

Tennessee Bureau of Investigation
Mark Gwyn, Director

Annual Report

Fiscal Year 2008-2009



Internationally Accredited since 1994



That Guilt Shall Not Escape Nor Innocence Suffer



PHIL BREDESEN
Governor

TENNESSEE BUREAU OF INVESTIGATION

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Mark Gwyn
Director

September 25, 2009

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 2008-2009 Annual Report of the Tennessee Bureau of Investigation. The year was rewarding as well as challenging 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 technically advanced investigative and forensic services, while simultaneously staying focused on the basics of fighting crime effectively. During 2009, the TBI opened a regional consolidated facility in Knoxville, to serve the upper east part of the state. For the first time, employees in each division of TBI are housed under one roof leading to a more efficient way of doing business. TBI now has a consolidated facility in West, Middle and East Tennessee.

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



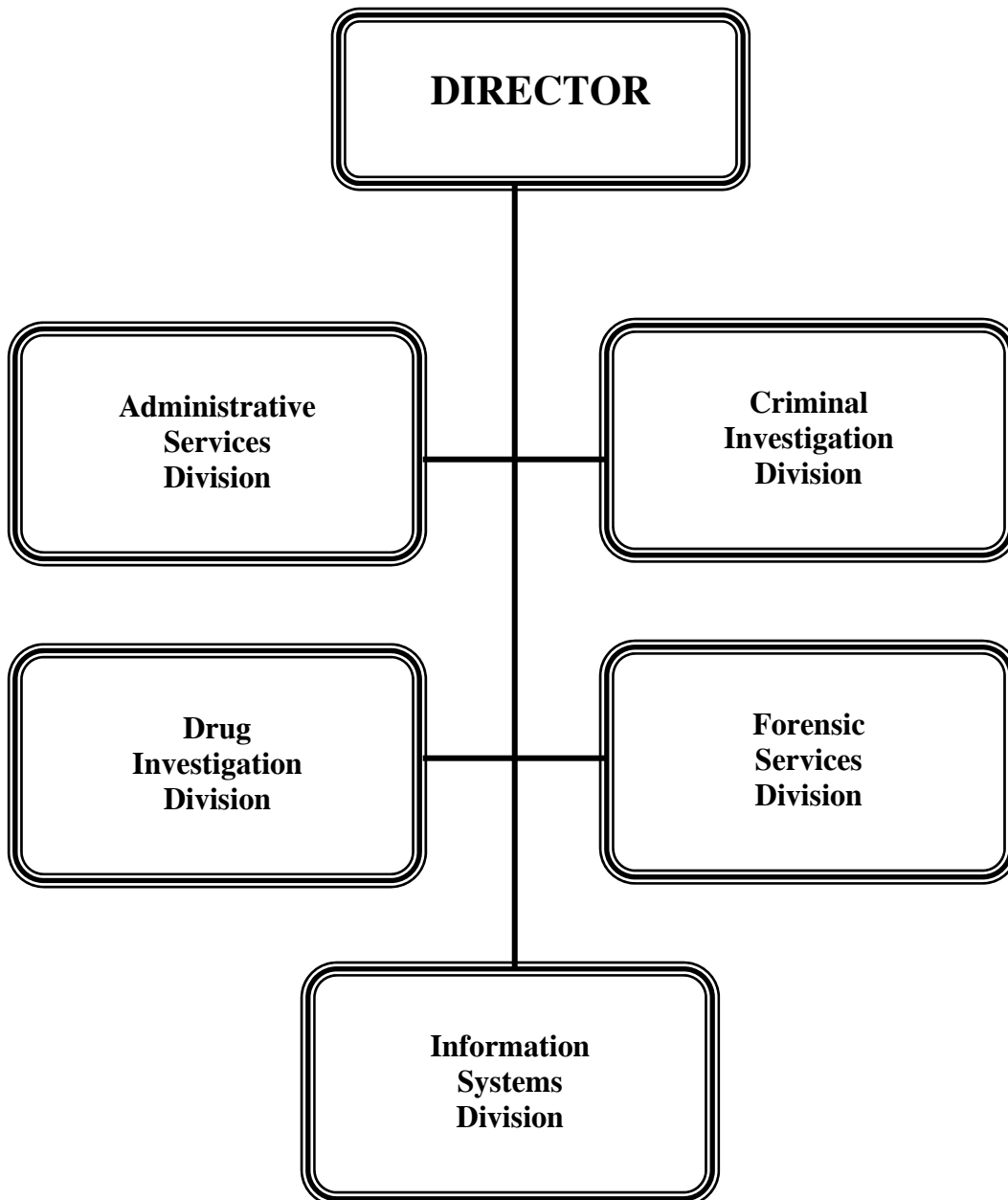
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TENNESSEE BUREAU OF INVESTIGATION ORGANIZATIONAL CHART



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 2008-2009

- 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, 2009, a total of 218 fugitives have been captured since the program began in 1992 and 29 were apprehended during the Fiscal Year.
- The Tennessee Bureau of Investigation opened its newly constructed TBI Regional Consolidated Facility in Knoxville. For the first time in TBI history, all divisions of TBI in East Tennessee are under one roof. The 33,000 square foot building brings together 62 employees from TBI's Upper East Criminal Investigation Division, Drug Investigation Division, Medicaid Fraud Control Unit and the Forensic Services Division. The Upper East Division serves 21 counties and eight judicial districts. The consolidated facility will streamline the investigative process as it did for TBI in West and Middle Tennessee, the locations of the other consolidated facilities. The crime laboratory handles four disciplines: blood alcohol, drug chemistry, serology/DNA and toxicology. Construction on the building began in 2007 and employees began moving in early 2009. A grand opening ceremony for East Tennessee law enforcement including District Attorneys General, Sheriffs, Chiefs and legislators was held in the summer of 2009.
- The TBI Instant Check Unit (TICS) processed 305,348 firearm transactions during the Fiscal Year. The unit was able to identify 257 wanted persons and find 288 stolen firearms.
- The DNA Unit continued submitting samples to the national CODIS database. A total of 116,072 profiles have been accepted and 98 investigations throughout the state and nation were aided during the Fiscal Year.
- The Criminal Investigation Division had 1,611 active cases as of June 30, 2009. A total of 166 defendants were convicted and division staff arrested or assisted in the arrests of 922 fugitives and non-compliant sex offenders during the Fiscal Year.
- The Drug Investigation Division had 583 active cases as of June 30, 2009. The division arrested a total of 486 drug offenders and obtained 396 convictions on drug related charges.
- Agents of the Drug Investigation Division, independent of the Governor's Task Force on Marijuana Eradication, seized or purchased 4,760 grams of crack cocaine; 24,802 grams of powder cocaine; 2,994.91 pounds of bulk marijuana; 2,191 marijuana plants; 4,199 grams of methamphetamine; 13 methamphetamine labs. Also seized were 34,306 dosage units of illegally diverted prescription pharmaceuticals; 4,193

units of ecstasy; 2,409 grams of heroin; 1,060 dosage units of steroids; and 222 grams of ephedrine.

