

PUBLIC SAFETY ACTION PLAN



**Prepared for
Governor Haslam
by Subcabinet
Working Group**

JANUARY 2012

Table of Contents

- Subcabinet working group makeup and input
- Two-fold mission of the group
- Summary of findings
- Key initiatives/focus areas
- Goals and objectives
- Action Plan
- Action steps requiring legislative action
- Measurements of performance and progress
- Suggested role for criminal justice coordinating council

SUBCABINET WORKING GROUP

Department of Safety and Homeland Security

Department of Mental Health

Department of Children's Services

Tennessee Bureau of Investigation

Department of Correction

Board of Probation and Parole

Military Department

Department of Health

Governor's Highway Safety Office

(Department of Transportation)

Office of Criminal Justice Programs

(Department of Finance & Administration)

Law Enforcement Training Academy

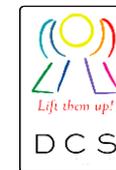
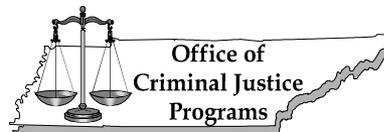
(Department of Commerce & Insurance)

Additional Staff Support:

Tennessee Criminal Justice Coordinating Council

National Governors Association Center for Best Practices

The Center for Non-Profit Management



The Subcabinet Working Group held sessions with stakeholders from across the state gathering information about various public safety issues.

**Violent Crime
(25 stakeholders)**

**Methamphetamine
(39 stakeholders)**

**Domestic Violence
(61 stakeholders)**

**Prescription Drugs
(56 stakeholders)**

**Drug Court
Treatment
(20 stakeholders)**

**Repeat offenders
(47 stakeholders)**

Other sessions were held with numerous groups and individuals. In total, over 300 people were consulted.

TWO-FOLD MISSION OF THE GROUP

- Develop for the Governor a measurable public safety action plan designed to (1) have a significant impact on crime in Tennessee and (2) help create a climate in communities across the state that fosters the creation of more and better jobs.
- Take the lead for the Governor in implementing the action plan and measuring where we stand.

SUMMARY OF FINDINGS

- Early in its deliberations, the subcabinet working group identified three major challenges and believes that addressing these challenges aggressively can have a significant impact on crime in our communities:
 - Drug abuse and trafficking,
 - Violent crime, and
 - The number of repeat offenders.
- The subcabinet working group's conclusions have been confirmed by a survey of over 100 law enforcement leaders (police chiefs, sheriffs, and district attorneys) as well as the participation of over 250 leaders in stakeholder meetings.
- The group recognizes that implementation of this action plan will require strong partnerships with local communities, in particular, local law enforcement agencies.

SUMMARY OF FINDINGS (cont.)

- Drug abuse and trafficking drive Tennessee's crime rate.
 - The diversion, trafficking, and abuse of controlled prescription drugs and the production, use, and sale of meth pose the primary drug threats to Tennessee.
 - These drugs now overshadow the challenges of marijuana, cocaine, and other illicit drugs which are still more widely available at stable levels to meet market demand.
 - In 1999, only 5 percent of Tennesseans receiving Tennessee Department of Mental Health funded treatment were abusing prescription pain relievers. By 2009, it had jumped to 23 percent.
 - Meth endangered children removed from homes and placed in foster care cost taxpayers about \$108 per day. In 2010, 473 children were removed from homes due to meth-related problems.
 - We are not addressing adequately the underlying addictions of many offenders.
 - Targeted to the right offenders, effective drug treatment courts can break the cycle of addiction and crime AND save the state and local communities incarceration costs.

SUMMARY OF FINDINGS (cont.)

