

Tennessee Bureau of Investigation
Mark Gwyn, Director

Annual Report

Fiscal Year 2007-2008



Internationally Accredited since 1994



TBI AGE



TENNESSEE BUREAU OF INVESTIGATION

*"THAT GUILT SHALL NOT ESCAPE
NOR INNOCENCE SUFFER"*



PHIL BREDESEN
Governor

TENNESSEE BUREAU OF INVESTIGATION

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Mark Gwyn
Director

September 25, 2008

The Honorable Phil Bredesen
Governor of Tennessee
and
The Honorable Members of the
Tennessee General Assembly

Dear Ladies and Gentlemen:

I am pleased to present the Fiscal Year 2007-2008 Annual Report of the Tennessee Bureau of Investigation. The year was a rewarding one as well as a challenging one for the Bureau. I hope that by reading this report you will gain a better understanding of our organization and its accomplishments.

The TBI remains committed to its core mission of providing high-quality investigative and forensic services, while at the same time staying on the cutting edge by adopting new investigative technologies. The TBI Technical Services Unit has recently started a Joint CyberCrime Task Force with the FBI and a TBI Internet Crimes Against Children Task Force, and the state Fusion Center housed within the Criminal Intelligence Unit ensures that Tennessee Law Enforcement and Homeland Security agencies always have access to the most up-to-date intelligence and analytical resources.

The Bureau continues to place special emphasis on providing assistance to the District Attorneys General and local law enforcement agencies statewide with the resources we are provided, as well as continuing to work closely with all federal law enforcement agencies. The employees of the Bureau are committed to excellence and professionalism in the manner in which they perform their jobs. For additional information about the Bureau, please visit our web site at www.tbi.state.tn.us.

When the Bureau was founded, it was charged by the citizens of Tennessee with a great responsibility. With your assistance and support, we at the Bureau continue to dedicate ourselves to ensuring "that guilt shall not escape, nor innocence suffer."

Sincerely,

Mark Gwyn
Director



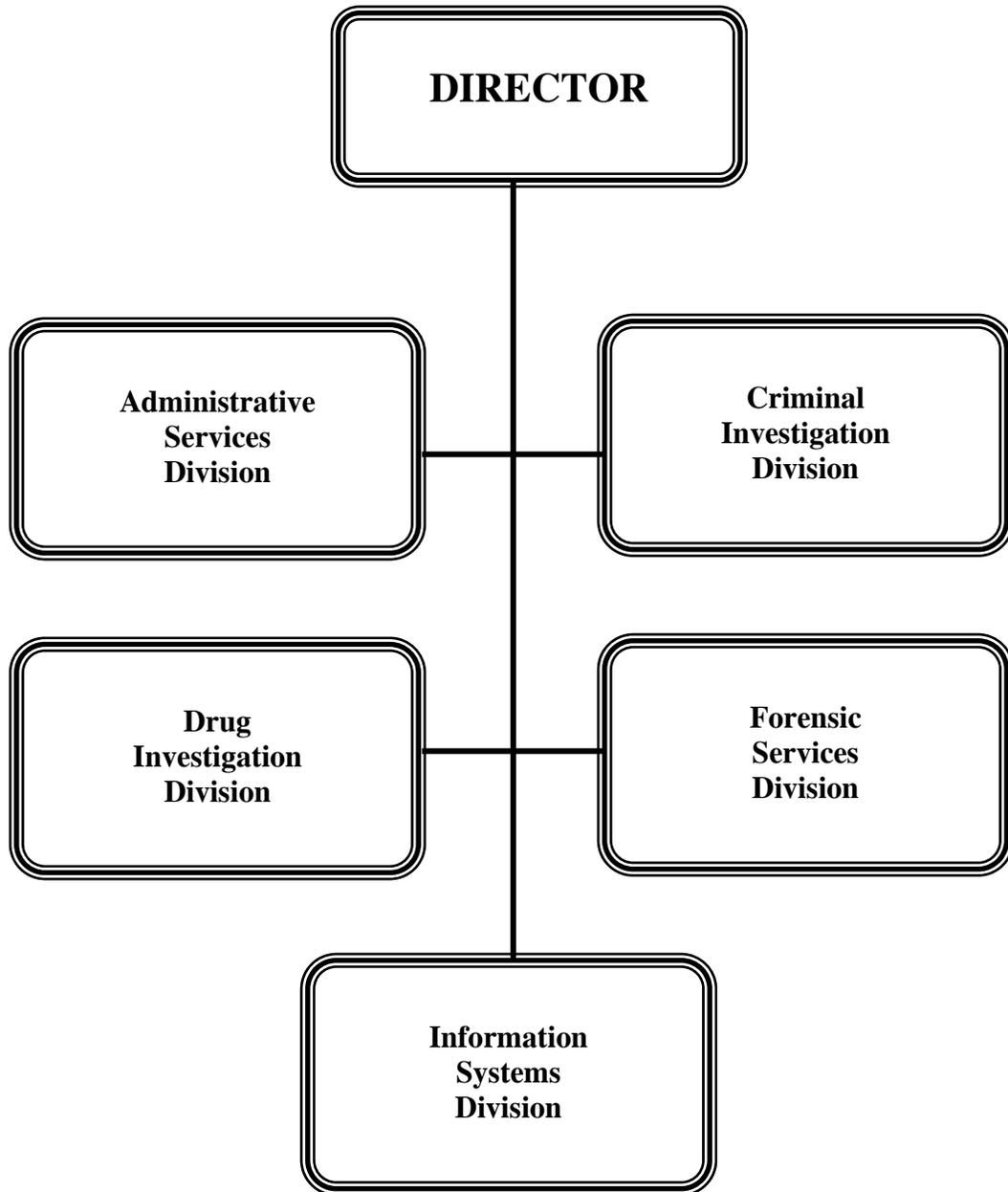
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TENNESSEE BUREAU OF INVESTIGATION ORGANIZATIONAL CHART



Each Division's Organizational Chart is shown in its respective section of the annual report.

INTRODUCTION

In March of 1951, the Tennessee Bureau of Investigation was established as the Tennessee Bureau of Criminal Identification (TBCI) within the Department of Safety. In 1980, the organization was renamed the Tennessee Bureau of Investigation (TBI) and became an independent agency. The 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 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. The TBI has original jurisdiction over violations of narcotics laws, fugitive investigations, organized crime, public corruption, official misconduct, Medicaid provider fraud and abuse, social security administration fraud, and domestic terrorism. The TBI assists local law enforcement agencies in joint investigations. TBI has been designated to coordinate the gathering, analysis and dissemination of state and local criminal justice statistics providing criminal justice data to the Governor, General Assembly and all law enforcement agencies. The TBI also maintains the computer information network for law enforcement in the state and conducts classes for users of the network.

The five major divisions of the TBI are the Criminal Investigation Division, the Drug Investigation Division, the Forensic Services Division, the Information Systems Division and the Administrative Services Division. The responsibilities, functions and accomplishments of each division are provided in more detail later in this report.

The TBI is at the forefront of the application of new technologies to criminal investigations, in working to improve communication among other state and local law enforcement agencies, providing more sensitive and accurate scientific examinations of evidence and continuing the quest summed up by the TBI's Mission Statement: *"That guilt shall not escape, nor innocence suffer."*

HIGHLIGHTS OF FISCAL YEAR 2007-2008

- The TBI continued the highly successful Top Ten Fugitive program during the Fiscal Year. Public service announcements describing the fugitives were broadcast by major market television in the larger cities. Newspapers across the state also carried photographs and stories concerning the fugitives. As of June 30, 2008, a total of 190 fugitives have been captured since the program began in 1992 and 31 were apprehended during the Fiscal Year.
- The TBI Instant Check Unit (TICS) processed 243,680 firearm transactions during the Fiscal Year. The unit was able to identify 178 wanted persons and find 253 stolen firearms.
- The DNA Unit continued submitting samples to the national CODIS database. A total of 100,849 profiles have been accepted and 105 investigations throughout the state and nation were aided during the Fiscal Year.
- The Criminal Investigation Division had 1,667 active cases as of June 30, 2008. A total of 185 defendants were convicted and division staff arrested or assisted in the arrests of 1,426 fugitives and non-compliant sex offenders during the Fiscal Year.
- The Drug Investigation Division had 683 active cases as of June 30, 2008. The division arrested a total of 652 drug offenders and obtained 356 convictions on drug related charges.
- Agents of the Drug Investigation Division, independent of the Governor's Task Force on Marijuana Eradication, seized or purchased 5,394 grams of crack cocaine; 604,056 grams of powder cocaine; 7,264 pounds of bulk marijuana; 4,586 marijuana plants; 10,173 grams of methamphetamine; 14 methamphetamine labs. Also seized were 17,114 dosage units of illegally diverted prescription pharmaceuticals; 11,248 dosage units of ecstasy; 1,219 grams of heroin; 120 grams of hashish; 20,000 dosage units of steroids; and 500 grams of ephedrine.
- TBI's share of currency seized was \$1,359,213, which constituted either proceeds of drug trafficking or funds used to facilitate drug trafficking.
- The Forensic Services Division conducted a total of 276,140 laboratory tests on 83,289 pieces of evidence received in cases during the Fiscal Year.
- Bureau personnel conducted various classes providing training for 8,991 people from different law enforcement agencies with a total of 2,433 classroom hours during the Fiscal Year.
- The Information Systems Division received a total of 476,815 fingerprint cards during the Fiscal Year. A total of 232,084 dispositions were processed as well.

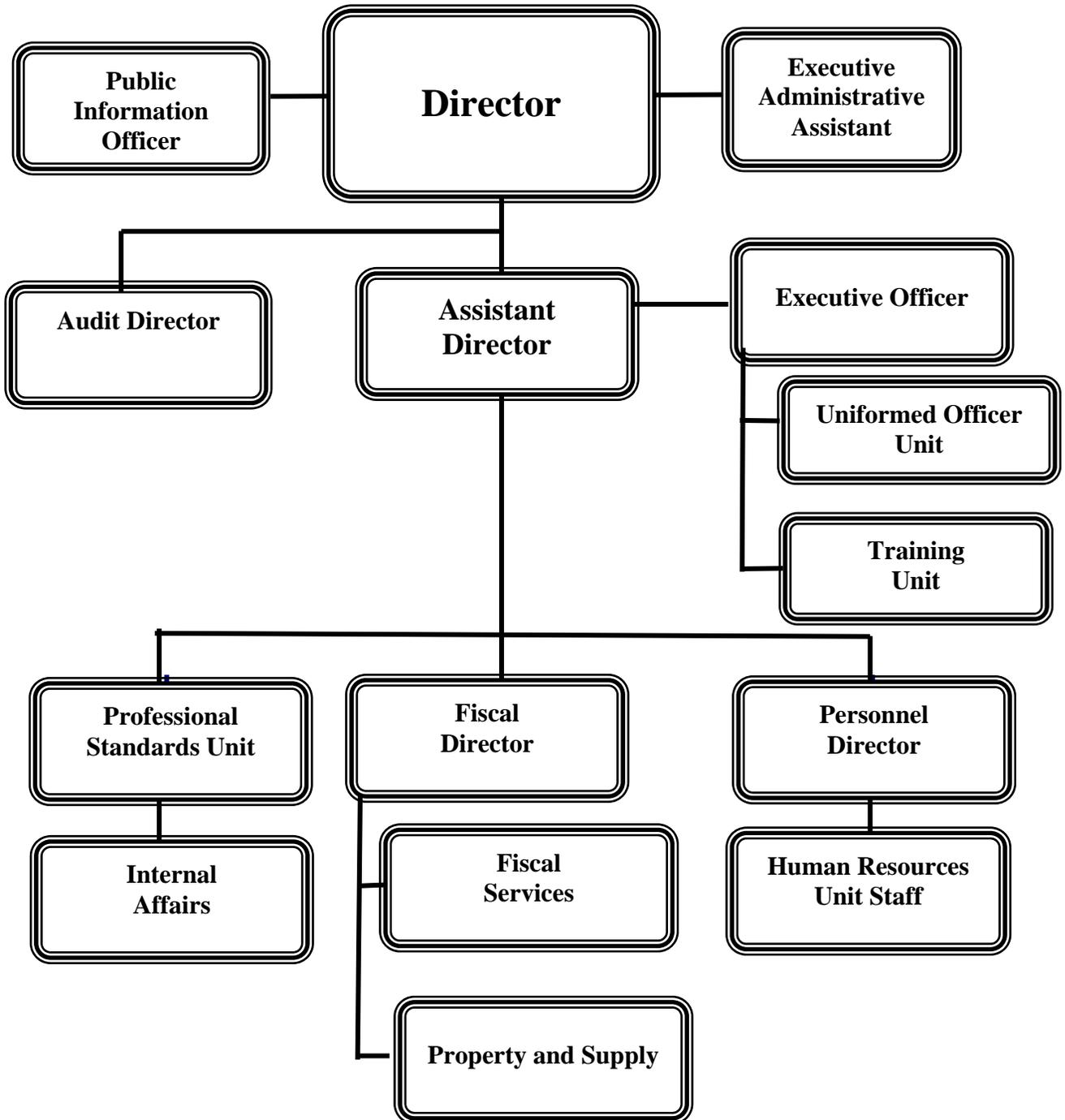
- The Sex Offender Registry program continued operation. As of June 30, 2008 approximately 11,718 convicted sex offenders were registered with the TBI. This information is available to all law enforcement agencies through the statewide law enforcement network. Information on sex offenders is available to the public through the TBI website and toll free number.
- A total of 6,512 law enforcement personnel either received training or were tested for to fulfill certification requirements for NCIC during the Fiscal Year.
- A total of 2,233 law enforcement personnel received training in the TIBRS program during the Fiscal Year.
- The TBI enhanced the web-based system providing public access to the crime statistics data collected by the Tennessee Incident Based Reporting System (TIBRS) Program. Users can generate the “Crime on Campus” page for any college or university and processing time was improved.
- The Tennessee Open Records Information Services (TORIS) processed 64,484 requests for background information.