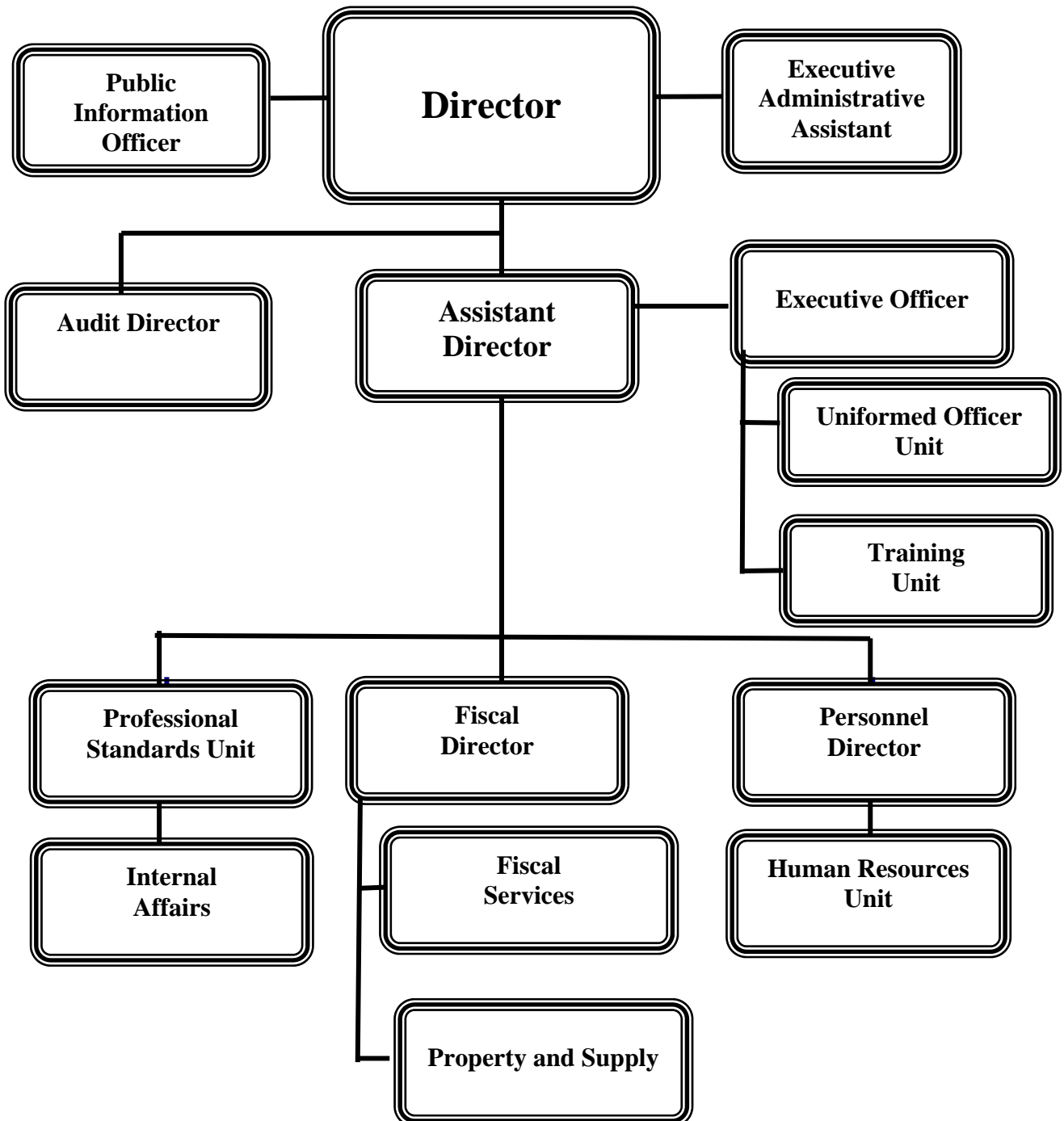
- TBI's share of currency seized was \$331,315.14, which constituted either proceeds of drug trafficking or funds used to facilitate drug trafficking.
- The Forensic Services Division conducted a total of 269,993 laboratory tests on 82,720 pieces of evidence received in cases during the Fiscal Year.
- Bureau personnel conducted various classes providing training for 6,020 people from different law enforcement agencies with a total of 1,401 classroom hours during the Fiscal Year.
- The Information Systems Division received a total of 546,822 fingerprint cards during the Fiscal Year. A total of 232,198 dispositions were processed as well.
- The Sex Offender Registry program continued operation. As of June 30, 2009 approximately 12,866 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 7,011 law enforcement personnel either received training or were tested for to fulfill certification requirements for NCIC during the Fiscal Year.
- A total of 2,980 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 by improving processing time and providing access to more types of data.
- The Tennessee Open Records Information Services (TORIS) processed 70,522 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 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 6020 people from law enforcement agencies with a total of 1401 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, and an administrative assistant 3, 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 2008-2009, 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 2008-2009, PSU attorneys provided legal instruction for TBI employees on a number of

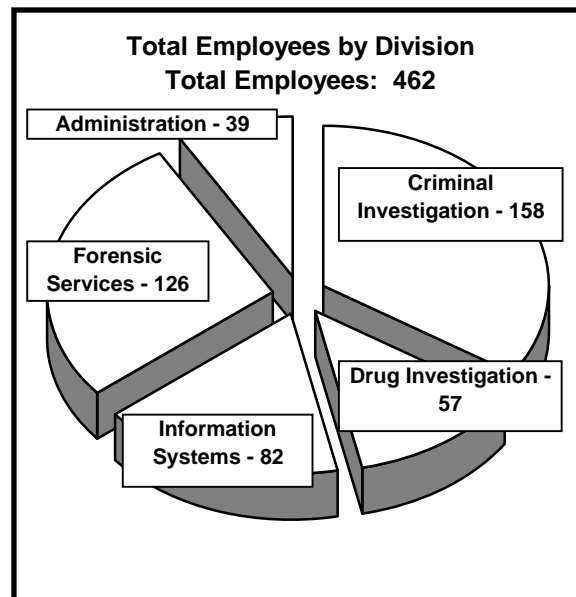
occasions and conducted several classes for the benefit of outside agencies as well. All TBI employees were trained on Workplace Harassment Prevention during the year as well.

