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Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Evaluation Report

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Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Evaluation Report

October 23, 2013

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Introduction

The Consortium for Crime and Justice Research (CCJR) at the University of Nebraska – Omaha is conducting an evaluation of projects supported by Nebraska’s 2012 Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) Program funds. The primary goal of the evaluation is to provide the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) a summary of the law enforcement, training, prevention, and associated activities occurring as a direct or indirect result of the infusion of Byrne JAG funds. In other words, the intent of the evaluation is to provide a summary of the funded activities and resulting products from Byrne JAG dollars. A subsidiary goal is to track the use of evidence-based practices (EBPs) supported by JAG funds. Because federal funding agencies continue to emphasize the use of practices that are supported by research evidence, we are tracking the use of EBPs, as well as fidelity to the model of the practices that have been adopted.

This report provides an overview of activities and products of funded agencies based on required performance indicator data submitted for October to December 2012 and January to March 2013. Because the funded task forces report similar data, their feedback is included in one section. In addition to the task forces, information is provided to summarize the activities of Banister’s Leadership Academy, the Nebraska Crime Commission, The Indian Center, the Law Enforcement Training Center, the Nebraska Department of Corrections, the Douglas County Attorney’s Office, and the Nebraska Attorney General’s Office.

Funding and Personnel

For the last quarter of 2012, \$919,680 was awarded to recipient agencies. These dollars were distributed across six Purpose Areas in the following fashion: 1) Law Enforcement, \$675,891, 2) Prosecution, Court, Defense, and Indigent Defense, \$157,703, 3) Prevention and Education, \$20,000, 4) Drug Treatment and Enforcement, \$25,000, 5) Planning, Evaluation, and Technology Improvement, \$17,000, and 6) Crime Victim and Witness Protection, \$24,086. Regarding personnel, Byrne JAG funds maintained thirteen law enforcement positions, four positions in Prosecution, Court, Defense, and Indigent Defense, five positions in Prevention and Education, and one position in Crime Victim and Witness Protection.

For the first quarter of 2013, \$979,423 was awarded to recipient agencies. These dollars were distributed across six Purpose Areas in the following fashion: 1) Law Enforcement, \$745,891, 2) Prosecution, Court, Defense, and Indigent Defense, \$156,539, 3) Prevention and Education, \$20,000, 4) Drug Treatment and Enforcement, \$15,907, 5) Planning, Evaluation, and Technology Improvement, \$17,000, and 6) Crime Victim and Witness Protection, \$24,086. Regarding personnel, Byrne JAG funds maintained twenty-two law enforcement positions, five positions in Prosecution, Court, Defense, and Indigent Defense, five positions in Prevention and Education, and one position in Crime Victim and Witness Protection.

Please note that due to data reporting discrepancies among agencies, some funding and personnel numbers listed above may reflect amounts awarded across multiple reporting periods.

Drug Task Force Data

A total of \$1,009,942 was awarded to drug task force agencies from the 2012 JAG Byrne funding. These dollars were distributed across six task forces: 1) City of Fremont, \$75,000, 2) City of Lincoln/LPD, \$150,000, 3) City of Norfolk, \$60,000, 4) Nebraska State Patrol, \$479,942, 5) City of Omaha, \$175,000, and 6) Scotts Bluff County/Gering WING, \$70,000. These numbers represent the total amounts granted to recipients for the life of the award.

The drug task forces were asked to provide data regarding the amount of drugs seized from October 2012 to December 2012 and January 2013 to March 2013 as a result of Byrne JAG funding. Amounts across each jurisdiction and combined totals for each drug are displayed in the following tables.

Drug Task Force Activity, October 2012-December 2012: Drugs Seized

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
Cocaine (crack)	0	0	0	0	161	0	161
Cocaine (powder)	0	0	0	47	989	4	1,040
Ecstasy*	0	0	0	0	13	0	13
Heroin	0	0	0	0	12	0	12
Marijuana	505	437	200	97,950	208,682	870	308,644
Methamphetamine	0	32	0	8,226	16,487	28	24,773
Methamphetamine (ice)	33	0	1,293	0	0	0	1,326
Pseudoephedrine	0	0	0	0	0	0	0
Psilocybin	0	3	0	0	1,707	0	1,710
Prescription pills*	9,473	46	139	0	164	28	9,850
Salvia	0	0	0	0	0	0	0
Steroids	0	0	0	0	0	0	0
Other	0	3	0	0	0	0	3

*Amounts measured in dosage units. All other categories measured in grams.

Drug Task Force Activity, January 2013-March 2013: Drugs Seized

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
Cocaine (crack)	2	4	0	0	36	0	42
Cocaine (powder)	0	2	3.5	61	186	1	253.5
Ecstasy*	0	0	0	400	200	19	619
Heroin	2	.05	0	0	31	1	34.05
Marijuana	358	4.76	1,107.5	67,535.35	59,646	2,522	131,173.61
Methamphetamine	1	158	0	3,516.65	44,423	79	48,177.65
Methamphetamine (ice)	31	0	521.75	0	0	0	552.75
Pseudoephedrine	2	0	0	0	0	0	2
Psilocybin	0	0	0	0	2	0	2
Prescription pills*	11,794	16	32	19	221	85	12,167
Salvia	0	0	0	0	0	0	0
Steroids	0	0	0	0	0	0	0
Other	0	.5	0	0	.5	38	39

*Amounts measured in dosage units. All other categories measured in grams.