ADMINISTRATIVE SERVICES DIVISION



Chain-of-Command and Functional Organization



ADMINISTRATIVE SERVICES DIVISION

Internal Audit

The mission of the internal auditing office is to provide independent, objective assurance and consulting services designed to add value and improve the Bureau's operations. It helps the TBI accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the integrity, efficiency, and effectiveness of financial and other management control systems.

The scope of work of the internal auditing office is to determine whether the organization's network of risk management, control, and governance processes, as designed and represented by management, is adequate and functioning in a manner to ensure:

- Risks are appropriately identified and managed.
- Significant financial, managerial, and operational information is accurate, reliable, and timely.
- Employees' actions are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Resources are acquired economically, used efficiently, and adequately protected.
- Programs, plans, and objectives are achieved.
- Quality and continuous improvement are fostered in the organization's control process.
- Significant legislative or regulatory issues affecting the organization are recognized and addressed appropriately.

Executive Officer

The responsibility of the Executive Officer includes oversight of the Training Unit and all training related activities for Bureau personnel. In addition, this office oversees the Uniformed Officer Unit, which is comprised of commissioned uniformed law enforcement officers who are cross-trained as certified emergency medical technicians capable of providing aid and comfort to sick and injured persons on Bureau properties until additional medical help and emergency transportation arrives. The unit's primary role however is to provide security to TBI facilities, specifically the Nashville Consolidated Headquarters Facility.

The Executive Officer provides direction and ensures that the Bureau maintains compliance with Title VI and Title IX. In addition, TBI's accreditation falls upon this office. This office also provides assistance to the Personnel Unit with recruitment efforts and hosting diversity career fairs at TBI facilities.

Training

TBI's training staff is responsible for ensuring that the Bureau personnel receive the training that they require to perform their duties safely and effectively. In addition, TBI makes its personnel and facilities available for training to the law enforcement community whenever possible. Bureau personnel conducted various classes providing training for 8,991 people from different law enforcement agencies with a total of 2,433 classroom hours during the Fiscal Year.

Accreditation

TBI has been internationally accredited through the Commission on Accreditation for Law Enforcement Agencies (CALEA) since November 19, 1994. The Accreditation Manager's responsibilities and support from the Administrative Services Division help to ensure that the Bureau maintains compliance with CALEA accreditation standards including representation of the Bureau during periodic re-accreditation inspections. The Bureau was successfully re-accredited in 1997, 2000, 2003 and 2006, and is currently preparing for its next on-site inspection in August of 2009.

Professional Standards Unit

The Professional Standards Unit (PSU) is responsible for the TBI's legal accreditation, internal affairs, and training functions. Its ultimate goal is to ensure that all Bureau policies, decisions, and adverse actions against employees are legally sound. It is made up of three staff attorneys, one Administrative Assistant 3, and one secretary, all of whom report to the Assistant Director.

Legal

The primary responsibility of the staff attorneys of the PSU is to provide legal advice and counsel to all Divisions and units within the TBI, conducting legal research and generating opinions as necessary. In furtherance of this role, in Fiscal Year 2007-2008, the staff attorneys provided counsel to the agents and employees in the field, worked with the State Attorney General's office in representing the TBI and TBI employees, prepared contracts and reviewed documents, answered requests and demands for Bureau records, and advised Bureau management on employment decisions.

The staff attorneys of the PSU are also responsible for the Bureau's legislative liaison function. They review and track legislation pending before the Tennessee General Assembly, and represent the Director before legislative committees on law enforcement issues when required. PSU staff attorneys also draft proposed legislation when TBI's input is required in furtherance of its role as the State's chief criminal investigative agency.

Cooperation between the training section and the staff attorneys ensures that the PSU is also active in providing legal training both inside and outside the TBI. During Fiscal Year 2007-2008, PSU attorneys provided legal instruction for TBI employees on a number of

occasions and conducted several classes for the benefit of outside agencies as well. All TBI employees were trained on Workplace Harassment Prevention during the year as well.

Internal Affairs

The Professional Standards Unit provides oversight and legal counsel to the Bureau employees who investigate allegations of misconduct by TBI employees. During Fiscal Year 2007-2008, the PSU oversaw four internal affairs investigations. These investigations resulted in one suspension, one written warning, and two unfounded.

Human Resource Unit

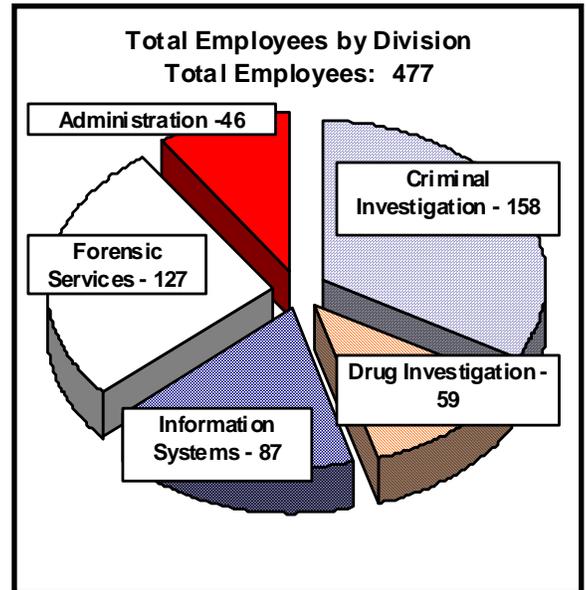
The Human Resource Unit assists the agency in the recruitment, hiring, and separation of employees. The unit administers insurance and benefits information, and ensures compliance with Civil Service rules and regulations and state and federal statutes. This unit develops, implements, and monitors the Affirmative Action Plan and makes recommendations on employee related issues. The Human Resource Unit processes and monitors leave under the Family Medical Leave Act and accommodations under the Americans with Disabilities Act. This unit monitors leave and attendance, manages the performance evaluation program, administers workers compensation benefits, and processes payroll.

The Human Resource Unit administers the TBI Internship Program. The TBI offers a ten-week non-paid internship to junior and senior college students or master's level students pursuing undergraduate degrees in criminal justice, forensic services, or related areas. In Fiscal Year 2007-2008 the TBI interned twenty-one (21) college students at TBI Headquarters and its field offices.

A survey of the advanced education levels of TBI employees revealed that 6.7% had earned an Associate's Degree, 56.1% had a Bachelor's Degree, 13.9% had a Master's Degree, 1.5% had a Doctor of Jurisprudence and 0.8% had earned PhD's.

Public Information Officer

The Public Information Office is the central point for communication between the Tennessee Bureau of Investigation and the general public. The function of this office is to keep the community informed about all criminal cases, programs and initiatives related to the TBI. Some of the most high profile programs promoted by this office include Amber Alert, the Statewide Sex Offender Registry, TBI Most Wanted and MethWatch. The Public Information Officer also assists with website development, speech writing and the production of all outside promotional materials related to the Bureau.



Fiscal Services

The Fiscal Services Unit is a support unit for the TBI. As such, it has a vast array of responsibilities all of which are designed to ensure that each division within the Bureau is provided the resources and support necessary to function. Specific examples of the services provided by this unit include the following:

- Preparing the Bureau's annual budget
- Monitoring expenditures and revenue collection
- Processing accounts receivable and payable transactions
- Processing of travel for all Bureau employees
- Purchasing of all goods and services necessary for the TBI to function
- Managing all TBI vehicles and transportation equipment
- Maintaining all federal and inter-departmental grants
- Reviewing the effect of proposed legislation to the Bureau
- Serving as a liaison to the legislature and other state and federal accounting units
- Conducting an annual inventory on all TBI state tagged equipment

**Tennessee Bureau of Investigation
Expenditure by Object
Fiscal Year 2007-2008**

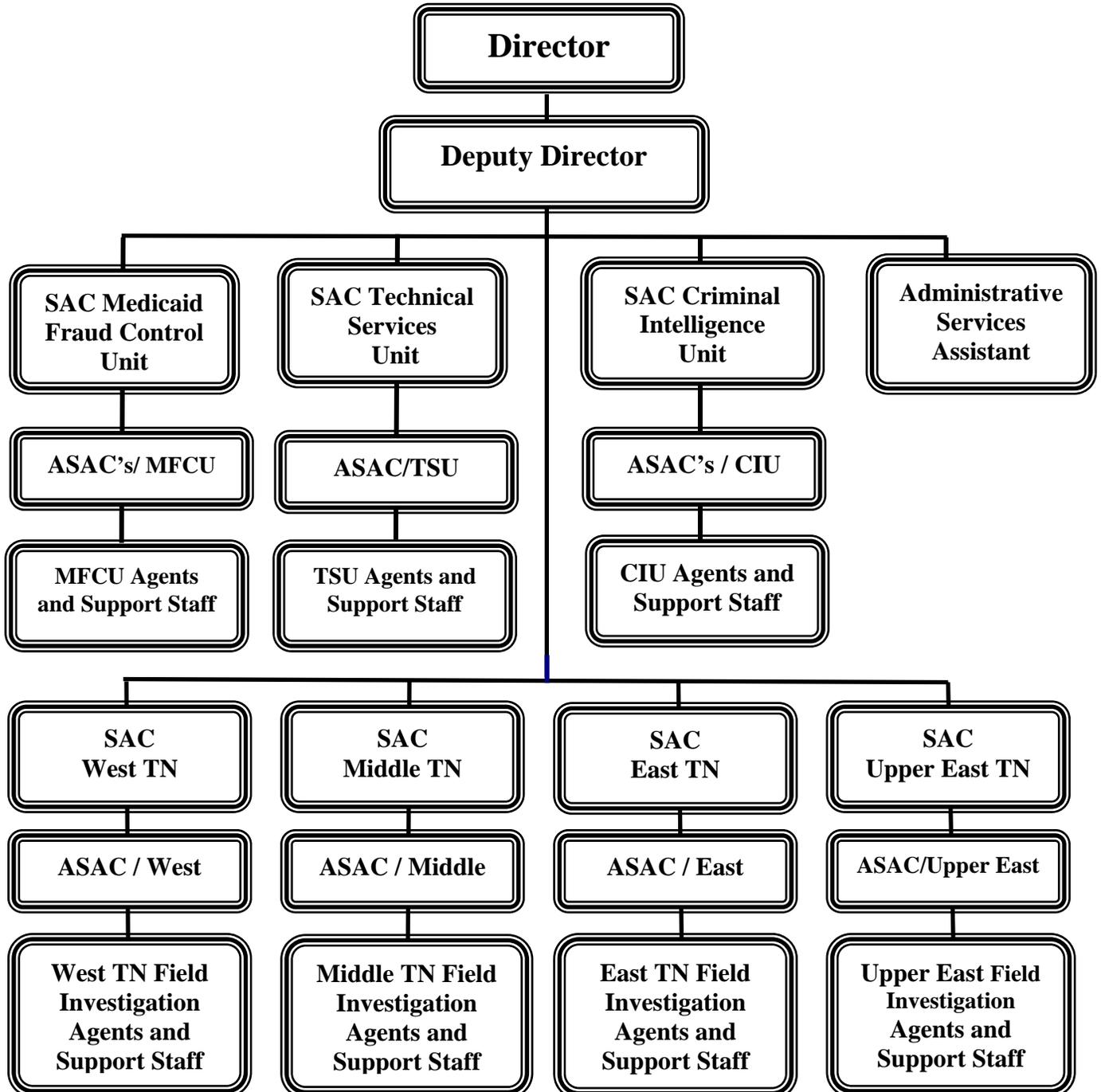
	Administration	Criminal Investigation	Drug Investigation	Forensic Services	Information Systems	Total
Salaries	\$2,216,935	\$ 8,369,971	\$3,353,942	\$6,233,777	\$2,998,140	\$23,172,765
Longevity	57,000	214,700	80,600	128,400	93,100	573,800
Overtime	102,563	279,121	302,498	382,931	185,708	1,252,821
Benefits	930,134	3,449,652	1,450,011	2,660,799	1,344,655	9,835,251
Sub-Total	\$3,306,632	\$12,313,444	\$5,187,051	\$9,405,907	\$4,621,603	\$34,834,637
Travel	\$112,726	\$965,671	\$493,205	\$303,348	\$67,188	\$1,942,138
Printing	28,670	20,086	11,388	24,332	8,996	93,472
Utilities	10,668	6,065	6	0	0	16,739
Communication	155,763	81,827	32,600	26,977	52,957	350,124
Maintenance	2,324	104,253	2,878	459,119	1,224,261	1,792,835
Professional Non-State	80,734	431,708	107,583	773,479	3,440,106	4,833,610
Supplies	209,188	608,691	139,296	2,375,747	482,894	3,815,816
Rental	2,403,479	478,726	158,898	1,241,120	43,071	4,325,294
Motor Vehicle	8,752	44,633	27,792	1,354	23	82,554
Awards	3,843	0	0	0	0	3,843
Grants and Subs	121,782	6,176,339	765,087	37,940	17,136	7,118,284
Unclassified	2,135	28,585	804,494	19	0	835,233
Equipment	32,870	238,088	21,283	1,321,905	0	1,614,146
Professional State	145,244	581,624	260,765	347,747	1,871,883	3,207,263
Sub-Total	\$3,318,178	\$9,766,296	\$2,825,275	\$6,913,087	\$7,208,515	\$30,031,351
Grand Total	\$6,624,810	\$22,079,740	\$8,012,326	\$16,318,994	\$11,830,118	\$64,865,988
Funding sources						
Appropriations	\$6,266,840	\$12,387,915	\$6,325,359	\$13,821,083	\$20,609	\$38,821,806
Federal Revenue	7,000	8,907,376	808,553	1,980,376	13,040	11,716,345
Current Services	350,970	2,967	695,146	100,999	10,625,943	11,776,025
Departmental Interest	0	0	0	0	108,023	108,023
Interdepartmental	0	781,482	183,268	416,536	1,062,503	2,443,789
Total	\$6,624,810	\$22,079,740	\$8,012,326	\$16,318,994	\$11,830,118	\$64,865,988



CRIMINAL INVESTIGATION DIVISION



Chain-of-Command and Functional Organization



CRIMINAL INVESTIGATION DIVISION

The Criminal Investigation Division is made up of four units: the Field Investigation Unit, the Criminal Intelligence Unit (CIU), the Medicaid Fraud Control Unit (MFCU), and the Technical Services Unit (TSU). The Field Investigation Unit is further subdivided into four geographical regions: West Tennessee, Middle Tennessee, East Tennessee and Upper East Tennessee. A Special Agent in Charge (SAC) who reports to the Deputy Director heads each regional Field Investigation Unit, the Medicaid Fraud Control Unit, the Technical Services Unit and the Criminal Intelligence Unit. Each regional Field and TSU Unit SAC is supported by an Assistant Special Agent in Charge (ASAC), while the the CIU Unit has two ASAC's and the MFCU Unit has three ASAC's.