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 2008-2009, the PSU oversaw four internal affairs investigations. These investigations resulted in two suspensions, 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 2008-2009 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 the Tennessee Meth Task Force. 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 2008-2009**

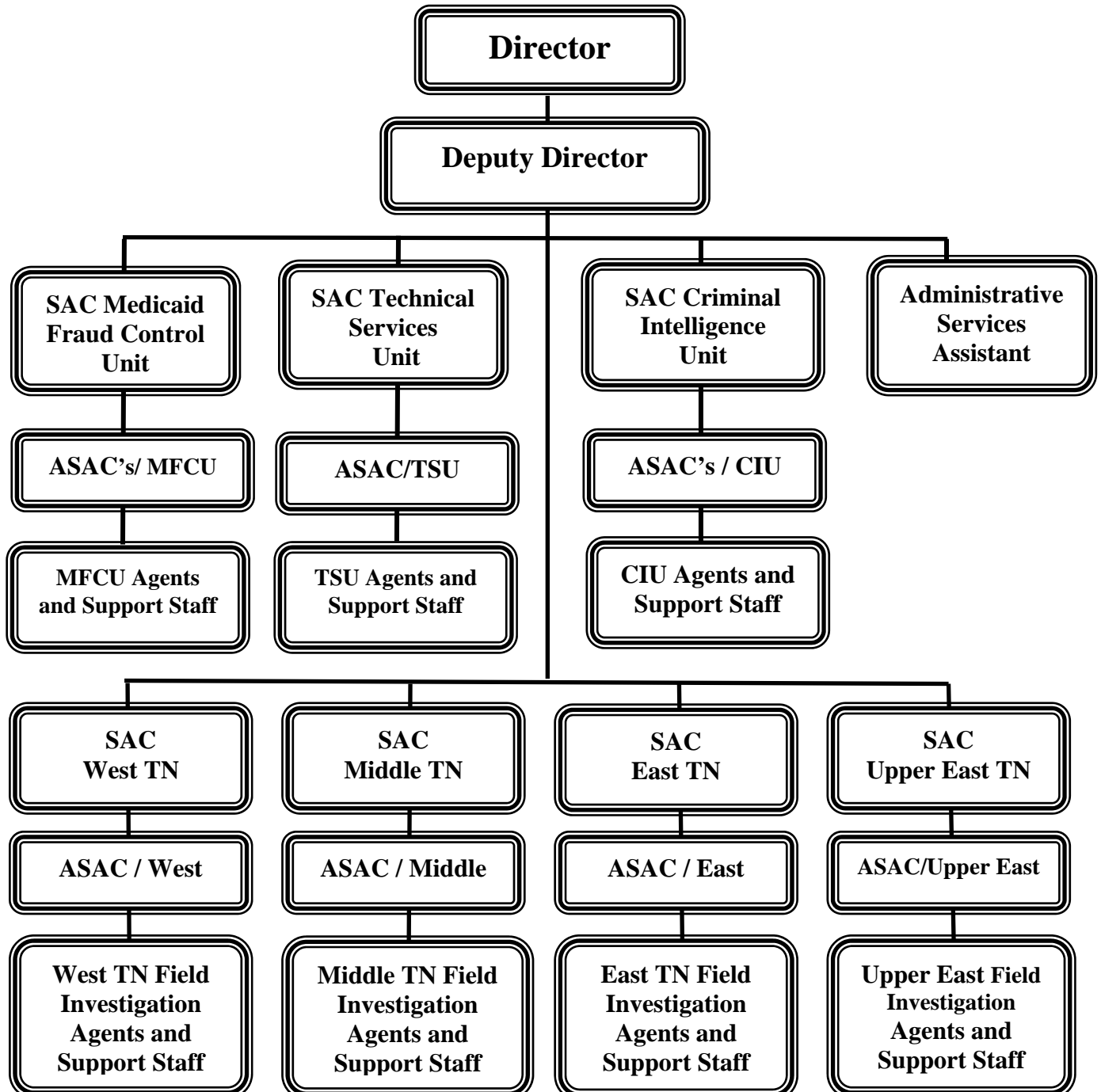
| | Administration | Criminal Investigation | Drug Investigation | Forensic Services | Information Systems | Total |
|------------------------|-----------------------|-----------------------------------|-------------------------------|------------------------------|--------------------------------|---------------------|
| Salaries | \$2,107,765 | \$ 7,896,129 | \$3,266,005 | \$5,869,425 | \$3,106,530 | \$22,245,854 |
| Longevity | 57,141 | 267,218 | 101,063 | 149,891 | 118,060 | 693,373 |
| Overtime | 37,674 | 205,781 | 245,580 | 228,323 | 136,194 | 853,552 |
| Benefits | 813,914 | 3,277,771 | 1,357,634 | 2,410,463 | 1,319,532 | 9,179,314 |
| Sub-Total | \$3,016,494 | \$11,646,899 | \$4,970,282 | \$8,658,102 | \$4,680,316 | \$32,972,093 |
| Travel | \$95,192 | \$476,045 | \$293,635 | \$150,339 | \$37,113 | \$1,052,324 |
| Printing | 19,315 | 17,080 | 7,229 | 14,854 | 6,280 | 64,758 |
| Utilities | 4,487 | 4,555 | 6,692 | 2,927 | 0 | 18,661 |
| Communication | 172,387 | 50,629 | 45,883 | 20,491 | 46,590 | 335,980 |
| Maintenance | 20,688 | 115,109 | 67,349 | 370,505 | 808,258 | 1,381,909 |
| Professional Non-State | 148,094 | 433,956 | 160,231 | 630,534 | 3,706,519 | 5,079,334 |
| Supplies | 218,833 | 219,619 | 124,456 | 1,795,790 | 165,403 | 2,524,101 |
| Rental | 3,075,333 | 584,577 | 208,394 | 1,610,165 | 53,783 | 5,532,252 |
| Motor Vehicle | 10,539 | 28,226 | 8,949 | 6,828 | 0 | 54,542 |
| Awards | 3,079 | 2,700 | 0 | 0 | 0 | 5,779 |
| Grants and Subs | 716,714 | 5,077,909 | 1,951,210 | 34,475 | 34,469 | 7,814,777 |
| Unclassified | 115 | 48,232 | 396,520 | 87 | 0 | 444,954 |
| Equipment | 16,470 | 49,717 | 0 | 904,987 | 0 | 971,174 |
| Professional State | 254,562 | 856,251 | 458,990 | 291,510 | 2,049,579 | 3,910,892 |
| Sub-Total | \$4,755,808 | \$7,964,605 | \$3,729,538 | \$5,833,492 | \$6,907,994 | \$29,191,437 |
| Grand Total | \$7,772,302 | \$19,611,504 | \$8,699,820 | \$14,491,594 | \$11,588,310 | \$62,163,530 |
| Funding sources | | | | | | |
| Appropriations | \$3,939,201 | \$11,346,963 | \$6,592,363 | \$14,024,231 | \$291,278 | \$36,194,036 |
| Federal Revenue | 1,652,444 | 7,323,303 | 1,839,704 | 371,619 | 21,621 | 11,208,691 |
| Current Services | 2,141,564 | 156,326 | 256,201 | 165 | 10,080,336 | 12,634,592 |
| Departmental Interest | 4,808 | 0 | 0 | 0 | 0 | 4,808 |
| Interdepartmental | 34,285 | 784,912 | 11,552 | 95,579 | 1,195,075 | 2,121,403 |
| Total | \$7,772,302 | \$19,611,504 | \$8,699,820 | \$14,491,594 | \$11,588,310 | \$62,163,530 |