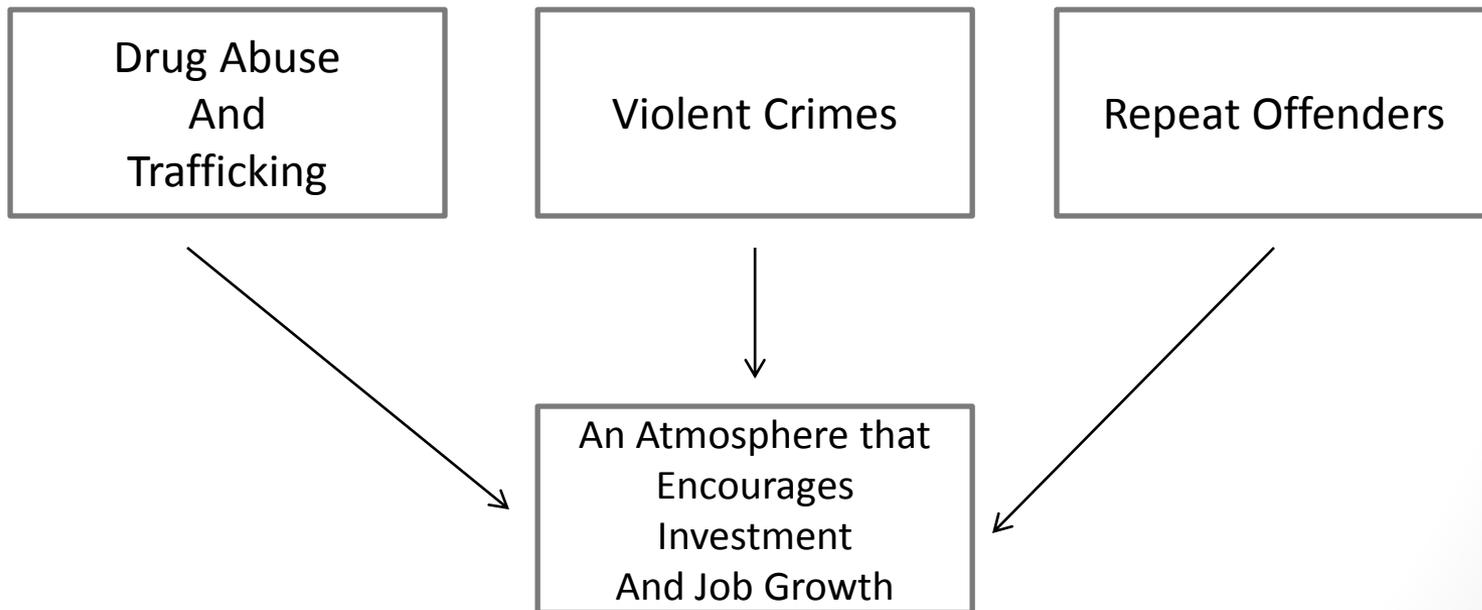
- Abuse of alcohol continues to be a major threat on our roadways, with 24,105 DUI arrests occurring in Tennessee in 2010.
- While dropping some, Tennessee continues to have a violent crime rate far above the national average and is number one among southeastern states.
 - Violent gang-related crime and violence in the home are areas of special concern.
 - Almost a quarter of violent crime offenders in Tennessee in 2010 were 18-24 years of age.
 - In 2009, Tennessee ranked 5th in the nation in domestic homicides.
 - In 2010, domestic violence victims made up over half (51 percent) of all reported crimes against persons in Tennessee.

SUMMARY OF FINDINGS (cont.)

- Much of our crime problem stems from individuals who are repeat offenders.
 - The adult recidivism rate in Tennessee was 46.5 percent in 2009 (defined as being convicted of a new crime within three years of release from incarceration or supervision).
 - Tennessee suffers from a lack of seamless supervision of offenders within the state correctional system.
 - Services and resources are often hard to access for inmates returning to our communities.
 - The lack of accountability has created a culture that encourages many to become repeat offenders.

PUBLIC SAFETY ACTION PLAN

Contains Three Key Initiatives/Focus Areas to Curb Crime and Help Create a Climate for Job Growth in Tennessee Communities.



Summary of Goals and Objectives

- **GOAL**

Reduce significantly drug abuse and drug trafficking.

- **OBJECTIVES**

- Tackle aggressively the growing problem of prescription drug abuse.
- Curtail the manufacture and use of meth.
- Reduce the level of driving under the influence.
- Provide more support to effective drug treatment courts.
- Strengthen the scope and effectiveness of drug interdiction efforts on our roadways, especially interstates.

- **GOAL**

Curb violent crime.

- **OBJECTIVES**

- Tackle violent street crime plaguing many communities and neighborhoods.

- Reduce the level of violence in the home (both domestic violence and child abuse.)
- **GOAL**
 - Cut the rate of repeat offenders.
 - **OBJECTIVES**
 - Create a more seamless system to oversee all aspects of an offender's contact with the state correctional system to ensure continuity and accessibility.
 - Develop more collaborative, coordinated services for offenders who return to the communities of our state.
 - Instill more accountability.
 - Focus more on effective drug treatment.

ACTION PLAN*

- **3 GOALS**
- **11 OBJECTIVES**
- **40 ACTION STEPS**

*This is a multi-year plan.

GOAL 1: REDUCE SIGNIFICANTLY DRUG ABUSE AND TRAFFICKING.

