping sub-grantees firm up their project designs to tracking their reports of performance data, from analyzing sub-grantees’ process improvements to managing external impact evaluations. We fit these approaches to the circumstances of the projects we administer and to the sizes of the investments in the sub-grantees. Each program manager integrates evaluation with his or her program technical support and project grant monitoring functions. In so doing OCJP uses staff time to establish a description of what is being implemented in projects where (a) goals and objectives have been insufficiently articulate, (b) models for effective service activities are non-existent, and (c) where actionable data are sparse. Our evaluation design requires our program managers to manage process evaluations as part of their role, in order to build up the “evaluability” of our Byrne grant sub-recipients.

***Funding for Evaluation:*** OCJP obtains its evaluation capacity both by conducting it in-house with existing staff and by “buying it,” (i.e., contracting for evaluation capacity from third parties, such as independent contractors, the Statistical Analysis Center, and the Tennessee Office of Program Accountability Review.) When contracting for evaluation services OCJP first defines the desired evaluation products then assesses the competing options. Selection is based on the option most likely to provide the output at the lowest available cost, given OCJP’s in-house evaluation capacity. The evaluation function is no less subject to evaluation than are other OCJP-funded activities. Tennessee purchases evaluation capacity through a contract with a knowledgeable outside evaluator and uses resources available for evaluation from the Tennessee SAC (Statistical Analysis Center). All Byrne-funded and most other contract programs administered by OCJP are monitored programmatically and fiscally

each year through OCJP's monitoring unit. These monitors conduct on-site visits, information gathering, program assessment and individual project evaluations.

***Capacity Building at the Office of Criminal Justice Programs:*** Evaluation processes imposed unilaterally by the state cannot be as effective as we want them to be. However, our experience at OCJP is that sub-recipients will willingly gather and report performance data if they see the data as valuable for leading and managing their own performance. That is the reason OCJP began the approach in 2000.

Working independently OCJP units have re-examined their mission, vision and values and have adjusted self-improvement goals and measures of success based on these self-assessments of progress. The adjustment of work processes and workloads allow for changes in staffing to fit. Our staff has continued to integrate the transition in their roles, functioning as resource planners and project evaluators even while maintaining their grants management responsibilities. We are still sharing the Office's evaluation design with our criminal justice system partners in meetings and natural gatherings of our sub-recipients:

- OCJP will continue to clarify the planning and evaluation demands spelled out in our Statewide Strategy. We will continue to orient our criminal justice system partners informally to the changes happening at OCJP.
- We are integrating our strategic management model into our daily routines. We are coordinating with the Department of Finance and Administration's Office of Information Resources (OIR) to convert our system for gathering performance data to an online utility for use by new Byrne project applicants. (This system will generate the baseline data for future process evaluations, even as it helps to educate applicants in how to design a project that is capable of being evaluated.)
- We will continue to scrutinize our changing workloads and workflows, to take advantage of these new developments in automation. We will organize around re-designed work assignments, and we will continue to train OCJP employees to fulfill their new functions.

### **Summary**

This evaluation plan – and the larger Strategy of which it is part – charts a course of continuous improvement that will strengthen OCJP's strategic planning and program execution. Opportunities exist throughout the life cycle of OCJP's strategic management process to improve the quality and efficiency of our evaluation system significantly. That is especially true for the beginning of the process, during future program development. It is during the pre-award stage of program development that we can accomplish the most important management objective for system improvements, namely the articulation of clear program priorities and measures of intended outcomes. Assistance with logic model development is now an accepted part of the application and award process in Tennessee. By linking the award with evaluation OCJP has created a situation in which Byrne grant sub-recipients *expect* to gather and report performance and outcome data.

Byrne funding and evaluation requirements will continue to provide us with the catalyst for building knowledge about what works. OCJP is committed to applying that knowledge over the long term for the benefit of Tennessee's own criminal justice system. OCJP's evaluation design and technical assistance sessions are actually making strategic planning happen in Tennessee.

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<sup>i</sup> BJA Technical Assistance Workshop on Program Development, Evaluation and Reporting, August 16, 1999, Nashville, Tennessee. Conducted by Robert Kirchner, Ph.D. Based on “Linking Performance Measures to Policy and Strategy,” 1999 Annual Conference on Criminal Justice Research and Evaluation, Kirchner & Venell, 7/99.

<sup>ii</sup> “Getting to the Bottom Line: Estimating the Comparative Costs and Benefits of Different Ways to Reduce Crime,” A Presentation to the Florida Department of Juvenile Justice, Steven Aos, Washington State Institute for Public Policy. May 20, 1999. Drawn from The Comparative Costs and Benefits of Programs to Reduce Crime: A Review of the National Research Findings... May 1999.

<sup>iii</sup> *Op cit.* Kirchner & Venell. Acceptable goals and objectives; links between objectives and activities, performance data reports, and acceptable performance. p2.

<sup>iv</sup> Kirchner, Robert A., Marylinda Stawasz, Kellie J. Dressler, and Laura Parisi, Evaluation Desk Reference Manual Series, March 1999, Vol.1:” Orientation to Program Evaluation”” Bureau of Justice Assistance, U.S. Department of Justice, p.34.

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