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 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, fugitive apprehension and criminal official misconduct. 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, 2009, the Criminal Investigation Division had 1,611 active cases. During the Fiscal Year, the Division's agents provided 275 investigative assists to local, state, and federal law enforcement agencies. During this time period the Criminal Division opened 1,084 cases, closed 1,944 cases and convicted 166 defendants, and either arrested or assisted in the arrest of 922 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 investigations 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, 2008 to June 30, 2009, the Field Investigation Unit opened 572 cases and closed 593 cases. The Field Investigation Unit had 821 active cases as of June 30, 2009. During that same period, the unit convicted 130 defendants.

The Field Investigation Unit was involved in the investigation of a variety of cases during the Fiscal Year, including 111 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 419 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 Memphis with a satellite office in Jackson. 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 Criminal Investigation Division of the Tennessee Bureau of Investigation (TBI), was created in 1984 with a staff of twelve and has grown to a staff of thirty-four 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 259 abuse, neglect, and patient fund theft reports or referrals. All incoming referrals undergo preliminary inquiry and of the 259 referrals, 35 viable cases were opened for further investigation. During this time period the MFCU also referred 75 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 19 convictions and 22 indictments on abuse related cases.

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 the 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 prosecuted federally.

During the past twelve months, the MFCU opened 31 fraud cases and closed 26. (The staff attorney is assigned to 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. During the past year the MFCU had nine indictments and fifteen convictions in various fraud cases.

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 \$ 279.9 million in fraud and has spent approximately \$ 38.6 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 \$ 71.2 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 \$4.3 million with the state share being approximately \$ 1.09 million.

Criminal Intelligence Unit/Tennessee Fusion Center

The Criminal Intelligence Unit (CIU/TFC) 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 throughout 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 one Special Agent in Charge and two Assistant Special Agents in Charge. The Tennessee Department of Correction, the Governor's Office of Homeland Security, ROCIC, ATF, Probation and Parole, Federal Homeland Security, 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 218. There were 29 Top Ten fugitives apprehended during the 2008 – 2009 Fiscal Year. Newspapers and television stations 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 state and 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 \$ 6,007,093 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, et. seq. 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, 2009, there were 12,866 sex offenders registered in Tennessee. All offenders, required to register

under T.C.A. §40-39-201, *et. seq.*, are listed on the public access sex offender web-site. The Tennessee Bureau of Investigation has provided law enforcement with approximately 350 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 38 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. 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 and

missing children throughout Tennessee and other states as necessary. Since the inception of the Amber Alert program in Tennessee, there have been 47 activations performed by the TBI. During the 2008 – 2009 Fiscal Year, there were 8 activations.

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 108 missions were flown during Fiscal Year 2008 - 2009. These missions were all 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.

Criminal Intelligence Unit/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 2008 – 2009 Fiscal Year the TFC has generated twelve open source bulletins as well as twelve Law Enforcement Sensitive (LES) bulletins. Additionally, the unit has produced six gang intelligence bulletins and one comprehensive statewide gang report. The TFC has also written 70 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 21 requests for information (RFIs) during the Fiscal Year. TFC employs eight 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 State Trooper, one ROCIC liaison, one ATF analyst, 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 2008 - 2009 Fiscal Year the Criminal Intelligence Unit completed 118 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 2008-2009 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 with statewide jurisdiction. These task forces are now up and running, with four TSU Special Agents assigned full-time. These agents handled 97 leads regarding online victimization of children during the last fiscal year, resulting in 26 cases referred for prosecution and numerous others still under active investigation.

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 2008-2009, TSU personnel analyzed 366 different pieces of evidence from 207 cases. 87 of these cases (42%) were TBI cases; the other 120 (58%) were worked for other federal, state, and local agencies. Of the 366 exhibits examined, 73% were computers or related media; 12% were mobile devices such as cell phones; 4% were audio enhancements; and 11% were video enhancements. 36% of the cases involved some form of child exploitation; 11% were death investigations, and 6% 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.

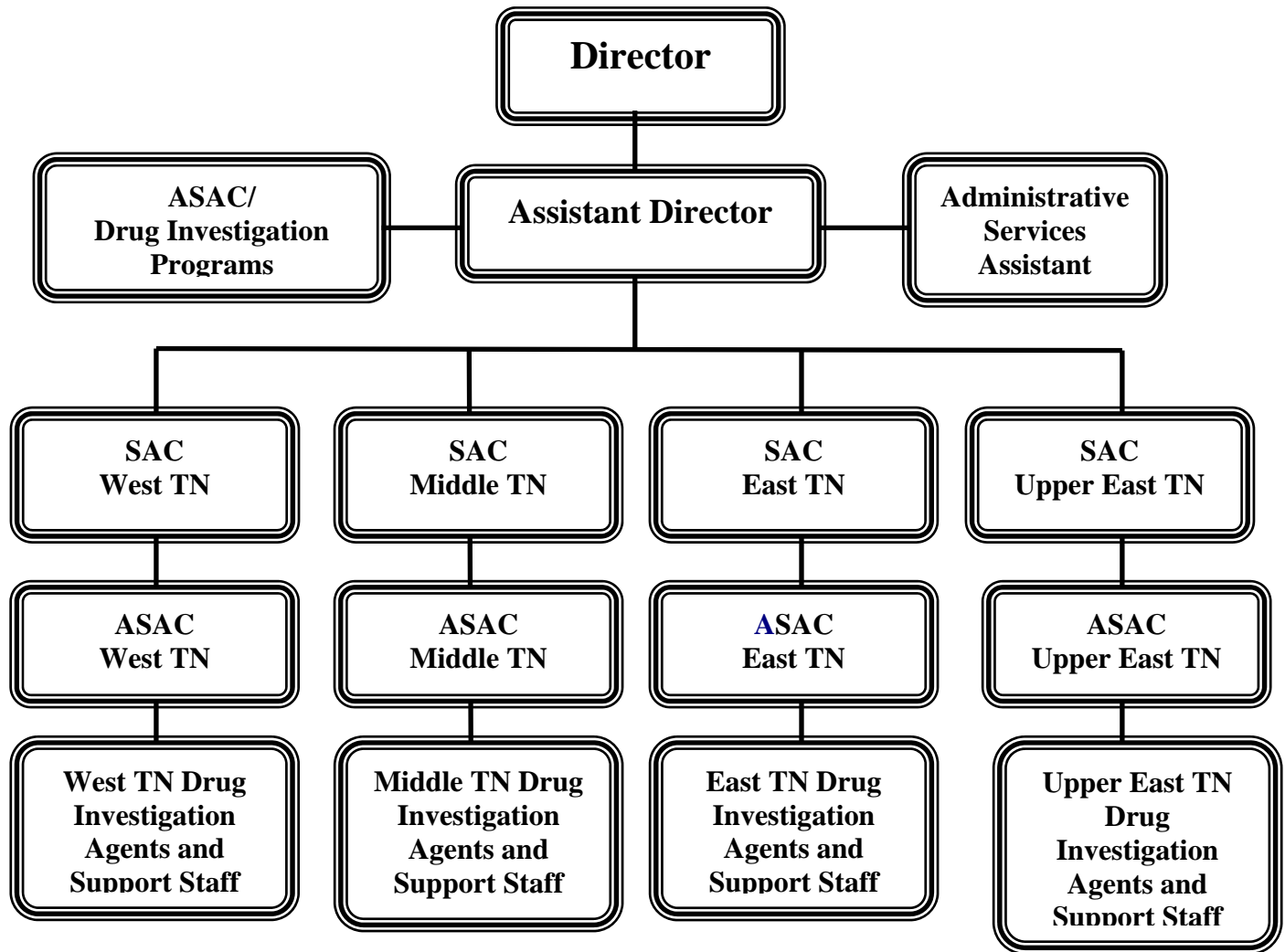
TSU personnel continue to work to help define their own mission by pursuing any avenues where advanced electronic and information technologies can be leveraged to make law enforcement's investigative performance more effective, efficient, and responsible throughout Tennessee.