General investigative support is provided to the Criminal Investigation Division by the Forensic Services Division, the Information Systems Division and the Administrative Services Division.

The TBI Criminal Investigation Division was created both as a resource that District Attorneys General and state and local law enforcement agencies could call on for expertise in the area of criminal investigation and as the agency responsible for investigating public corruption and criminal official misconduct at all levels of government. The Bureau continues to be a professional and dedicated law enforcement agency capable of responding to complex and difficult investigations. Recognizing that the image and perception of the Bureau rests on each employee, TBI emphasizes the continuing training and professionalism of all employees.

As of June 30, 2008, the Criminal Investigation Division had 1,667 active cases. During the Fiscal Year, the Division's agents provided 265 investigative assists to local, state, and federal law enforcement agencies. During this time period the Criminal Division opened 1,331 cases, closed 2,170 cases and convicted 185 defendants, and either arrested or assisted in the arrest of 1,426 fugitives and non-compliant sex offenders.

Statutory Responsibilities

The Tennessee Bureau of Investigation has the authority to investigate any criminal violation upon the request of the District Attorney General for the judicial district where the offense occurred (Tennessee Code Annotated §38-6-102(b)). The TBI has statutory original jurisdiction to investigate without a District Attorney's request: fugitives from justice, organized crime activities, employees or prospective employees of the bureau or department of safety, and investigations pertaining to domestic terrorism that the bureau receives under a government information security classification. The TBI, upon request of the Governor, State Attorney General, Commissioner of Correction or a District Attorney, may also investigate fraud or corruption in the area of paroles, release classification status and executive clemency (TCA §38-6-102). Executive Order Number 47 gave the Tennessee Bureau of Investigation responsibility in the area of Medicaid Fraud investigation, TCA §38-6-106 gives the TBI the responsibility of conducting background investigations on potential appointees to sensitive state positions

upon the request of the Governor or the Tennessee Supreme Court Chief Justice. The presiding judge of the court of the Judiciary was given the authority to request TBI investigation into judicial misconduct (TCA §17-5-301). Under TCA §38-6-112, the State Attorney General may also request that the TBI conduct investigation into matters regarding the removal of public officials, unlawful restraint of trade and discrimination, securities fraud, and violations of the Consumer Protection Act. On July 1, 2001, TBI was given the responsibility of investigating Social Security Fraud under the same statute. Effective May 28, 2008, TBI was given the authority to make traffic stops, without a request from a district attorney, in emergency situations in which the safety of the public is in jeopardy, (Public Chapter 1039). Under Public Chapter 988, effective May 21, 2008, TBI investigators were given the authority, without a request from a district attorney general, to open investigations pertaining to victimization of children by means of computer or other electronic communications devices.

The Criminal Investigation Division's primary goal is to provide the most professional and all-inclusive investigations possible by employing state-of-the-art equipment and methods in each of the areas previously outlined. Currently, to accomplish each of the statutory responsibilities outlined, the Criminal Investigation Division is staffed with one hundred and sixty employees statewide, including all supervisors, criminal investigators, and support staff.

Field Investigation Unit

The Field Investigation Unit is divided geographically into four regions. Each region is headed by a Special Agent in Charge (SAC) who supervises an Assistant Special Agent in Charge (ASAC), fourteen to nineteen agents, two administrative secretaries, and at least one law enforcement information coordinator. Each judicial district has one to three field investigators assigned to that district. In addition to investigating cases at the district attorneys' requests, these agents are also responsible for investigations predicated upon TBI's original jurisdiction, assisting other law enforcement agencies, and gathering intelligence to be reported to the Criminal Intelligence Unit. The Field Investigation Unit continues to place a priority on public corruption and criminal official misconduct cases as well as violent and organized crimes.

From July 1, 2007 to June 30, 2008, the Field Investigation Unit opened 922 cases and closed 951 cases. The Field Investigation Unit had 853 active cases as of June 30, 2008. During that same period, the unit convicted 152 defendants.

The Field Investigation Unit was involved in the investigation of a variety of cases during the Fiscal Year, including numerous homicides. The unit also worked on a number of cases involving public corruption, resulting in the indictment of several public officials. During the Fiscal Year, TBI polygraph examiners performed 434 polygraph examinations, with the vast majority of these exams being performed at the request of local law enforcement officials.

Upper East Tennessee

The Upper East Tennessee Field Unit is responsible for twenty-one counties and eight judicial districts. One Special Agent in Charge and one Assistant Special Agent in Charge supervise seventeen people, including two administrative secretaries, one Special Agent polygraph examiner, one Law Enforcement Information Coordinator and thirteen Special Agents. The office is located in Knoxville with a satellite office in Johnson City.

East Tennessee

The East Tennessee Field Unit office is located in Chattanooga. A field satellite office was opened in Cookeville in April 1998. One Special Agent in Charge and one Assistant Special Agent in Charge supervise a unit consisting of eighteen people, including one Special Agent polygraph examiner, two administrative secretaries, one Law Enforcement Information Coordinator and fourteen Special Agents. The East Tennessee region is made up of twenty-five counties and seven judicial districts.

Middle Tennessee

The Middle Tennessee Field Unit, which is headquartered in Nashville, covers twenty-eight counties and nine judicial districts. The unit, which is supervised by one Special Agent in Charge and one Assistant Special Agent in Charge, consists of twenty-two people, including one Special Agent polygraph examiner, two administrative secretaries, one Law Enforcement Information Coordinator and eighteen Special Agents. Two of the agents are totally dedicated to social security fraud investigations and their salaries and expenses are paid 100% by the federal government.

West Tennessee

The West Tennessee Field Unit consists of eighteen people, including one Special Agent polygraph examiner, two administrative secretaries, one Law Enforcement Information Coordinator and fourteen Special Agents. The unit is supervised by one Special Agent in Charge and one Assistant Special Agent in Charge. The regional office is located in Jackson with a satellite office in Memphis. The West Tennessee region is made up of twenty-one counties and seven judicial districts.

Medicaid Fraud Control Unit

The Medicaid Fraud Control Unit (MFCU), located within the Tennessee Bureau of Investigation (TBI), was created in 1984 with a staff of twelve and has grown to a staff of thirty-seven employees in Nashville and regional offices in Johnson City, Knoxville, Chattanooga, Columbia, Cookeville, Jackson, and Memphis.

While the MFCU continues to work a wide variety of cases, one area of investigations that continues to grow involves patient abuse. During this reporting period, the MFCU received 202 abuse, neglect, and patient fund theft reports or referrals. All incoming referrals undergo preliminary inquiry and of the 202 referrals, 37 viable cases were opened for further investigation. During this time period the MFCU also referred 71 abuse cases to other agencies. Many referrals were made to the Tennessee Department of Health, which is responsible for the Abuse Registry. During the past twelve months, the MFCU has obtained 21 convictions and 23 indictments on abuse related cases.

Typical of the abuse cases worked by this Unit was the matter of a developmental technician at a state developmental center in West Tennessee. This case was opened on May 17, 2006, based on a request for assistance from an Assistant United States Attorney to work with the FBI on a potential civil rights violation. It had been alleged that the technician kicked a profoundly retarded resident for whom he was responsible, resulting in bodily injury to the resident. Two eyewitnesses were interviewed, medical records and personnel records were reviewed and analyzed, and other investigative leads were followed. The results of the investigation were presented to the U. S. Attorney who determined to pursue charges in federal court. In November 2006, the technician was indicted by a Grand Jury on one count of Deprivation of Civil Rights Under Color of Law Resulting in Bodily Injury. The technician eventually pled guilty to this count and was sentenced in July 2007 to twenty-seven months in federal prison followed by two years of supervised probation.

Representatives of the MFCU comprise an integral part of the Nursing Home Abuse and Neglect Working Group, a group made up of state and federal agencies patterned after U.S. Department of Justice initiatives. The Working Group has set goals to create a better and more consistent referral system and a method for all representative agencies to better communicate and cooperate.

One of the priorities of the MFCU continues to be in the area of training. The Unit continues to operate with a structured training plan, sending as many unit members to the National Association of Medicaid Fraud Control Units (NAMFCU) Introductory and Advanced training programs as possible. Unit members throughout the year attended other training classes, and information from these classes was shared with other unit members.

During the past year, representatives of the MFCU have been active in providing training to other agencies, such as the Department of Human Services, Adult Protective Services, private insurers, and Division of Mental Retardation Services. The MFCU has continued to play a role in the three Federal Health Care Fraud Task Forces throughout the state as the majority of the MFCU's fraud cases are being prosecuted federally.

During the past twelve months, the MFCU opened 42 fraud cases and closed 37. (The staff attorneys are assigned the global settlement cases, which are included in the total case figure.) Fraud investigations typically focus on healthcare providers who obtain improper payments for services rendered, or supposedly rendered, to TennCare recipients. Various fraudulent schemes commonly encountered include billing for services not performed; billing for more expensive services than actually performed, and billing twice for the same service; among others.

As an example of a fraud case, this case was opened in September 2000, based on a referral from the TennCare behavioral health managed care contractor concerning a psychiatrist who was apparently billing for excessive hours and upcoding specific therapy sessions. The ensuing investigation involved extensive surveillance, undercover operations, a review of medical and billing records, and interviews with staff and

patients. The investigation revealed that the psychiatrist was not only billing for more than twenty-four hours in a day, but was also a state employee on the payroll of a state mental health institute at the same time. The psychiatrist was charged in a nineteen count indictment in federal court in November 2005. The psychiatrist pled guilty to one count of making and using a false writing in connection with health care in July 2006. The U. S. Attorney, in cooperation with the Tennessee Attorney General then brought a civil suit against the psychiatrist. After further investigation, discovery and negotiation, the psychiatrist eventually signed a civil consent judgment in March 2008, wherein she agreed to pay the United States and the State of Tennessee \$1,100,000. Of the total, \$757,112 was for restitution to the United States for false claims damages and civil penalties; \$209,999 was restitution to Tennessee for damages and penalties and \$133,000 was payment to the Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), for administrative overpayments.

Global settlements are likely the most productive (in terms of monetary recoveries) cases for violations of state and/or federal law in which the MFCU is the lead State agency. Global settlements are the resolution of cases that often originate in other states, and are based on allegations that often are not yet the subject of investigation in Tennessee. Because of the pervasiveness of the inappropriate practice, the defendant companies often repay double to triple damage settlement figures, based on a percentage of business conducted in each state. The MFCU is responsible for identifying the amount billed and paid by these companies in Tennessee, and coordinates the legal ramifications involved with potential settlements, which must have final approval by the State Attorney General. Qui Tam suits, out of which most global settlements arise, are being filed with increasing regularity, resulting in a number of pending global settlements currently being worked by the MFCU. Additionally, Tennessee has its own false claims statute, which results in some cases filed only in Tennessee. The MFCU works closely with the State Attorney General's Office in the investigation of these matters.

Since Federal Fiscal Year 1990, the MFCU has consistently identified more fraud dollars than the Unit has spent. During this time period, the MFCU has identified and/or helped recover over \$ 208.7 million in fraud and has spent approximately \$ 35.3 million. Tennessee's MFCU is aggressive in assisting the single state agency (Bureau of TennCare) and federal and state prosecutors in collecting restitution for TennCare. In the past year the MFCU has identified and/or assisted in the recovery of \$ 45.2 million for TennCare and other victims.

While the amount of fraud that the MFCU has identified continues to grow, the cost for the unit has remained fairly constant. MFCU expenditures in 1990 were approximately \$666,000.00 and by 1995 had grown to only \$ 758,000.00. Expenditures actually grew very little and even declined in some years with the only significant growths occurring in 1996 and 2001 when the MFCU experienced significant increases in staffing. The total state and federal budget for the MFCU for Federal Fiscal Year 2008 was approximately \$ 4.2 million with the state share being approximately \$ 1.04 million.

Criminal Intelligence Unit

The Criminal Intelligence Unit (CIU) is responsible for the compilation, analysis, and sharing of criminal intelligence. The Criminal Intelligence Unit concentrates in the areas of organized crime, major offenders, fugitive apprehension, Domestic and International Terrorism (Homeland Security), the registration of sexual offenders, traditional and emerging gangs, the Violent Criminal Apprehension Program, organized drug trafficking operations in and through Tennessee, the statewide Amber Alert program, and missing and exploited children as well as providing aviation support to all law enforcement agencies in Tennessee.

The unit is currently comprised of six Special Agents, one Administrative Secretary, and eighteen Law Enforcement Information Coordinators (LEIC), and is supervised by two Assistant Special Agents in Charge and a Special Agent in Charge. The Tennessee Department of Correction, the Governor's Office of Homeland Security, ROCIC, Probation and Parole, and the FBI each furnish liaisons and/or analysts that work in close association with the TBI Criminal Intelligence Unit.