- OBJECTIVE: TACKLE AGGRESSIVELY THE GROWING PROBLEM OF PRESCRIPTION DRUG ABUSE.
 - ACTION STEPS:
 - Require prompt reporting of controlled substance prescriptions to the prescription monitoring program (PMP) database.
 - Create tougher restrictions on over-prescribing pain clinics.
 - Develop a regional approach with surrounding states, including the sharing of timely database information.
 - Increase use of the prescription monitoring program (PMP) database by prescribers and dispensers.
 - *Strengthen penalties for doctor shopping.*

- Teach medical/pharmacy students about prescription drug abuse, the database system, and the laws in Tennessee that govern prescribers and dispensers.
- Develop and implement a statewide prescription drug take-back initiative that is accessible to all Tennesseans.
- Implement more effective regulation and monitoring of Methadone clinics.
- Increase public awareness about prescription drug abuse through an on-going communications campaign.
- Increase and improve data sharing about prescription drug use and abuse among state agencies, including use of similar formats, language, and geographic breakdowns in data collection.
- Assist health care organizations and providers in developing expertise and standard protocols in the prevention and treatment of drug abuse.
- Expand law enforcement access to the prescription monitoring program (PMP) database.
- Require uniform drug overdose reporting by all county medical examiners.

- OBJECTIVE: CURTAIL THE MANUFACTURE AND USE OF METH.
 - ACTION STEPS:
 - Reduce access to pseudoephedrine products.
 - Effectively implement the new real-time database for the purchase of pseudoephedrine products.
 - Evaluate whether pseudoephedrine products should become available only by prescription upon the completion of the comptroller's review and report.
 - Set-up and maintain a viable meth lab clean-up system.
 - Develop an effective ongoing communications campaign about the consequences of purchasing ingredients used to make meth, making meth in the presence of children, and the danger and addictive nature of meth.

- OBJECTIVE: REDUCE THE LEVEL OF DRIVING UNDER THE INFLUENCE.
 - ACTION STEPS:
 - Revamp and simplify our DUI laws with the goal of clearly conveying the consequences and holding offenders accountable.
 - Use data-driven deployment of state troopers to maximize the impact on driving under the influence and on the level of traffic fatalities and develop and maintain a database that will allow all local law enforcement to do the same.
- OBJECTIVE: PROVIDE MORE SUPPORT FOR EFFECTIVE DRUG TREATMENT COURTS.

- ACTION STEPS:
 - Expand access to drug treatment courts across Tennessee, with emphasis on treating serious meth and prescription drug addictions.
 - Focus more of state drug treatment court funding for courts serving defendants who would otherwise be incarcerated at the state's expense.
 - Establish regional residential drug treatment court facilities.
 - Establish a uniform, effective, and comprehensive evaluation process on the performance of drug treatment courts.

- OBJECTIVE: STRENGTHEN THE SCOPE AND EFFECTIVENESS OF DRUG INTERDICTION EFFORTS ON OUR ROADWAYS, ESPECIALLY INTERSTATES.
 - ACTION STEPS:
 - Offer 40-hour courses on drug interdiction at least twice a year to all state troopers.
 - Develop a new database under which officers can (1) submit real time information on traffic stops involving suspicious levels of prescription drugs and (2) query the database for prior suspicious stops involving the same suspects.
 - On a regular basis, deploy state troopers assigned to Interdiction Plus teams across the state to major drug corridor hot spots through data driven enforcement.
 - Establish Peace Officer Standards and Training (POST) mandated training curriculum for all law enforcement officers assigned to drug interdiction operations.

GOAL 2: CURB VIOLENT CRIME.

- OBJECTIVE: TACKLE VIOLENT STREET CRIME PLAGUING MANY COMMUNITIES AND NEIGHBORHOODS.
 - ACTION STEPS:
 - Enact tougher sentences for gang-related crimes and establish tracking criteria to determine the effectiveness of tougher sentences.
 - Enact tougher sentences for gun possession by those with prior violent felony convictions and establish tracking criteria to determine the effectiveness of tougher sentences.
 - Evaluate realignment of resources and sentencing options in juvenile justice, with emphasis on what impact such changes would have on public safety, costs, rehabilitation, and recidivism (including, but not limited to, an evaluation of a blended sentencing option under which juveniles could be detained past age 19).
 - Change how fiscal notes are calculated on sentencing legislation, taking into consideration possible savings in other areas of state spending and as a result of fewer crimes being committed.
 - Strengthen Tennessee’s nuisance law to tackle illegal criminal gang activity.

- OBJECTIVE: REDUCE THE LEVEL OF VIOLENCE IN THE HOME.
 - ACTION STEPS:
 - Enact mandatory incarceration time for repeat domestic violence offenders.
 - Provide more support for domestic violence victim shelters and family safety centers.
 - Increase awareness of child sexual abuse by supporting current statewide efforts such as Stewards of Children and the Trafficking in America Task Force.