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 investigating 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 initiate and investigate 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 High Intensity Drug Trafficking Areas (AHIDTA) 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. In April 2007, the Tennessee Methamphetamine Task Force (TMTF) 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. During the fiscal year, the DID lost a Special Agent in Charge position as a result of the State offered buyout program. This SAC position was responsible for coordinating with other agencies to provide methamphetamine certification and recertification training as well as other methamphetamine related training. The duties of this position were taken over by the Tennessee Methamphetamine Task Force Director and other members of the TMTF.

The Drug Investigation Division had 583 active cases as of June 30, 2009. The Division opened approximately 265 cases and closed 252. From July 1, 2008 to June 30, 2009, TBI Special Agents assigned to the Drug Investigation Division arrested a total of 486 drug offenders and obtained 396 convictions on drug-related charges. Agents of the Division seized or purchased 4,759.93 grams of crack cocaine; 24,801.90 grams of powder cocaine; 2,994.91 pounds of bulk marijuana; 2,191 marijuana plants; 4,198.34 grams of methamphetamine, and 13 methamphetamine labs. Also seized were 4,193 dosage units of ecstasy, and 2,409 grams of heroin. Additionally, 34,306 dosage units of prescription drugs were seized. TBI's share of currency seized totaled approximately \$331,315.14, which constituted either proceeds of drug trafficking or funds used to facilitate drug trafficking. TBI also shared in the seizures of 53 vehicles and two real properties, eleven motorcycles, one ATV, collectible silver bars, silver rounds and coin sets, one cargo trailer and four 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

During this fiscal year, the Tennessee Bureau of Investigation assumed the responsibility as the grantee agency for the Tennessee Methamphetamine Task Force. The Tennessee Methamphetamine Task Force (TMTF) 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 statewide Director who is employed by TBI and Executive Board that coordinates the efforts of regional Task Forces operating in the East, Middle and Western Federal

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 statewide mission.

During the reporting period, task force members responded and processed more than 1,018 meth seizure incidents. This was an increase of approximately 57% over the same period the previous year. There were six regional and five state-wide meetings held to share information, foster partnerships, dispense personal protective equipment, and implement state-wide efforts. TBI/TMTF sponsored training provided specialized training for 1,568 officers of which 112 received clan lab certification; 767 received Tennessee Methamphetamine Intelligence System/Precursor (TMIS/PSE) training, 328 law enforcement officers were re-certified, 38 completed the Advanced Meth Investigation Course, 25 attended the new Tactical Clan Lab Entry School, while 35 were certified with the new mobile GE Itemizer dual drug and explosives detection unit. All applicable participants are issued personal protective equipment, training & job aids as well as equipment used in the collection of evidence. To help address the increase in gang activity, the TMTF co-sponsored a Gang/Violence Conference where more than 215 law enforcement officers received specialized training on ways to enhance the detection, investigation and prosecution of violent gangs. In conjunction with the Tennessee National Guard-Counter Drug Task Force, the TMTF conducted 99 public education/awareness missions, reaching over 17,000 people; educating them on the ills of meth use, distribution, production and violence to first responders and children & social service groups.

The TMTF currently has eleven incident response vehicles (plus one educational vehicle and display trailer), which were utilized for meth labs seizures, store purchase log collection, law enforcement operational support and assistance with selected educational missions. All vehicles possess tracking capabilities, and mobile wireless internet which enables investigators direct access to the secure Internet-Based TMIS database. The TMTF has made significant steps to increase the number of national chain pharmacy retailers submitting precursor purchase information electronically to 1813 stores; greatly improving the availability and efficiency of the information. This has led to over 300 notifications to law enforcement of suspicious precursor purchases at the time of sale. The TMTF has also expanded its pharmacy portal, enabling 175 more stores to report PSE sales information at the time of the sales transaction. In addition, numerous secure on-line services and/or reports were implemented, such as: a purchases exceeded report, one touch yield calculation, associates report, Bulletin, on-line quarantine and a public website which enables the lab seizure and quarantine searches. In addition, the TMIS remains to be the sole means for law enforcement to report meth lab seizures to El Paso Intelligence Center (EPIC), and monitor store purchase logs. TMTF has become the first reporter of suspicious PSE sales to EPIC, thus enabling real information sharing across the country. The MethWatch Database maintained by TBI has been merged into TMIS. This increase of records makes TMIS a more comprehensive source of meth related information for law enforcement to use. TMTF has successfully installed and has begun testing the new geographic information system (GIS) software mapping tool ARCGIS

server in the Tennessee Fusion Center. This tool will further enhance law enforcement's ability to identify criminal activity hotspots, officer-training needs, and assist in strategic intelligence analysis.