Fugitives

CIU continued the very successful TBI Most Wanted Program of Top Ten Fugitives. The total number of dangerous fugitives captured on the program thus far is 190. There were 31 Top Ten fugitives apprehended during the 2007 – 2008 Fiscal Year. Newspapers across the state carried photographs and stories about the fugitives statewide. Bulletins prepared by the TBI were distributed to law enforcement agencies and personnel across the state. The TBI CIU also investigates Fugitive/Wanted Persons cases throughout the State. The Unit assists the Tennessee Department of Correction, the Board of Probation and Parole, and local, state, and federal law enforcement agencies in these matters.

Task Forces

Most of the special agents assigned to CIU are members of various task forces. The TBI CIU has three special agents assigned to the FBI Joint Terrorism Task Forces (JTTF) across the state. These Special Agents are assigned fulltime to the JTTFs in Memphis, Nashville, and Knoxville. These agents hold a top-secret security clearance and are involved in both domestic and international terrorism related investigations pertaining to national security. There is also one special agent assigned to the U.S. Marshal's task force in Nashville and another special agent is assigned to the FBI Violent Crime Task Force.

Regional Organized Crime Information Center (ROCIC)

The TBI CIU continued as the grantee agency for the Regional Organized Crime Information Center (ROCIC). The SAC for the CIU is also the proxy board member to ROCIC. ROCIC is the Regional Information Sharing System (RISS) project agency for this geographic area of the United States and serves more than 1,500 member agencies in fourteen states. The objective of the RISS projects in general, and ROCIC in particular, is "to enhance the ability of state and local criminal justice agencies to identify, target and remove criminal conspiracies and activities spanning jurisdictional boundaries." The primary objectives of the program are to encourage and facilitate the rapid exchange and

sharing of information pertaining to known or suspected criminals or criminal activity among federal, state, and local law enforcement agencies, and to enhance coordination and communication among those agencies in pursuit of criminal conspiracies determined to be multi-jurisdictional in nature. The funding for ROCIC is a pass-through grant in the amount of \$ 5,903,486 that is automatically included in TBI's annual budget for regulatory and auditing purposes only. The entire amount is forwarded to ROCIC for expenditures. TBI does not use any of this money in its regular budget for TBI operational expenses. The Criminal Intelligence Unit shares and communicates information daily to ROCIC for distribution to law enforcement agencies across the state of Tennessee and the southeastern United States.

The Criminal Intelligence Unit continues to coordinate the submission of intelligence on criminal street gangs and their members to the (ROCIC) gang database. ROCIC's gang database is accessible on the Internet through the use of security system access provided to authorized personnel.

TBI Sex Offender Registry

The TBI Sex Offender Registry was implemented in January 1995, as mandated by T.C.A. 40-39-101, which is now 40-39-201. The Tennessee Bureau of Investigation is responsible for maintaining and making available a connection to the Sex Offender Registration, Verification, and Tracking System to all criminal justice agencies with TIES capabilities so that these agencies are able to register sex offenders throughout the State of Tennessee. TBI also provides viewing and limited write access to registering agencies so that they may enter and update data concerning sex offenders. The Bureau is the central repository for original sex offender registration documents, along with any other forms required by the Sex Offender law. TBI is responsible for the construction, amendment and printing of these forms and other pertinent paperwork used by local law enforcement. TBI is permitted to receive credible information as to sex offenders and to notify law enforcement of this information. District Attorneys and local law enforcement may request lists of non-compliant offenders for the purpose of location and prosecution. On the agency's website, TBI maintains an internet homepage. As of June 30, 2008, there were 11,718 sex offenders registered in Tennessee. All offenders, required to register under T.C.A. 40-39-201, *et. seq.*, were listed on the public access sex offender web-site. The Tennessee Bureau of Investigation has provided law enforcement with 279 certified copies of files for the purpose of prosecution of sex offenders during the Fiscal Year.

Financial Crimes Enforcement Network (FinCen)

The TBI CIU continues to serve as the coordinator for the Financial Crimes Enforcement Network (FinCen) for the State of Tennessee. FinCen is an organization established by the U.S. Department of Treasury to collect, analyze, and disseminate intelligence on financial crimes. CIU processed 63 FinCEN requests during the Fiscal Year.

El Paso Intelligence Center (EPIC)

TBI CIU continued as the Tennessee coordinator for the El Paso Intelligence Center (EPIC). One of the primary goals of EPIC is to coordinate intelligence data for narcotic violations and fugitives between law enforcement of federal and non-federal agencies. All Tennessee agency inquiries made to EPIC are submitted through TBI, with the

exception of the Tennessee Highway Patrol. TBI also receives a copy of all the information that is sent from EPIC to the requesting agency for intelligence purposes.

International Criminal Police Organization (INTERPOL)

TBI CIU continued as the contact agency for the state for the International Criminal Police Organization (INTERPOL). This organization promotes mutual assistance and cooperation between police agencies in different countries throughout the world. All inquiries made to Tennessee through INTERPOL are submitted through TBI. These inquiries are either forwarded to the appropriate agency or checked by TBI.

National Center for the Analysis of Violent Crimes (NCAVC)

TBI continued to work with the Federal Bureau of Investigation's National Center for the Analysis of Violent Crimes (NCAVC). All law enforcement agencies in the state wishing to submit reports of violent crimes may do so through the TBI. TBI maintains a copy of all of the reports that are submitted for intelligence purposes and then submits the reports to the Violent Criminal Apprehension Program (VICAP) for analysis. TBI is the designated state liaison of violent crime information between the various law enforcement agencies and VICAP

National Center for Missing and Exploited Children

TBI is mandated by law to act as the clearinghouse for missing children for the State of Tennessee and the National Center for Missing and Exploited Children. TBI is responsible for distributing a uniform missing child report to all law enforcement agencies so that the information may be submitted to the TBI. By virtue of TCA §38-6-116(b)(3) and 38-6-117, the TBI is also responsible for establishing, maintaining and managing a file of "Missing Children", for collecting any available relevant data concerning the missing children, and for disseminating the information to the appropriate law enforcement agencies.

The TBI CIU continued its coordination of the State of Tennessee's statewide Child Abduction Amber Alert Plan. The Amber Alert Plan is a partnership between media and law enforcement to disseminate information concerning child abductions/endangered/missing children throughout Tennessee and other states as necessary. Since the inception of the Amber Alert program in Tennessee, there have been 42 activations performed by the TBI. During the 2007 – 2008 Fiscal Year, there were 10 activations. Of the 42 total activations, 40 have been cleared by the recovery of the child. Two children were found deceased, one by accidental drowning and the other is a homicide.

School Violence Hotline

The TBI, with the assistance of the Department of Education, established a toll free School Violence Hotline for the receipt of information relating to potential violent acts. The School Violence Hotline is answered 24 hours a day, 7 days a week. Information received over the hotline relating to potential violent acts that are in violation of state law will be forwarded immediately to the appropriate law enforcement agency and designated school contact person.

Aircraft

In February 1999, the TBI purchased, with Asset Forfeiture funds, a Cessna 182S Skylane aircraft. The aircraft is equipped with a Forward Looking Infrared System (FLIR), spotlight and law enforcement radio system. This single engine aircraft provides the TBI with enhanced abilities to perform its missions, such as crime scene searches, surveillance, undercover officer protection and cover, searches for fugitives, search and rescue, reconnaissance flights for search planning, search for contraband (including marijuana), aerial photographs of crime scenes and transport of evidence in time sensitive cases. Two Special Agents of the CIU serve as the pilots for the Aviation Assets Section. A total of 110 missions were flown during Fiscal Year 2007-2008. These missions were mostly related to law enforcement, including homeland security, as well as training, maintenance, administrative and public service flights.

Mobile Command Post

The TBI CIU also has thirteen LEIC's and two supervisors trained to operate and staff the Mobile Command Post. A functional mobile command center allows the TBI to respond to situations state wide with resources that permit communication and the sharing of intelligence information within the TBI and with other law enforcement agencies.

Tennessee Fusion Center

The Tennessee Fusion Center's (TFC) mission is to provide an avenue of communication to enhance information sharing between Federal, State and Local law enforcement agencies. The TFC also acts as a clearinghouse for intelligence information with an 'all crimes' approach to combating terrorism. TFC also serves as an education hub providing briefings and in-service training to local law enforcement as well as the general public. Among the means used to transmit information are the TFC monthly bulletins. During the 2007 – 2008 Fiscal Year the TFC has generated twelve open source bulletins as well as twelve Law Enforcement Sensitive (LES) bulletins. Additionally, the unit has produced seven special interest bulletins. Primary monthly circulation of the publications goes to 1,426 open source contacts and 867 law enforcement agencies across the spectrum. TFC also performed 96 requests for information (RFIs) during the Fiscal Year. TFC employs nine LEIC's assigned from TBI as well as four liaisons supplied by the Governors Office of Homeland Security, one Probation and Parole liaison, two National Guard liaisons, one ROCIC liaison, and one FBI Analyst liaison.

Pre-employment Background Investigations

The TBI CIU is responsible for performing pre-employment background investigations for certain positions in state government. These background investigations include; Governor's Cabinet appointees; Governor's Staff appointees; Tennessee Education Lottery; Tennessee Supreme Court appointees; Governor's Office of Homeland Security employees, Department of Safety employees, other judicial positions as required by the Chief Justice, as well as other positions within the TBI. These investigations are performed primarily by CIU LEICs. During the 2007-2008 Fiscal Year the Criminal Intelligence Unit completed 286 pre-employment background investigations.

Technical Services Unit

The Technical Services Unit (TSU) was created within the Criminal Investigation Division on December 1, 2004, and tasked with deploying advanced technologies in support of TBI and the Tennessee law enforcement community. TSU operated for most of FY 2007-2008 with a Special Agent in Charge, an Assistant Special Agent in Charge, ten Special Agents, and a Law Enforcement Information Coordinator. TSU has recently filled its last open position, and is currently operating at full strength.

Cyber-Investigations. TBI has come to recognize that internet child exploitation and other computer-based crimes are a growing threat to Tennessee's citizens. In response, during FY07, Director Gwyn authorized TSU to stand up a Joint Cyber-Crime Task Force with the FBI housed at TBI Headquarters in Nashville, and to form an Internet Crimes Against Children Task Force for Tennessee. These task forces are now up and running, with four TSU Special Agents assigned full-time. These agents opened a total of 75 cases during Fiscal Year 2007-2008, 14 of which are now closed.

Digital forensics. TBI's digital forensics function is housed within TSU. The agents assigned to digital forensics are responsible for preserving and analyzing digital evidence seized from computer systems and mobile devices during investigations. They also perform enhancements of audio and video files. During Fiscal Year 2007-2008, TSU personnel analyzed 380 different pieces of evidence from 181 cases. 75 of these cases (41%) were TBI cases; the other 126 (59%) were worked for other federal, state, and local agencies. Of the 380 items examined, 73% were computers or related media; 12% were mobile devices such as cell phones; 5% were audio enhancements; and 10% were video enhancements. 35% of the cases involved some form of child exploitation; 10% were death investigations, and 7% were drug investigations; allegations in the other cases ranged from fraud to official misconduct.

Electronic Surveillance. Tennessee Code Annotated §40-6-303(12) gives TBI the responsibility to support electronic surveillance statewide by establishing certification standards administered by TBI and requiring that application for communications intercepts be made by a TBI agent in all but the four largest counties in the State. The TSU administers this capability, providing training and guidance for any law enforcement agency wishing to pursue electronic surveillance investigations.

Technical Surveillance. TSU agents are responsible for selecting and servicing TBI's inventory of technical surveillance equipment, ensuring that criminal and drug investigators are able to gather and preserve evidence covertly and effectively during undercover operations. TSU is also responsible for maintenance of TBI's radio and emergency communications systems, working with other local, state, and federal agencies to ensure secure and stable communications and communications interoperability in support of Tennessee homeland security preparedness. One TSU Special Agent is currently assigned to technical and electronic surveillance support.

TSU personnel continue to work to help define their own mission by pursuing any avenues where advanced electronic and information technologies can be leveraged to

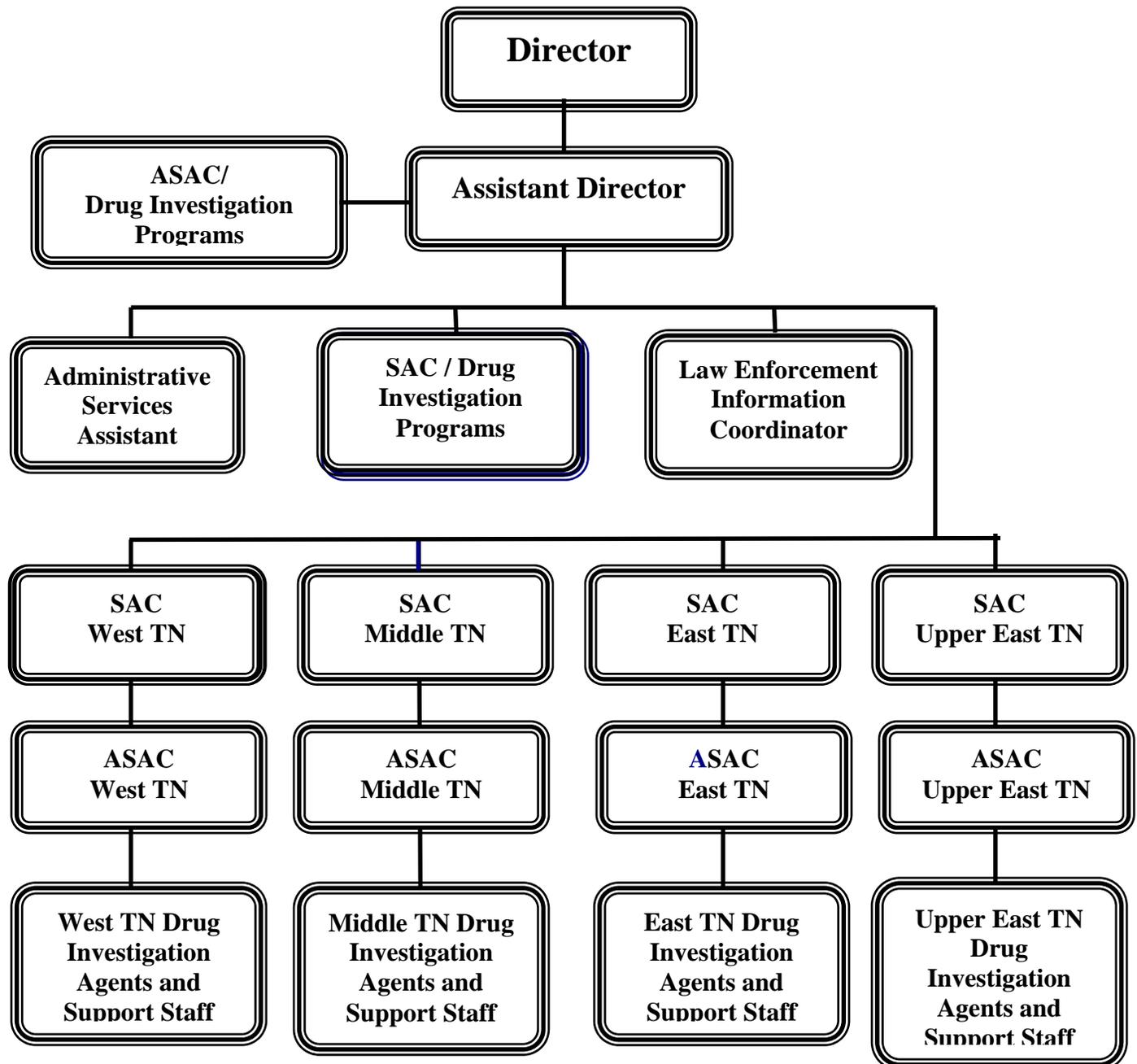
make law enforcement's investigative performance more effective, efficient, and responsible throughout Tennessee.