GOAL 3: CUT THE RATE OF REPEAT OFFENDERS.

- OBJECTIVE: CREATE A MORE SEAMLESS SYSTEM TO OVERSEE ALL ASPECTS OF AN OFFENDER'S CONTACT WITH THE STATE CORRECTIONAL SYSTEM TO ENSURE CONTINUITY AND ACCOUNTABILITY.
 - ACTION STEPS:
 - Realign the supervision of adult felony offenders (through probation, community corrections, incarceration, and parole) under the authority and supervision of the Department of Correction.
 - This will free up the Board of Probation and Parole to focus on whether or not to (1) grant parole to specific individuals and (2) revoke parole based on violation of conditions.
 - Provide incentives to those who actually comply with all conditions of parole.

Repeat Offenders (cont.)

- OBJECTIVE: INSTILL A CULTURE OF ACCOUNTABILITY THAT DETERS REPEAT OFFENDERS.
 - ACTION STEPS:
 - See accountability steps under the Violent Crime Goal.
 - Improve the collection of fines and fees in criminal cases as a way of holding people accountable AND increasing revenue for the state and localities.
 - Encourage and actively support effective mentoring programs for truant students at the middle school level as a means of curbing the number of youth who move from truancy to delinquency.

Repeat Offenders (cont.)

- OBJECTIVE: DEVELOP A COLLABORATIVE CASE MANAGEMENT SYSTEM FOR INMATES RETURNING TO COMMUNITIES THAT INCLUDES A ONE-STOP SHOP FOR ASSISTANCE AND SERVICES.
 - ACTION STEPS:
 - Implement successfully the pilot one-stop shop for returning inmates in Shelby County as part of the local Operation: Safe Community plan.
 - If it is successful, grow the Shelby County model to scale by replicating it in other parts of the state.
- OBJECTIVE: MAKE MORE EFFECTIVE USE OF DRUG TREATMENT COURTS AS PART OF DIVERSION/PROBATION IN APPROPRIATE CASES.
 - ACTION STEPS:
 - See drug treatment court steps under Drug Abuse and Trafficking Goal.

ACTION STEPS FOR WHICH LEGISLATIVE ACTION IS NEEDED

- Comprehensive legislation on prescription drug abuse
- Possibly legislation on access to pseudoephedrine products (awaiting Comptroller's report)
- A rewriting of the state's DUI laws
- Required Peace Officer Standards and Training (POST) for all law enforcement officers assigned to drug interdiction operations
- Tougher sentences for gang-related crimes
- Tougher sentences for gun possession by those with prior violent felony convictions
- Possibly legislation creating new sentencing options for serious juvenile offenders (awaiting study group evaluation)
- Strengthening of the state's nuisance law to cover criminal gang activity

Legislative Action Needed (cont.)

- Mandating incarceration time for repeat domestic violence offenders
- Realignment of adult supervision under the Department of Correction
- Incentives for parolees who comply with all conditions of parole.
- Tougher laws on the collection of fines and fees.

Measurements of Performance and Progress

OVERALL ACTION PLAN MEASUREMENT

- Reported crimes – overall and major categories

REDUCE DRUG ABUSE AND TRAFFICKING.*

- Evidence of increased use of the Prescription Monitoring Program (PMP) database
- Utilization of drug take back programs
- The number of prescription drug overdose deaths
- The number of meth lab seizures
- The number of children removed from homes due to meth
- The traffic fatality rate due to substance abuse
- The number of DUI arrests
- The number of felony offenders in drug treatment courts

*The number of measurements under this category will probably need to be reduced.

CURB VIOLENT CRIME.

- Reported violent crimes – overall and major categories
- Reported domestic violence incidents
- Reported incidents of child abuse

REDUCE REPEAT OFFENDERS.

- The adult recidivism rate*

*Defined as being convicted of a new crime within three years of release from incarceration or supervision.

Suggested Role for Criminal Justice Coordinating Council

- The Council was created by Governor Bredesen by executive order, then by legislation in 2010.
 - The Council is composed of 19 members, 14 of whom are appointed by the Governor.
 - It is charged with (1) collaborating and coordinating state and local government entities and private entities in the criminal justice system and (2) improving criminal justice system operations and coordination.
- The Council has identified juvenile justice, repeat offenders, and chronic offenders as priorities.
 - The Council has no action plan in place.

- The Council has received grant funds to help create an automated case judgment system, which would help in developing reliable data on the status of criminal defendants.
 - The Administrative Office of the Courts (AOC) has received grant funds to implement such a system, and the Council is working with the AOC.
- The subcabinet working group recommends that the Council:
 - Actively support implementation of this plan and
 - Focus on assisting in the implementation of the automated case judgment system.