The TMTF hopes to expand its partnership with Tennessee Department of Children Services by establishing protocols with DCS' Child Protective Service (DCS) for notification anytime there is information or incident involving meth. To further assist, TMTF has added new technologies such as more than 100 laptops for law enforcement, ten mobile fingerprint identification units and four ion scanners in the effort to protect children, law enforcement and the communities as well as enhance the prosecution of meth offenders. There were 178 GE Ion scan missions, doubling the number from the previous reporting period. This, in conjunction with the TMTF/PSE and Community Outreach- Drug Awareness Initiative has proven to be a very valuable and effective tool. The need for community outreach – drug awareness training and advanced technologies such as the GE Ion scanner is most evident in the area of drug endangered children. During the reporting period, the TMTF recorded 143 children residing in homes where hazardous meth labs were encountered by law enforcement. This is a 35% increase over the previous reporting period, resulting in 99 children exposed, 2 injured and 69 children removed and placed in protective custody. The TMTF is a positive and viable resource, relied upon by not only law enforcement, but other multi-discipline services statewide.

In May 2005, a Methamphetamine Training Coordinator 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. Effective July 1, 2008, the duties of this position were taken over by the TMTF Director and other members of the TMTF. During the past Fiscal Year, the TMTF provided the following training:

- Two (2) Basic Methamphetamine Certification classes. A total of one hundred and twelve (112) students from sixty-eight (68) different departments received basic clandestine methamphetamine laboratory certification.
- Nine (9) Meth lab re-certification courses were held with a total of three hundred and twenty-eight (328) officers from thirty-two (32) different departments attending the course.
- One (1) Advanced Methamphetamine Investigation class. A total of thirty-eight (38) students from twenty-four (24) different agencies attended this training.
- One (1) Judges and Prosecutors Symposium. A total of fifty-one (51) judges and prosecutors representing twenty-six (26) agencies attended this training.
- One (1) Tactical Clan Lab Entry training. A total of twenty-four (24) students from sixteen (16) agencies attended the course
- One (1) Co-sponsored Gang / Violence Conference. A total of two hundred and eighteen (218) officers from across the state were able to attend the conference.
- Ninety-nine (99) Methamphetamine awareness briefings were provided to over seventeen thousand (17,000) different people at various locations across the state.

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 been 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 can include healthcare practitioners and patients, pain management clinics, traditional pharmacies, and Internet pharmacies.

The Tennessee Statewide Drug Diversion 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 has developed four regional task forces across the state. The efforts of these task forces will be to investigate and curtail this ever growing problem.

During the fiscal year, 34,306 dosage units of prescription drugs were seized, which included 1,060 dosage units of steroids, 1,034 dosage units of alprazolam, 145 dosage units of dilaudid, 5,577 dosage units of hydrocodone, 1,593 dosage units of loritab, 39 dosage units of methadone, 282 dosage units of morphine, 5,207 dosage units of oxycodone, 2,344 dosage units of oxycontin, 2,274 dosage units of soma and 194 dosage units of valium. 222 grams of ephedrine were also seized.

Drug Endangered Children

In 2005, the Tennessee Alliance for Drug Endangered Children (TADEC) was created. 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 Covington and Nashville respectively, provided awareness training to relevant stakeholders in the fifteenth, eighteenth, twentieth, twenty-fifth, twenty-sixth, and twenty-eighth judicial districts encompassing a total of seventeen 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 sixty-one 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 79 cases and made 418 arrests. These task forces were responsible for the seizure of 1,125 pounds of processed marijuana. Additionally, 55 firearms and 71 vehicles, valued at a total of \$1,009,501 were seized. Totals of \$913,105 in real property and \$2,121,476 in currency were also seized. Investigations in which these agents were involved resulted in the seizure of 29,445 grams of cocaine, 2,315 grams of crack cocaine, 548 grams of heroin, 6,954 prescription pills, 2,216 grams of methamphetamine and 901 grams of methamphetamine ICE. These agents assisted in the execution of 72 search warrants in conducting 38 Title III telephone intercepts and 104 pen registers.

Currently, the DID Assistant Director serves as 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 (as well as other agents assigned to the task force), 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 39 investigations and closed 54, disrupting five drug trafficking organizations and dismantling five. A total of 174 people were arrested, 29 vehicles and over \$1,503,015 in currency and other assets were seized by the task force. Additionally, 52 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 2008–2009, the GTFME investigative personnel were instrumental, with the assistance of local and federal agencies, in eradicating 207,483 outdoor marijuana plants found in 3,500 plots. There were 135 plants eradicated from indoor grow operations. These law enforcement personnel also seized 4 pounds of processed

marijuana that was ready for sale on the streets. They made 39 arrests and encountered one booby trap. They also seized \$15,400 and 4 firearms.

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, 2009, there were only 43 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 as many as four certified agents or officers 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 with their investigative initiatives being controlled by HIDTA. This is separate from the 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.

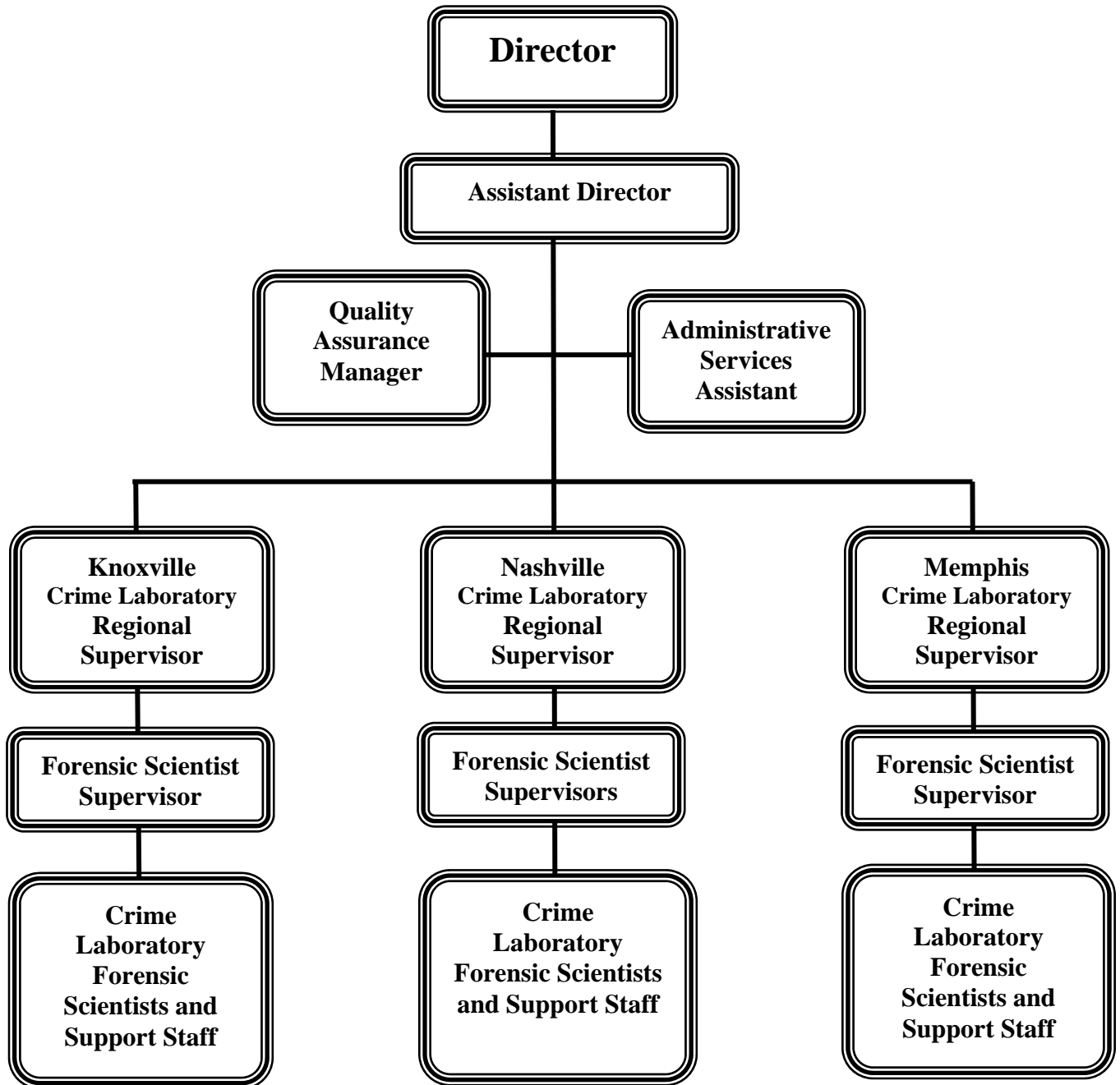
It should be noted that while conspiracy investigations are the growing trend in the Drug Investigation Division, the Division continues to render assistance to sister law enforcement agencies in whatever form the needs of those agencies take.