DRUG INVESTIGATION DIVISION



Chain-of-Command and Functional Organization



DRUG INVESTIGATION DIVISION

The Tennessee Bureau of Investigation Drug Investigation Division was created by Public Chapter 1069 during the 1998 session of the Tennessee General Assembly. The Division was created in response to legislative findings that approximately eighty percent of crime in Tennessee was drug related; that due to limitations of money and work force then-current investigation efforts against illegal drugs in Tennessee were ineffective; and that no single agency, bureau, or division in Tennessee focused primarily on illegal drugs. Based upon these findings, the Drug Investigation Division was created with the sole mandate to investigate illegal drugs. The Drug Investigation Division has been operating as a separate and coequal division of the TBI since September 1, 1998.

Statutory Responsibilities

Tennessee Code Annotated §38-6-202 states that the mission of the TBI Drug Investigation Division is to “investigate, gather evidence and assist in the prosecution of criminal offenses involving controlled substances, narcotics, and other drugs”, and that in order to fulfill this mission the Division “shall have original jurisdiction over the investigation of all drugs.”

The TBI Drug Investigation Division, like the TBI as a whole, plays many parts in the law enforcement community. First, TBI Special Agents assigned to the Division initiated and investigated their own cases, targeting significant violators, drug distribution organizations, and lower-level violators where local conditions require external investigative support. In addition, the Division’s agents provide support to the drug enforcement community, including technical assistance, legal assistance, and personnel support to other agencies from the local to the federal level. Finally, recognizing that effective utilization of law enforcement resources requires cooperation, the Drug Investigation Division strives to maintain the Bureau’s close relationship with the various police departments, Sheriff’s offices, and judicial district drug task forces throughout the State. The Division continues to emphasize strengthening ties between its investigative efforts and those of federal agencies with drug enforcement responsibilities, including the Drug Enforcement Administration, the Federal Bureau of Investigation, and Tennessee’s United States Attorney’s offices.

The Division’s commitment to the TBI’s leadership in the Tennessee law enforcement community is evidenced by its ongoing efforts to stay at the forefront of investigative and policy trends, including ongoing efforts to combat clandestine methamphetamine manufacture and trafficking through enforcement and policy initiatives. The commitment is also evident in the progress in the Division’s effort to address illegal diversion of prescription drugs such as oxycodone, hydrocodone, and benzodiazepines and ensuring that traditional drug enforcement programs like the Appalachia HIDTA and the Governor’s Task Force on Marijuana Eradication stay current and viable.

Organization and Caseload

The Drug Investigation Division is headed by an Assistant Director who reports to the Director of the TBI. Four regional Special Agents in Charge (SAC) report to the Assistant

Director and are stationed in the four regional offices of the TBI in Knoxville, Chattanooga, Nashville, and Jackson. Four regional Assistant Special Agents in Charge are also stationed in these regions and provide another necessary layer of management within the DID. Each SAC/ASAC supervises all Special Agents assigned to the Drug Investigation Division within their geographical region. As a result of the increasing need for the TBI to supply training to its agents and outside agencies related to methamphetamine investigations and awareness, a fifth SAC position was created in 2005. This position is responsible for coordinating with other agencies to provide methamphetamine certification and recertification training and to provide other types of training and awareness to law enforcement and other stakeholders. In April 2007, the Tennessee Methamphetamine Task Force hired its first Director. The TBI actually employs this person in an Assistant Special Agent in Charge (ASAC) position with costs related to the position being reimbursed by the task force.

The Drug Investigation Division had 683 active cases as of June 30, 2008. The Division opened approximately 267 cases and closed 228. From July 1, 2007 to June 30, 2008, TBI Special Agents assigned to the Drug Investigation Division arrested a total of 652 drug offenders and obtained 356 convictions on drug-related charges. Agents of the Division seized or purchased 5,394 grams of crack cocaine; 604,056 grams of powder cocaine; 7,264 pounds of bulk marijuana; 4,586 marijuana plants; 10,173 grams of methamphetamine, and 14 methamphetamine labs. Also seized were 17,114 dosage units of illegally diverted prescription pharmaceuticals, 11,248 dosage units of ecstasy, 1,219 grams of heroin, 120 grams of hashish, 20,000 dosage units of steroids, 500 grams of ephedrine and 10 dosage units of other drugs. TBI's share of currency seized totaled approximately \$1,359,213, all of which constituted either proceeds of drug trafficking or funds used to facilitate drug trafficking. TBI also shared in the seizures of 74 vehicles and fifteen real properties, six motorcycles, three watercraft, one airplane, three tractors, three ATVs, eight trailers of various types and sizes and eight seizures of assorted jewelry.

These statistics demonstrate the Division's increasing focus on conspiracy investigations. Strategic emphasis continues to shift from street-level enforcement to higher levels of organization within the drug trafficking world. Investigators must follow varying investigative paths based upon available resources, informants, and other drug intelligence. As a result, ratios of drugs seized may shift from year to year along with investigative trends.

Methamphetamine

In 2007, Director Mark Gwyn accepted the recommendation of the Tennessee Methamphetamine Task Force State-wide Executive Board of Directors for the Tennessee Bureau of Investigation to become the grantee agency for more than \$4 million in no-match federal funding. The principal category is "Preventing Crime and Drug Abuse." Secondary categories include "Enhancing Local Law Enforcement" and "Facilitating Justice Information Sharing."

The Tennessee Methamphetamine Task Force is a partnership of federal, state and local agencies working to combat the illegal manufacture, distribution and use of methamphetamine. Started in 1999 and having grown steadily since, the Task Force now operates in all 95 counties and serves all citizens of the state. The Task Force has a state-wide Director who is employed by TBI and Executive Board that coordinates the efforts of regional Task Forces operating in the East, Middle and Western Judicial Districts of the state.

The State Executive Board is comprised of members of local sheriffs, police chiefs, judicial drug task force directors, district attorney generals, Tennessee Bureau of Investigation, Tennessee Highway Patrol, DEA, Department of Homeland Defense and the U.S. Attorney's offices for the Eastern, Middle and Western Federal Districts of Tennessee. In turn, the three District Task Forces have their own board of directors, project directors and intelligence analysts who focus on the specific needs of their district while working in concert with the state-wide mission.

The Tennessee Methamphetamine Task Force has earned a reputation as one of the most active and innovative methamphetamine task forces operating in the country. The Task Force takes a comprehensive approach to the methamphetamine problem, working with the counter drug and education efforts of the National Guard, partnering with the federal and state environmental agencies to quarantine and decontaminate sites, joining with state social service agencies, school officials and health care professionals to develop protocols for the treatment and care of drug endangered children, reaching out to community and business leaders to educate the public about the dangers of the drug, enlisting the help and expertise of drug treatment professionals in looking for solutions to the problem, teaming up with pharmacists and stores who sell precursor chemicals and training law enforcement officers, prosecutors and judges, including those involved in drug court programs, as to the most effective role for the criminal justice system. Partnerships with the Task Force also cross state lines. The Task Force shares its information, training, education efforts and access to its intelligence databases with other law enforcement agencies that request it.

The Methamphetamine Task Force has trained and provided specialized equipment to over twelve hundred law enforcement officers allowing them to investigate and dismantle clandestine methamphetamine laboratories. It has also trained thousands of individuals, including law enforcement officers, first responders, health care professionals, pharmacists, children services personnel, prosecutors and judges on a variety of subject areas relating to methamphetamine, including drug endangered children, methamphetamine prosecutions, search and seizure issues, interdiction efforts, intelligence systems and proper investigative techniques. Over 50,000 members of the general public have received drug awareness briefings through the Task Force. Methamphetamine Response Trucks operate throughout the state, supporting Task Force members and collecting, recording and inputting information into the Tennessee Methamphetamine Intelligence System (TMIS). TMIS is accessible to all members of the Task Force and operates as a clearinghouse for methamphetamine intelligence in the state. The secure web site provides law enforcement officers with a variety of benefits including seizure and quarantine reports which can be reported on site; pseudoephedrine purchase logs for retail pharmacies throughout the state; database searches for prior methamphetamine incidents by offender, location or other identifiers; training opportunities; methamphetamine resources; informational material and intelligence products.

Members of the Tennessee Methamphetamine Task Force have been provided equipment to facilitate the investigation, apprehension and prosecution of methamphetamine offenders. Also provided is overtime money to help defray the cost associated with the seizure of clandestine labs and investigation of methamphetamine offenders. Additionally, intelligence information allowing officers to strategically target, investigate and prosecute significant offenders is provided. As a result, Task Force members have dismantled and processed thousands of clandestine labs and contaminated sites, closed and forfeited several businesses that illegally provided chemicals and equipment to methamphetamine manufacturers, helped

prosecute more than a thousand offenders and rescued several hundred children from toxic and life-threatening environments.

Prescription Drugs

Seizures of prescription drugs continue as a result of aggressive pursuit of drug diversion leads by Division investigators. This trend will continue as the Division directs its resources to meet both the new and the old components of this drug threat.

The TBI Drug Investigation Division has become actively involved in the creation of a Statewide Drug Diversion Task Force. The abuse of prescription controlled substances in Tennessee has become a major concern for local, state, and federal agencies. The criminal diversion of these drugs encompasses everything from prescription fraud by individual addicts to profit motivated traffickers. The spectrum of violators is broad and includes healthcare practitioners and patients, pain management clinics, traditional pharmacies, and Internet pharmacies.

The Tennessee Statewide Drug Diversion Task Force is being coordinated by a TBI DID Special Agent In Charge. The task force is compiled of several individuals from various agencies. This task force has gained considerable momentum and has accomplished several goals. These accomplishments have allowed the task force to develop strategies and policies that will assist law enforcement to combat the problem. Currently, the statewide task force is developing four regional task forces across the state. The efforts of these task forces will be to investigate and curtail this ever growing problem.

Drug Endangered Children

In 2005, the Tennessee Alliance for Drug Endangered Children (TADEC) was created with TBI DID Assistant Director chosen to chair the alliance. TADEC is comprised of local, state, and federal agencies whose purpose is to "prevent drug related harm to children and rescue, defend, shelter and support Tennessee's children who suffer physical and psychological harm caused by the manufacture, distribution, sale and use of illegal drugs, and abuse of prescription drugs and alcohol."

During this fiscal year, two "protocol seminars" were hosted by the TADEC. These seminars, which were held in Dickson and Cookeville respectively, provided awareness training to relevant stakeholders in the thirteenth, nineteenth, and twenty-third judicial districts encompassing a total of fourteen counties. The purpose of these seminars was to help counties:

1. Promote information sharing strategies that support comprehensive, proactive partnerships between juvenile court, law enforcement, schools, government agencies, and social service providers.
2. Share information for planning and research purposes in a manner that is legal and appropriate.
3. Establish an interagency working group to identify and address the victimization of children as related to illegal drug activities.

To date, the TADEC has been involved in protocol seminars that have involved stakeholders in forty-four counties. These stakeholders included representatives from law enforcement,

education, social services, fire departments, medical and behavioral health, child advocacy centers, and other government agencies.

Drug Investigation Programs

In addition to its general enforcement responsibilities, the Division has a leadership role in several programs that are integral to Tennessee's drug enforcement community.

Appalachia High Intensity Drug Trafficking Area (HIDTA)

In April 1998, the U.S. Office of National Drug Control Policy (ONDCP) officially designated areas within Tennessee, Kentucky and West Virginia as the Appalachia High Intensity Drug Trafficking Area (HIDTA). This designation was the result of a threat assessment by ONDCP that identified this tri-state area as one particularly vulnerable to certain types of illegal drug activity. The federally funded HIDTA program enhances and coordinates drug control efforts among local, State, and Federal law enforcement agencies. The program provides agencies with coordination, equipment, technology, and additional resources to combat drug trafficking and its harmful consequences in critical regions of the United States.

The Appalachia HIDTA is comprised of sixty-five counties located within the states of Kentucky, Tennessee, and West Virginia; twenty-nine of these counties are in Tennessee. The designated region is located within easy reach of several large major population areas of the United States. At the same time, the area consists of predominately rural and rugged terrain with soil, temperature, and other climate conditions ideally suited for marijuana production. Demographic conditions of the Appalachia HIDTA, including relatively high unemployment and low median family income, create an environment where illegal activities and corruption can flourish.