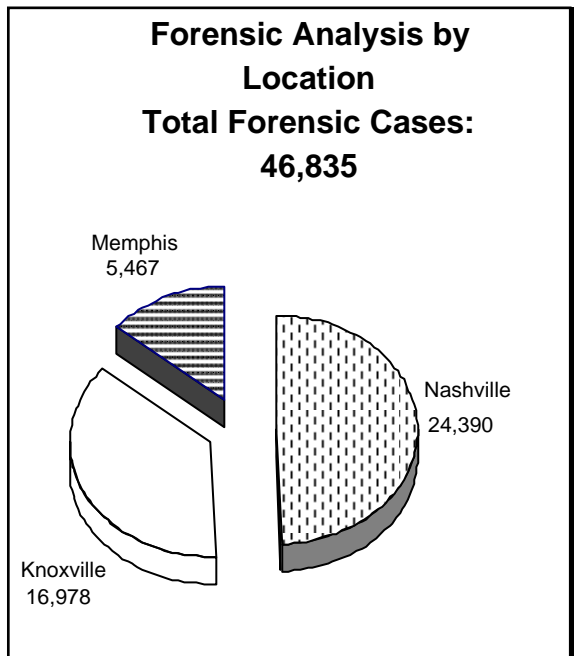
FORENSIC SERVICES DIVISION



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 46,835 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 128,637 convicted offender samples and 17,636 arrestee samples on file. In February 2002, the TBI DNA Unit began submitting samples to the national database; 116,072 profiles have been accepted. This year 98 investigations throughout the state and nation have been aided through the use of this database. During the Fiscal Year, a total of 13,541 specimens from convicted offenders were received by the DNA/Serology Unit for submission to the CODIS database.

Knoxville Laboratory

The Knoxville Laboratory relocated to a new facility in January 2009. 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.

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|--|
| <p style="text-align: center;">Forensic Analysis by Case Fiscal Year 2008–2009 Total Number of Cases Completed – 46,835</p> |
|--|

| | | | |
|-----------------------------|---------------|---------------------------|--------------|
| Nashville Laboratory | 24,390 | Memphis Laboratory | 5,467 |
| Drug Identification | 9,771 | Drug Identification | 2,631 |
| Alcohol | 6,803 | Alcohol | 1,615 |
| Toxicology | 3,056 | Toxicology | 702 |
| Serology/DNA | 1,206 | Serology/DNA | 431 |
| Firearms Identification | 1,022 | Firearms | 88 |
| Microanalysis | 885 | | |
| Latent Prints | 1,647 | | |
| Knoxville Laboratory | 16,978 | | |
| Drug Identification | 9,584 | | |
| Alcohol | 4,581 | | |
| Toxicology | 2,410 | | |
| Serology/DNA | 403 | | |

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|---|
| <p align="center">Forensic Analysis by Test Fiscal Year 2008—2009 Total Number of Exhibits Tested – 82,720 Total Number of Tests Conducted – 269,993</p> |
|---|

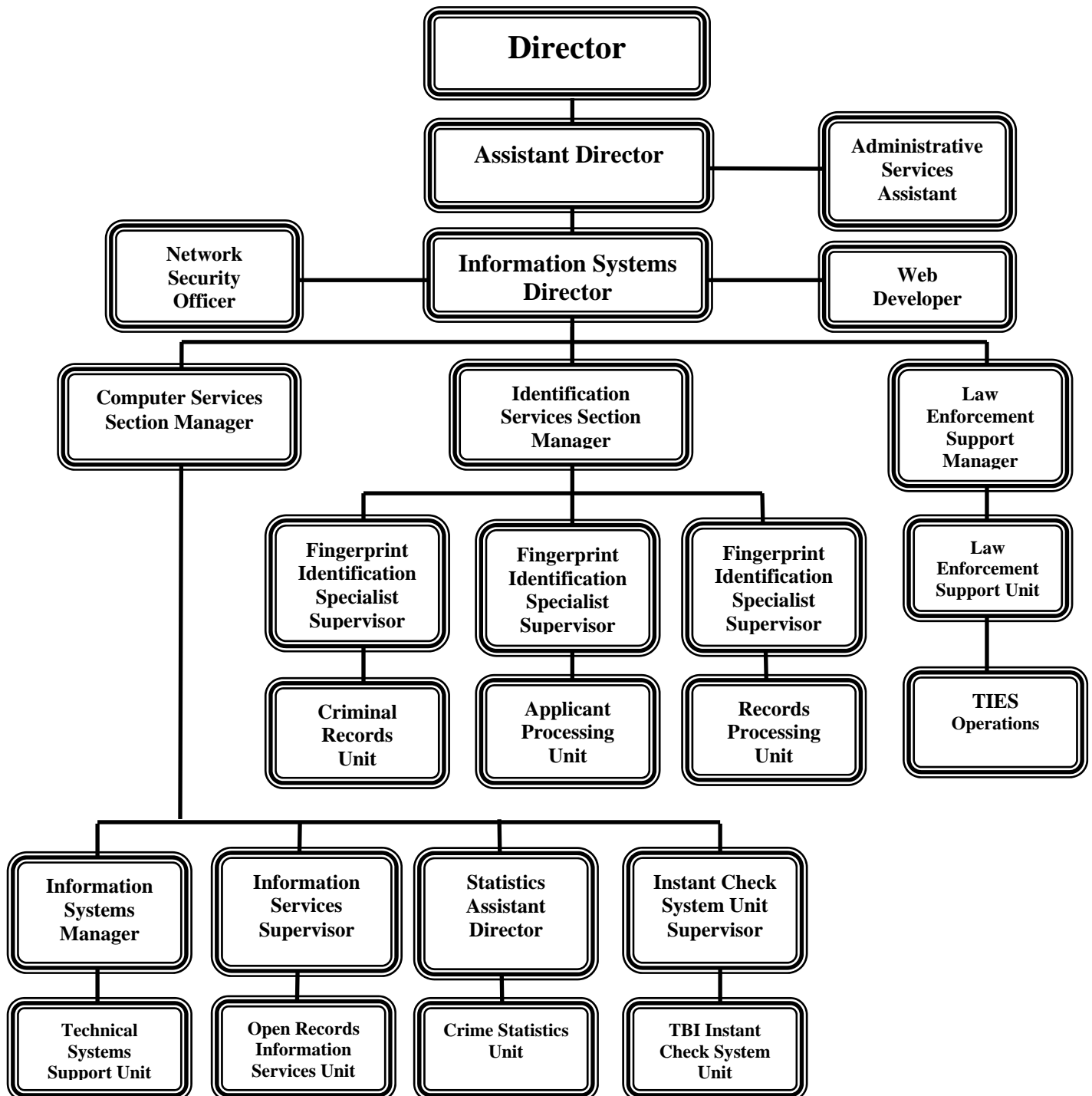
| <u>Laboratory</u> | <u>Exhibits</u> | <u>Tests</u> |
|--------------------------|------------------------|---------------------|
| Nashville | 47,230 | 161,894 |
| Drug Identification | 15,017 | 41,555 |
| Alcohol | 6,826 | 8,363 |
| Toxicology | 3,095 | 14,396 |
| Serology/DNA | 5,281 | 35,822 |
| Firearms Identification | 11,340 | 14,077 |
| Microanalysis | 2,020 | 16,822 |
| Latent Prints | 3,651 | 30,859 |
| Knoxville | 26,100 | 70,270 |
| Drug Identification | 16,470 | 36,144 |
| Alcohol | 5,044 | 5,044 |
| Toxicology | 3,328 | 11,158 |
| Serology/DNA | 1,258 | 17,924 |
| Memphis | 9,390 | 37,829 |
| Drug Identification | 3,736 | 11,904 |
| Alcohol | 1,615 | 1,615 |
| Toxicology | 692 | 3,383 |
| Serology/DNA | 1,816 | 17,558 |
| Firearms Identification | 1,531 | 3,369 |



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 546,822 fingerprint submissions during Fiscal Year 2008 – 2009. 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 71% (388,058) of the submissions received. Civil applicant prints accounted for the remaining 29% (158,764) 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 28,706 expungement orders in Fiscal Year 2008 – 2009.

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 19,930 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 232,198 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 2008 – 2009, TICS processed 305,348 total firearm transactions. Of those, 292,252 (96%) were approved and 12,973 (4%) were denied for one or more reasons, and 94% of all transactions were processed in 15 minutes or less. TICS identified 257 wanted persons and 288 stolen firearms in fiscal year 2009, 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 2008 – 2009, the TORIS unit processed 70,522 requests for criminal background information.

Crime Statistics Unit

The Crime Statistics Unit (CSU), made up of the Statistics Assistant Director, Law Enforcement Information Coordinators and Statistical Analysts, continued operation of the statewide Uniform Crime Reporting (UCR) Program known as the Tennessee Incident Based Reporting System (TIBRS) Program. As of June 30, 2009, all law enforcement agencies were submitting and all but four agencies were certified. All colleges/universities were in compliance with the exception of one.

The unit worked on several projects during the year. The unit released the four annual crime statistics reports in the spring of 2009. These reports included 2008 Crime in Tennessee, 2008 Crime on Campus, 2008 Hate Crime, and 2008 Law Enforcement Officers Killed or Assaulted.

The unit continued to support the development, installation and training for the software deployment of the new web-based RMS known as the Tennessee Crime Online Portal (TnCOP) which replaced the desktop version of the free TIBRS software developed by TBI staff years ago. The unit provided training to 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 enhanced processing speed of reports as well as more efficient methods to generate quality control issue reports. The site provides the capability for agencies and the public to design their own reports and download data from the site.

The TBI conducted 179 audits of local law enforcement agencies' TIBRS data. The unit completed the audit of all agencies, colleges and universities for the three year cycle which ended in December 2008. The audit results from the FBI audit were received and the program was in compliance with all areas reviewed.

A total of 2,980 persons received training from TBI staff during the fiscal year for TIBRS. The number of classes held during the year was 94 which included the annual TIBRS conference. The TBI continues to provide training on general data collection

practices and use of the software developed by TBI. Development began on computer based training modules which will provide instruction for the Tennessee Fusion System.

The unit released a study providing details of crimes occurring in schools below the college level. This study was released in May. The unit also completed a draft of results from a study of offenders with repeat arrests for DUI, Robbery or Rape from 2002 – 2007. This study was based on data obtained from the Tennessee Criminal History Repository.

The last study involved a review of incidents reported by law enforcement from 2003-2005 that occurred at a medical facility or pharmacy. Tennessee was one of several states selected to participate in the study and provided the results to the Justice Research Statistics Association who will be compiling the data and releasing the results for NIOSH and the CDC.

The unit worked with the FBI to begin the process to submit data to the FBI's Law Enforcement National Data Exchange (N-DEx) program. The data in the central database was mapped to the FBI's N-DEx model by the FBI with assistance of TBI staff.

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 360 agencies that comprise the TIES network. Currently, over 11,000 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 2008–2009, in accordance with the FBI Criminal Justice Information System (CJIS) Division mandates, 93 compliance audits were completed. Training classes were conducted as detailed in the chart below.

| Training Attendance and Certification Fiscal Year 2008-2009 | |
|--|--------------|
| Basic Certification | 424 |
| TLETA Recruit Training..... | 152 |
| In-Service Training | 52 |
| Terminal Agency Coordinator (TAC) Orientation..... | 120 |
| TAC Recertification Classes | 379 |
| TIES User Group Conferences..... | 787 |
| TIES Testing | 4,802 |
| New Agency Meeting..... | 38 |
| Miscellaneous Training..... | 257 |
| Total | 7,011 |

The TIES Network Operations Center is a part of the Information Systems Division. Nine 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 Directors |
| 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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