During the fiscal year, the Appalachia HIDTA task forces in Tennessee opened 82 cases and made 468 arrests. These task forces were responsible for the seizure of 1782 marijuana plants and a total of 2,363 pounds of processed marijuana. Additionally, 276 firearms and 117 vehicles, valued at a total of \$917,919.00 were seized. Totals of \$582,900.00 in real property and \$5,947,958.06 in currency were also seized. Investigations in which these agents were involved resulted in the seizure of 227,457.9 grams of cocaine, 2,269.5 grams of crack cocaine, 3,915.4 grams of heroin, 6,095 prescription pills, 7,783.4 grams of methamphetamine and 7,292 grams of methamphetamine ICE. These agents assisted in the execution of 66 search warrants in conducting 64 Title III telephone intercepts and 138 pen registers.

Currently, the DID Assistant Director serves as Vice-Chairman of the Appalachia HIDTA Executive Committee.

Middle Tennessee HIDTA Task Force

At the direction of ONDCP, the Appalachia HIDTA was required to form regional task forces in the states of the Appalachia HIDTA. As a result of this requirement, the TBI was designated as the lead agency in forming a Middle Tennessee Task Force (MTTF). This task force is in the counties of Middle Tennessee as identified by the Appalachia HIDTA. These

counties take in three Tennessee Judicial Districts. These districts include Fentress County in the 8th Judicial District; Clay, Overton, Pickett, White, Putnam and Cumberland Counties in the 13th Judicial District; and Jackson and Macon Counties in the 15th Judicial District. At the present time the MTTF is made up of one HIDTA funded TBI Special Agent, and officers from local law enforcement agencies. The official start date for the MTTF was on June 1, 2003, and it is targeting large drug dealers in the MTTF area.

During the year, the Middle Tennessee Task Force opened 28 investigations and closed 48, disrupting 8 drug trafficking organizations and dismantling five. A total of 171 people were arrested, 40 vehicles and over \$2,714,195 in currency and other assets were seized by the task force. Additionally, 63 firearms were seized.

Governor's Task Force on Marijuana Eradication

The Governor's Task Force on Marijuana Eradication (GTFME) was created by Executive Order No. 51 in 1983. The Tennessee Bureau of Investigation is an integral member of this task force. The primary objectives of the GTFME are as follows:

- Seek out and eradicate marijuana found growing in the State of Tennessee;
- Arrest and prosecute individuals and groups who knowingly participate in this illegal activity;
- Collect and utilize intelligence data;
- Maintain accurate records of results and expenditures connected with this program; and
- Continually seek to eliminate or disrupt illegal acts against the citizens of Tennessee related to marijuana cultivation through new methods and technology.

Four state agencies, including TBI, the Tennessee Alcoholic Beverage Commission, the Tennessee Highway Patrol (THP), and the Tennessee National Guard (TNG), provide the bulk of the personnel and equipment for this program. The commitment by these agencies is substantial, since the operation runs from May until October of each year. Other activities such as planning, procurement, training, indoor grow investigations, case prosecution, and intelligence-gathering go on year-round.

The GTFME is an example of the benefits of cooperative law enforcement. A large number of other agencies participate in the program in addition to the state agencies noted above. These agencies include sheriff's offices, municipal police departments, judicial district drug task forces, the federal Drug Enforcement Administration, and a number of other federal and state agencies. This cooperative effort also extends to the military support role to the law enforcement effort.

During Fiscal Year 2007–2008, the GTFME investigative personnel were instrumental, with the assistance of local and federal agencies, in eradicating 517,484 outdoor marijuana plants found in 1,626 plots. These law enforcement personnel also seized 60 pounds of processed marijuana that was ready for sale on the streets. They made 65 arrests and encountered 12 booby traps. They also seized 20 firearms.

Methamphetamine Training Coordinator

In May 2005, this position was created in an effort to meet the needs of law enforcement and other stakeholders. This position was filled by a DID Special Agent in Charge who had experience in investigating over 350 meth labs. This SAC worked closely with the Tennessee Methamphetamine Task Force in providing needed training throughout the state. During the past Fiscal Year, this SAC participated in the following training:

- One (1) Basic Methamphetamine Certification classes. A total of fifty-five (55) students from thirty-four (34) different departments were basic clandestine laboratory certified.
- Three (3) Meth lab re-certification courses were held with a total of one hundred sixteen (116) officers from thirty-nine (39) different departments attending the course.
- One (1) Advanced Methamphetamine Investigation class. A total of forty-eight (48) students from thirty-five different agencies attended this training.
- Methamphetamine awareness was provided to over seven hundred and fifty (750) different people at various locations across the state.

Initiatives and Goals of the Drug Investigation Division

Personnel Allocation

It is not presently possible to assign a TBI drug agent to each county in the State. As of June 30, 2008, there were only 44 agents (plus supervisors) statewide. Likewise, individual agents cannot be assigned to each of the Judicial Districts and DEA Task Forces operating in Tennessee. Instead, each TBI drug agent is assigned an area of responsibility generally encompassing several counties, or an entire Judicial District. This arrangement makes the most of current staffing levels. Each of the ninety-five counties in the state has a specific and identified contact within the Drug Investigation Division.

The type of cases currently being pursued is labor intensive. Methamphetamine labs typically are time-consuming requiring four certified agents due to safety regulations. Electronic surveillance requires monitoring and ground teams. Prescription drug cases usually involve paper trails that cannot be concluded in a single day or week. In addition, eight agents are designated High Intensity Drug Trafficking Area (HIDTA) agents funded by HIDTA with their investigative initiatives being controlled by HIDTA. This is separate from our responsibilities on the Governor's Task Force for Marijuana Eradication.

Continuing Emphasis on Conspiracy Investigations

One strategy that has been used to increase the effectiveness of the present number of TBI drug agents has been to direct more operations towards mid-level and major criminal organizations that are involved in multi-jurisdictional drug trafficking activities. These investigations, while time-consuming and complex, generally maximize returns of high-level convictions and assets seized per agent/hour.

Conspiracy investigations allow an organization to be dismantled from top to bottom, preventing the organization from growing again. In addition, long-term documentation of

drug dealing activity for a conspiracy charge allows the ultimate criminal penalties to reflect the full culpability of the members of the organization, not simply the amount of drugs they had with them when arrested.

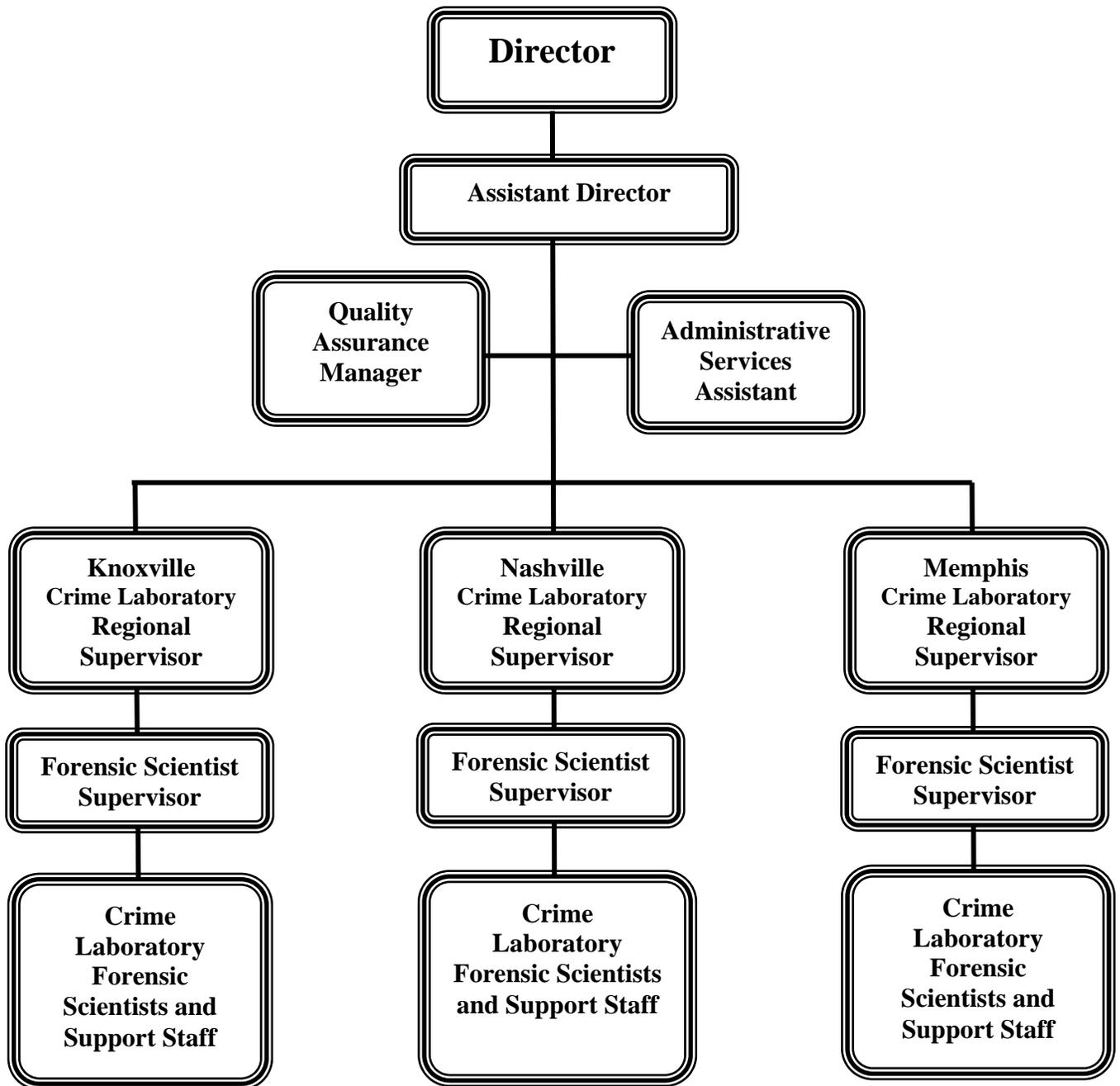
It should be noted that while conspiracy investigations are the growing trend in the Drug Investigation Division, the Division continues to render assistance to sister law enforcement agencies in whatever form the needs of those agencies take.



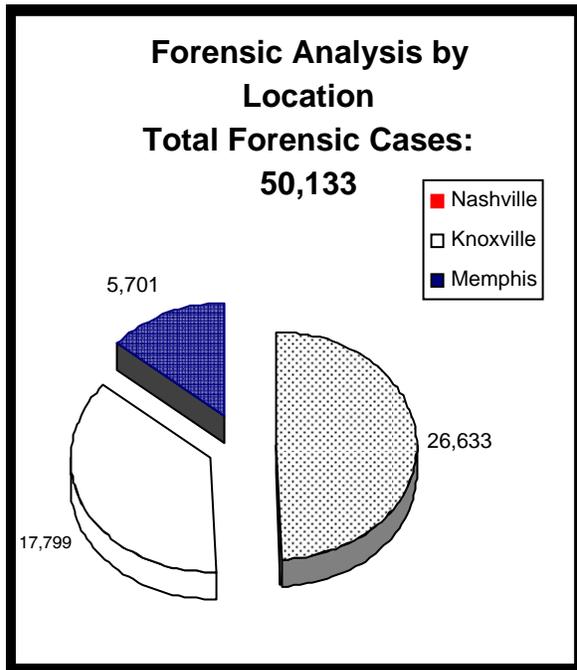
FORENSIC SERVICES DIVISION



Chain-of-Command and Functional Organization



FORENSIC SERVICES DIVISION



Forensic Science, the application of science to the law, has emerged as a major force in the attempts of the criminal justice system to control crime and to ensure a high quality of justice. The TBI Forensic Scientists possess a wide array of analytical skills and they direct their expertise to problems of reconstructing criminal acts, identifying and comparing physical and biological evidence, linking offenders with their victims and exonerating falsely accused persons. The TBI's Forensic Services Division (Crime Laboratory System) provides forensic science services to any law enforcement agency or medical examiner in our state (T.C.A. §8-6-103, 38-7-110, 5510-410).

A Forensic Scientist must be skilled in applying the principles and techniques of the physical and natural sciences to the analysis of the many types of evidence that may be recovered during criminal investigations. However, in doing this, the scientist must also be aware of the demands and constraints that are imposed by the judicial system. The procedures and techniques that are utilized in the crime laboratory must rest on a firm scientific foundation and satisfy the criteria of admissibility established by the courts. Because of this range of requirements, all TBI Forensic Scientists are commissioned by the Director as Special Agents, have earned a minimum of a baccalaureate degree in chemistry or a closely related scientific field, and have completed extensive training related to forensic science and crime scene investigation. During the Fiscal Year, the Forensic Services Division conducted tests in 50,133 cases received from law enforcement agencies and medical examiners across the state.

The TBI Forensic Services Division is comprised of a central laboratory in Nashville and two regional laboratories in Memphis and Knoxville. Specialized units of these laboratories provide forensic analysis of biological, chemical, and physical evidence.

National Laboratory Accreditation

The TBI's Forensic Services Division has achieved re-accreditation through the American Society of Crime Laboratory Directors Laboratory Accreditation Board (ASCLD/LAB).

The ASCLD Laboratory Accreditation program is a voluntary program in which any crime laboratory may participate to demonstrate that its management, operations, personnel, procedures, equipment, physical plant, security and personnel safety

procedures meet certain national standards. Accreditation is part of a laboratory's quality assurance program which, when combined with proficiency testing, continuing education, and other efforts, helps TBI's crime laboratories to provide better overall service to Tennessee's law enforcement agencies and the criminal justice system.

One objective of TBI in obtaining accreditation of its crime laboratories was to offer to the citizens of Tennessee and the users of TBI's laboratory services a form of proof that the TBI's forensic laboratories meet established national standards.

Nashville Laboratory

The Nashville Laboratory serves all ninety-five (95) counties in Tennessee and performs a wide range of analyses within the following units:

- *Drug Chemistry Unit*

The Drug Chemistry Unit analyzes any substance seized in violation of laws regulating the sale, manufacture, distribution and use of abusive type drugs.

- *Toxicology Unit*

The Toxicology Unit conducts analysis of blood and other body fluids for alcohol, drug, or poisons, in conjunction with persons arrested for traffic charges (DUI) or to assist medical examiners in death investigations.

- *Breath Alcohol Unit*

The Breath Alcohol Unit administers and maintains Tennessee's breath alcohol testing program. Scientists assigned to this unit certify and calibrate evidentiary breath alcohol instruments throughout the state. The staff is responsible for training law enforcement personnel as operators on the instruments.

- *Latent Print Examination Unit*

The Latent Print Examination Unit provides analysis of physical evidence for invisible fingerprints and/or palm prints and comparison of latent prints developed with the inked impressions of suspects. A workstation of TBI's Automated Fingerprint Identification System (AFIS) is located in this unit, allowing latent lifts of unidentified latent fingerprints obtained from crime scenes or developed on evidence submitted to the laboratory to be searched against the database of fingerprint records maintained by TBI. In addition, the latent print unit has the capability of submitting unidentified latent prints from major crime scenes to the FBI for a fingerprint database search.

- *Firearms Identification Unit*

The Firearms Identification Unit's principal function is to determine if a bullet, cartridge case, or other ammunition component was fired from a particular weapon. The science of firearms identification extends beyond the comparison of bullets to include knowledge of the operation of all types of weapons, the restoration of obliterated serial numbers on weapons and other evidence, the detection and characterization of gunpowder residues on garments and around wounds, the estimation of muzzle-to-garment distance, and the detection of powder residues. In October 2002, a National Integrated Ballistic

Information System for confirming bullets and cartridge cases became an integral part of the Firearms Unit.

- *Microanalysis Unit*

The Microanalysis Unit examines and compares the following types of evidence:

- ✓ Fire Debris Analysis – Debris from fire scenes and other evidence related to a suspected arson are submitted to the laboratory to determine the presence of an ignitable liquid. This includes the products of refined oil and other flammable products such as alcohol.
- ✓ Gunshot Residue Analysis – The presence of gunshot primer residue from a fired weapon can be determined on subject and victim hand swabs and on crime related objects such as the subject's clothing and vehicle(s).
- ✓ Impression Evidence Comparisons – Shoe and tire impressions recovered from crime scenes can be compared to subject shoes and tires. In addition, a tire tread database can be used to determine tire make and models from tire tracks left at a crime scene.
- ✓ Paint Analysis and Comparisons – Paint evidence recovered from any object on which a paint transfer has occurred during the commission of a crime can be compared to known paint samples. A vehicle paint database is also available to provide a list of possible vehicle makes and models from paint evidence left at the scene of hit and run accidents.
- ✓ Glass Analysis and Comparisons – Glass recovered from a crime scene can be compared to glass recovered from objects associated with a subject such as clothing and tools. Order of breakage and glass fracture analysis is also performed.
- ✓ Fiber Comparisons – Individual fibers as well as fabric and carpet are characterized and compared to corresponding materials recovered from a subject or his/her environment.
- ✓ Composite Imagery – The TBI laboratory provides the following art services: Composite drawing, postmortem and skeletal remains facial reconstruction drawings, image modifications and drawings of subject(s) from videotapes.

Other services provided by the Microanalysis Unit include indented impression analysis (writing and shoe), physical comparisons, fracture match analysis, heavy metal analysis, unknown substance determinations and tape comparisons.

- *Serology Unit*

The Serology Unit performs identification and characterization of blood and other body fluids – liquid or dried, animal or human – present in a form to suggest a relation to the offense or persons involved in a crime. This Unit also performs STR-DNA Profiling, the capability to identify specific individuals by comparing biological samples left at a crime scene or from the body of a victim.

- *Evidence Receiving Unit*

The Evidence Receiving Unit receives, inventories, distributes, and stores all evidence submitted to the laboratory.

- *DNA Profiling*

Advances in DNA technology represent one of the most significant forensic breakthroughs of the century by allowing the identification of a murderer or rapist based on trace amounts of biological evidence left at the crime scene. T.C.A. §40-35-321 requires the TBI to establish a DNA database for convicted offenders with an amendment this fiscal year to add a DNA database for individuals arrested for violent felonies. These databases were established nationally by the Federal Bureau of Investigation to enable crime laboratories to exchange DNA profiles for unknown forensic samples, convicted offender and arrestees.

- *CODIS*

The national index assists agencies in developing investigative leads since evidentiary DNA profiles can be searched against the file of convicted offenders and arrestees. The TBI currently has 98,733 convicted offender samples and 1,080 arrestee samples on file. In February 2002, the TBI DNA Unit began submitting samples to the national database; 100,849 profiles have been accepted. This year 105 investigations throughout the state and nation have been aided through the use of this database. During the Fiscal Year, a total of 13,569 specimens from convicted offenders were received by the DNA/Serology Unit for submission to the CODIS database.

Knoxville Laboratory

Drug Chemistry analysis of any substance seized in violation of laws regulating the sale, manufacture, distribution and use of readily abused drugs is performed. Toxicology analysis of blood and other body fluids for alcohol, drugs, or poisons, in conjunction with persons arrested for traffic charges or assisting medical examiners in death investigations is conducted. Breath Alcohol testing, which includes calibration and training of local law enforcement personnel relative to the operation of breath alcohol instruments, is also provided. In addition, Serology/DNA analysis is performed in order to identify and characterize blood or other body fluids present on evidence and to compare those stains to known standards using STR-DNA profiling.

Memphis Laboratory

The Memphis Laboratory opened in January 2002. Drug Chemistry analysis is performed on any substance seized in violation of laws regulating the sale, manufacture, distribution, and use of abusive type drugs. Toxicology analysis of blood and other body fluids for alcohol, drugs or poisons, in conjunction with persons arrested for traffic charges or assisting medical examiners in death investigations is conducted. Breath Alcohol testing, which includes calibration and training of local law enforcement personnel relative to the operation of breath alcohol instruments, is also provided. Firearms Identification determines if a bullet, cartridge case, or other ammunition component was fired from a particular weapon. The restoration of obliterated serial

numbers on weapons and other evidence, the comparison of tool marks, the detection and characterization of gunpowder residues on garments and around wounds, the estimation of muzzle-to-garment distance and the detection of powder residues are also performed by the Firearms Identification Section. In addition, Serology/DNA analysis is performed in order to identify and characterize blood or other body fluids present on evidence and to compare those stains to known standards using STR-DNA profiling.

Violent Crime Response Teams

The TBI's Forensic Services Division has become increasingly involved in the investigation of violent crimes. Although the value of physical evidence is often overlooked in other types of crime, it is recognized to be of paramount importance in crimes against persons. Toward that end, TBI has three specially designed crime scene vehicles equipped with the most advanced forensic equipment and materials available. These crime scene vehicles are regionally located in Memphis, Nashville, and Knoxville and are being used by the TBI to assist in processing homicide crime scenes.

<p>Forensic Analysis by Case Fiscal Year 2007–2008 Total Number of Cases Completed – 50,133</p>
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Nashville Laboratory	26,633	Memphis Laboratory	5,701
Drug Identification	10,901	Drug Identification	3,205
Alcohol	6,963	Alcohol	1,373
Toxicology	3,538	Toxicology	557
Serology/DNA	1,145	Serology/DNA	475
DNA Cases (BODE)	57	Firearms	91
Firearms Identification	729		
Microanalysis	986		
Latent Prints	2,314		
Knoxville Laboratory	17,799		
Drug Identification	9,778		
Alcohol	5,091		
Toxicology	2,478		
Serology/DNA	396		
DNA Cases (BODE)	56		

<p>Forensic Analysis by Test Fiscal Year 2007—2008 Total Number of Exhibits Tested – 83,289 Total Number of Tests Conducted – 276,140</p>
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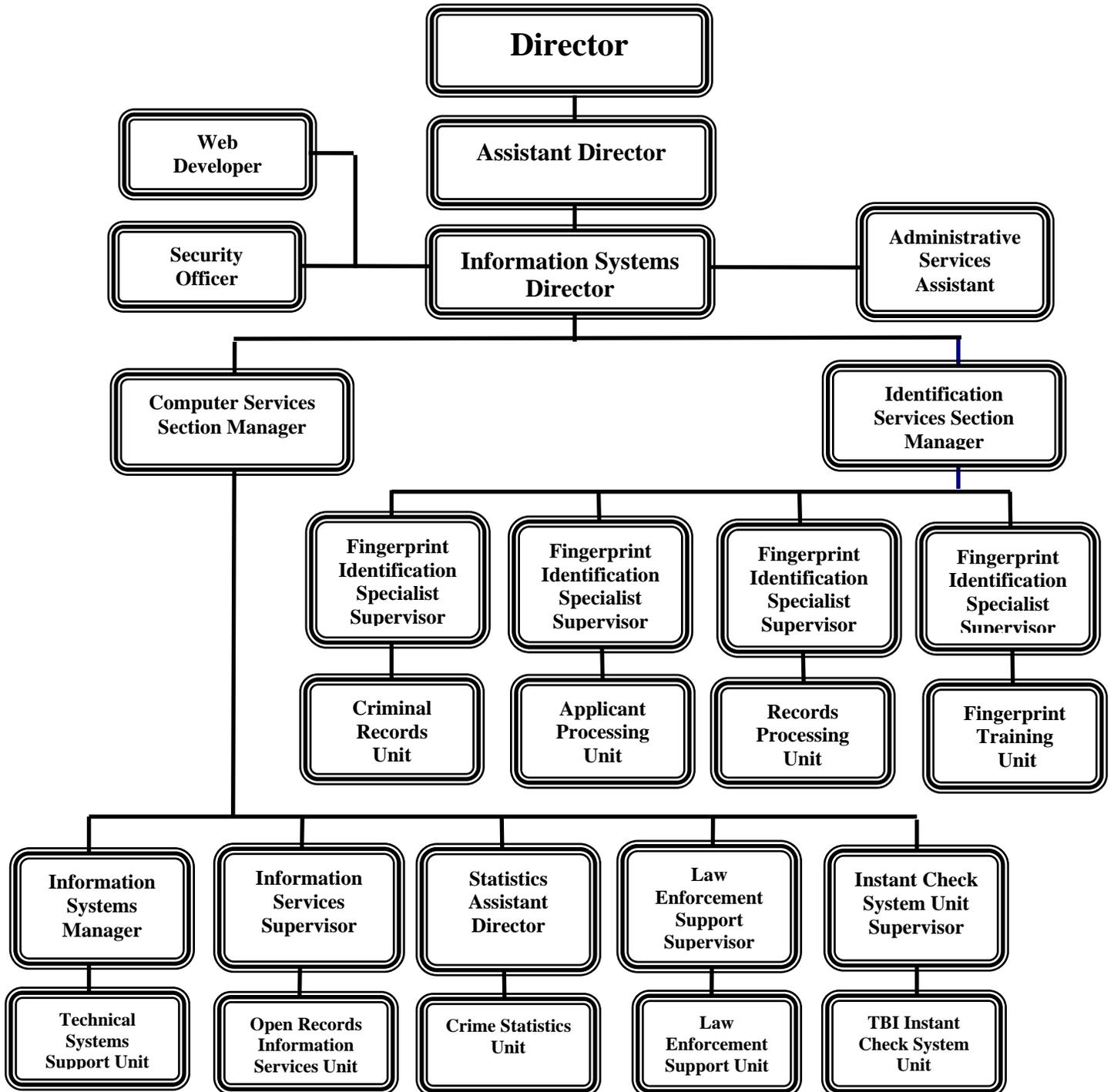
<u>Laboratory</u>	<u>Exhibits</u>	<u>Tests</u>
Nashville	49,431	164,377
Drug Identification	16,073	42,770
Alcohol	7,011	7,476
Toxicology	3,588	16,832
Serology/DNA	4,821	29,794
Firearms Identification	10,231	14,300
Microanalysis	2,094	16,232
Latent Prints	5,149	36,973
DNA Exhibits (BODE)	464	
Knoxville	23,878	72,599
Drug Identification	13,867	36,657
Alcohol	5,535	5,535
Toxicology	2,918	11,692
Serology/DNA	1,312	18,715
DNA Exhibits (BODE)	246	
Memphis	9,980	39,164
Drug Identification	4,483	13,296
Alcohol	1,373	1,373
Toxicology	564	2,845
Serology/DNA	2,004	17,483
Firearms Identification	1,556	4,167



INFORMATION SYSTEMS DIVISION



Chain-of-Command and Functional Organization



INFORMATION SYSTEMS DIVISION

The Information Systems Division encompasses a wide variety of complex systems serving the Bureau, local, state and federal criminal justice agencies, and the public. From housing the state repository of criminal history records and maintaining the sex offender registry, to supporting criminal justice information traffic to conducting background checks for gun purchasers, the Information Systems Division staff is committed to providing the most professional, up-to-date services available.

Within the Bureau, the Information Systems Division (ISD) is responsible for delivery of services that augment the Forensic Services Division, the Criminal Investigation Division, the Drug Investigation Division and the Administrative Services Division as well as the Tennessee Fusion Center (Homeland Security). In addition, ISD provides services to local, state, and federal agency members of the Tennessee Information Enforcement System (TIES) through the National Crime Information Center (NCIC) and the International Justice and Public Safety Network (Nlets).

INFORMATION TECHNOLOGY

The Information Technology Strategy for the Tennessee Bureau of Investigation is to increase the use of technology in a manner that provides the best services available to the public and law enforcement consistent with the TBI/FBI official rules. Laws governing the operations of the Tennessee Bureau of Investigation require the development, maintenance, and distribution of certain information relating to crime, criminals, and criminal activities for the benefit of all state and local criminal justice agencies in Tennessee. Additionally, our agency also is mandated to perform fingerprint based background checks for several areas of employment and licensing and name based background checks for the approval of sales and pawn redemptions for all firearms transactions in Tennessee pursuant to the federal Brady Act as well as name-based records queries submitted by the general population. The Bureau, in order to fulfill the mandate set forth in these laws, has created and implemented several applications that fall under the operations of the Tennessee Crime Information Center (TCIC), which is an integral part of TBI and its operations. Controls, which apply to the state/federal privacy and restriction laws governing the possession, exposure, use and dissemination of various kinds of crime information, are imposed on the automated systems by the TBI official rules.

The Information Systems Division (ISD) is divided into three sections. Identification Services is made up of the Criminal Records Unit (CRU), Applicant Processing Unit (APU), and the Records Processing Unit (RPU). Computer Services is made up of the TN Instant Check System Unit (TICS), the Crime Statistics Unit (CSU), the Tennessee Open Records Information Services Unit (TORIS), and the Technical Systems Support Unit (TSSU). Law Enforcement Support Services is made up of the Law Enforcement Support Unit (LESU), the Fingerprint Training Unit (FTU) and the Tennessee Information Enforcement System (TIES) Operations staff. The ISD also provides technical support, systems analysis, project management, application development of small systems, hardware and software procurement, and information technology planning for all TBI Divisions.

IDENTIFICATION SERVICES

The TBI is the agency identified as the state repository of fingerprint based criminal records information for the state of Tennessee. The Information Systems Division is responsible for the processing and maintenance of all information related to the repository as well as for several associated legislatively mandated duties. These duties include processing all criminal, law enforcement applicant, and civil applicant fingerprint information, and other associated records functions including processing of final court dispositions, applications for pre-trial diversions, court orders for expungement of criminal records, and other matters of clerical maintenance of information in the records repository. The Information Systems Division utilizes the Automated Fingerprint Information System (AFIS) to process each submission of fingerprint information to determine the identification of the individual to provide positive identification in order to build the criminal records in the repository.

The Information Systems Division received 476,815 fingerprint submissions during Fiscal Year 2007 – 2008. Less than one percent of fingerprints received were rejected and returned to the contributors because of missing, inaccurate or incomplete descriptor or arrest data, or because of unclassifiable fingerprints. Criminal arrest fingerprints made up 74% (349,732) of the submissions received. Civil applicant prints accounted for the remaining 26% (118,083) of the fingerprint submissions received.

Expungement orders come from criminal courts to the TBI ordering removal of specific information from an individual's criminal record. These orders are processed and forwarded to the FBI for removal from the federal criminal history records maintained there. The Information Systems Division processed 22,428 expungement orders in Fiscal Year 2007 – 2008.

Criminal history background checks are performed at the request of the court system for persons being considered for pre-trial or judicial diversions. These checks are performed in order to provide information to the court to determine whether the individuals are qualified to receive, and have not previously received, pre-trial or judicial diversion. The Information Systems Division processed 17,666 applications for pre-trial or judicial diversion during the Fiscal Year as legislatively mandated.

The Information Systems Division also enters final court disposition information into the Tennessee Criminal History Repository. Disposition information is supplied to the TBI by law enforcement agencies and the court clerks. Each disposition provides information relative to the outcome of the judicial process for each arrest. The Information Systems Division processed 232,084 dispositions during the Fiscal Year.

COMPUTER SERVICES

TBI Instant Check System

The TBI Instant Check System (TICS) began operation on November 1, 1998. The requirements of the Brady Handgun Violence Prevention Act [18 U.S.C. 922 (t)] were incorporated into the Tennessee gun transfer statute with an amendment to T.C.A. §39-17-1316. This amendment requires that TBI establish and maintain a background check system that meets or exceeds the requirements established by the Brady Act for continuing recipient background checks on all

firearm transactions except those specifically excluded by law. To meet these requirements, TICS accesses the following databases:

TCHR (Tennessee Criminal History Repository)	This file is maintained by the TBI and is supported by arrest fingerprint cards. Persons who are convicted felons cannot legally possess a firearm.
STOP (State of Tennessee Orders of Protection)	Data is entered, maintained and deleted by Tennessee law enforcement agencies (generally Sheriffs' departments) on persons against whom a restraining order has been issued by a judge. Active protection orders, which meet state or federal laws, will disqualify an individual from obtaining a firearm.
NCIC (National Crime Information Center)	This database maintains files on wanted persons, protection orders, deported felons, U.S. Secret Service Protective (persons who may pose a threat to the President and/or others afforded protection by the U.S. Secret Service), foreign fugitives, SENTRY File (persons currently under supervision of the Federal Bureau of Prisons), Convicted Person on Supervised Release File and the Convicted Sexual Offender Registry.
III (Interstate Identification Index)	This is the national repository for criminal history record information.
NICS (National Instant Check System)	The federal instant background check system maintained by the FBI. It houses databases on Denied Persons, Illegal/Unlawful Aliens, Controlled Substance Abusers, Dishonorable Discharges, Citizenship renunciants and Mental Defectives/Commitments.

All of the above files are checked during the required TICS/NICS background check of any person seeking to purchase a firearm from a licensed firearm dealer or to redeem a firearm from pawn from a licensed firearm dealer.

During Fiscal Year 2007 – 2008, TICS processed 243,680 total firearm transactions. Of those, 233,217 (96%) were approved and 10,463 (4%) were denied for one or more reasons, and 94% of all transactions were processed in 15 minutes or less. TICS identified 178 wanted persons and 253 stolen firearms in fiscal year 2008, reporting them to the appropriate law enforcement agency. The majority of the wanted persons were apprehended at the scene and most of the stolen firearms were verified by law enforcement officials and seized for return to the owners.

Tennessee Open Records Information Services (TORIS)

The Tennessee Bureau of Investigation began offering criminal background information to the public, upon receipt of a proper request and the associated fee, in June of 2004 following the passage of new legislation that made it legal for the Bureau to release Tennessee criminal information from its database. TORIS background checks are 'name based' checks only and do not involve the submission of fingerprints. The information provided to the requestor is Tennessee criminal history information only. During Fiscal Year 2007 – 2008, the TORIS unit processed 64,684 requests for criminal background information.

Statistical Analysis Center

Established by Executive Order no. 47 in 1991, the State of Tennessee's Statistical Analysis Center (SAC) is housed in the Information System Division and operates as the Crime Statistics Unit (CSU). Made up of a Statistics Assistant Director, Law Enforcement Information

Coordinators and Statistical Analysts, the CSU continued operation of the statewide Uniform Crime Reporting (UCR) Program known as the Tennessee Incident Based Reporting System (TIBRS). As of June 30, 2008, 461 out of 465 law enforcement agencies were submitting and certified and all of the colleges and universities were also in compliance with reporting requirements. Four agencies were decertified for failure to submit data.

The unit worked on two major projects during the year. The first area was continued monitoring of the data quality for the Crime in Tennessee report, which was released in April 2008. The report included additional data on a statewide basis as well as three-year comparisons of state data. The Hate Crime Report and Law Enforcement Officers Killed or Assaulted Report for 2007 were released in May. The unit released the Crime on Campus report in April.

The second area was developing and training for the software deployment of the new web-based RMS known as the Tennessee Crime Online Portal (TnCOP) that is replacing the desktop version of the free TIBRS software developed by TBI staff years ago. The unit added over 30 classes to train agencies in the use of the software as well as the query portion of the Consolidated Records Management System (CRMS). Both of these products are part of the Tennessee Fusion System being implemented by TBI and the Tennessee Department of Homeland Security.

The TNCrimeonline system, a user-friendly web based system for TIBRS data access, was enhanced with new features in June. New features include the capability to generate the “Crime on Campus” page as well as enhancing the response time for the system. The site provides the capability for agencies and the public to design their own reports and download data from the site.

The TBI conducted 198 audits of local law enforcement agencies’ TIBRS data. The unit is on track to complete audits of all law enforcement agencies, colleges and universities by the end of 2008 to complete the three-year audit cycle. The results of the FBI audit conducted in May 2007 were received during the fiscal year and the TIBRS program met all requirements for a state program.

A total of 1,975 persons received training from CSU staff during the fiscal year for TIBRS. The number of classes held during the year was 102. Additionally, 258 persons received training at the annual conference bringing the total number trained during the fiscal year to 2,233. The TBI continues to provide training on general data collection practices, use of the TnCOP software and how to query the Fusion System database.

In September, the unit completed the recidivism study of persons released from incarceration in Tennessee in calendar year 2001. Tennessee was one of eleven states to be awarded a grant to conduct the study and a report combining all of the states will be released at the conclusion of the studies. Tennessee reviewed all sex offenders released as well as a sample of other offenders in the study. Approximately 1,000 offenders were studied by reviewing the database at the Department of Correction for returns/revocations and reviewing criminal history records from both the Tennessee Criminal History Repository and the records from the FBI’s National Crime Information Center (NCIC). The results of the study will be released by the Justice Research and Statistics Association as part of their multi-state study.

The unit also began the collection and analysis of data dealing with homicide clearances for the years 2005-2007 as part of the BJS funded study.

LAW ENFORCEMENT SUPPORT SERVICES

The Information Systems Division is responsible for providing criminal justice and law enforcement agencies within the State of Tennessee access to the Tennessee Criminal History Repository and the FBI's National Crime Information Center (NCIC). This is communicated using the Tennessee Information Enforcement System (TIES) network. Interstate access at the local, state and federal level is communicated using the International Justice and Public Safety Information Sharing Network (Nlets).

Information Systems Division personnel provide the administrative, managerial, and technical liaison service for over 356 agencies that comprise the TIES network. Currently, over 8,000 terminals, mobile units, and hand-held devices in the state access the TIES network. This unit is responsible for conducting triennial compliance audits and quality assurance checks of crime record data as required by applicable laws, rules, regulations and policies. During Fiscal Year 2007-2008, in accordance with the FBI Criminal Justice Information System (CJIS) Division mandates, 112 compliance audits were completed. Training classes were conducted as detailed in the chart below.

Training Attendance and Certification Fiscal Year 2007-2008	
Basic Certification.....	792
TLETA Recruit Training.....	406
In-Service Training	28
Terminal Agency Coordinator (TAC) Orientation.....	146
TAC Recertification Classes	245
TIES User Group Conferences.....	858
TIES Testing	3086
New Agency Meeting.....	81
Miscellaneous Training.....	870
Total.....	6,512

The TIES Network Operations Center is a part of the Information Systems Division. Ten employees work 12 ½ -hour shifts to monitor performance of the TIES network. These individuals provide technical support for local, state and federal agencies for connectivity via the state WAN backbone. They access NCIC, Nlets and the various Tennessee databases via the TIES. These personnel provide system maintenance and backup functions of all computer information systems housed at the Tennessee Crime Information Center (TCIC). The employees also assume the emergency communications responsibilities within the TBI after hours and on weekends.

Glossary of Acronyms

ACIST	Automated Criminal Intelligence System of Tennessee
ADA	Americans with Disabilities Act
AFIS	Automated Fingerprint Identification System
AIMS	Automated Information Management System
APU	Applicant Processing Unit
ASAC	Assistant Special Agent in Charge
ASCLD	American Society of Crime Laboratory Directories
CALEA	Commission on Accreditation for Law Enforcement Agencies, Inc.
CCH	Tennessee Criminal History File
CID	Criminal Investigation Division
CIU	Criminal Intelligence Unit
CJIS	Criminal Justice Information System
CRU	Criminal Records Unit
CSU	Crime Statistics Unit
DEA	Drug Enforcement Administration
DID	Drug Investigation Division
DUI	Driving Under the Influence
EEO	Equal Employment Opportunity
EPIC	El Paso Intelligence Center
FBI	Federal Bureau of Investigation
FinCEN	Financial Crimes Enforcement Network
FLIR	Forward Looking Infrared System
GTFME	Governor's Task Force on Marijuana Eradication
HCFA	Health Care Finance Administration
HIDTA	High Intensity Drug Trafficking Area
IASIU	Internal Association of Special Investigation Units
INTERPOL	International Criminal Police Organization
LAN	Local Area Network
LEIC	Law Enforcement Information Coordinator
LESU	Law Enforcement Support Unit
LIMS	Laboratory Information Management System
MFCU	Medicaid Fraud Control Unit
NAMFCU	National Association of Medicaid Fraud Control Units
NCAVC	National Center for the Analysis of Violent Crimes
NCIC	National Crime Information Center
N-DEx	National Law Enforcement Data Exchange
NHCAA	National Health Care Anti-Fraud Association
NIBRS	National Incident Based Reporting System
NICS	National Instant Check System
NLETS	National Law Enforcement Telecommunications Systems
OIR	Office of Information Resources
ONDCP	Office of National Drug Control Policy
POC	Point of Contact
POS	Point of Sale

RISS ----- Regional Information Sharing System
 ROCIC -----Regional Organized Crime Information Center
 RPU ----- Records Processing Unit
 SAC ----- Special Agent in Charge
 STOP----- Tennessee Orders of Protection File
 TABC -----Tennessee Alcoholic Beverage Commission
 TAPS----- Tennessee Applicant Processing Services
 TBCI ----- Tennessee Bureau of Criminal Identification
 TBI ----- Tennessee Bureau of Investigation
 TCA -----Tennessee Code Annotated
 TCIC ----- Tennessee Crime Information Center
 TCIS----- Tennessee Crime Information System
 THP ----- Tennessee Highway Patrol
 THUMP----- Tennessee Homicide, Unidentified Bodies and Missing Persons File
 TIBRS----- Tennessee Incident Based Reporting System
 TICS----- Tennessee Instant Check System
 TIES----- Tennessee Information Enforcement System
 TnCOP ----- Tennessee Crime Online Portal
 TNG -----Tennessee National Guard
 TORIS ----- Tennessee Open Records Information Services
 TRAP -----Tennessee Repository for the Apprehension of Persons
 UCR ----- Uniform Crime Reporting
 VICAP -----Violent Criminal Apprehension Program



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