The drug task forces were asked to provide data regarding the number of investigations initiated and closed from October 2012 to December 2012 and January 2013 to March 2013 as a result of Byrne JAG funding. These numbers across jurisdictions and combined totals are displayed in following tables and figures.

Drug Task Force Activity, October 2012-December 2012: Investigations Initiated/Closed

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
New investigations initiated	24	16	44	78	113	65	340
Of these, how many were drug related?	24	16	44	78	113	65	340
Investigations closed	19	16	47	0	156	43	281
Of these, how many were drug related?	19	16	47	0	156	43	281

Drug Task Force Activity, January 2013-March 2013: Investigations Initiated/Closed

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
New investigations initiated	40	61	49	72	129	60	411
Of these, how many were drug related?	38	61	49	72	129	60	409
Investigations closed	26	61	40	0	159	47	333
Of these, how many were drug related?	25	61	40	0	159	47	332

Figure 1. Investigations Initiated by Time Period

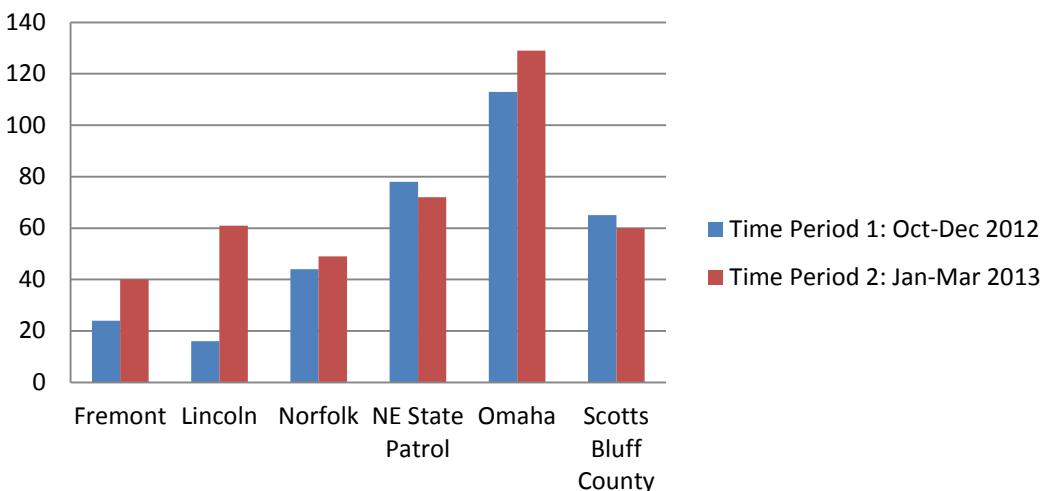
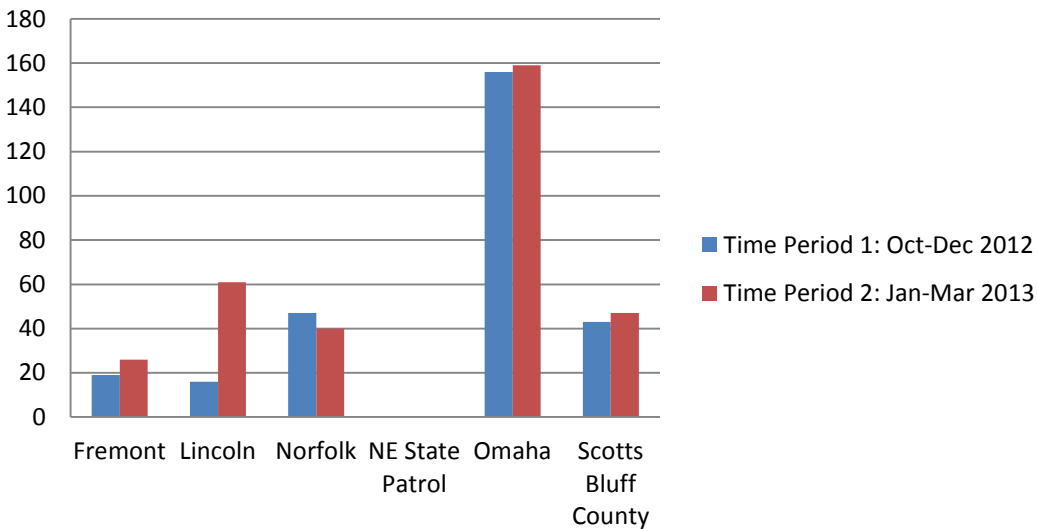


Figure 2. Investigations Closed by Time Period



The drug task forces were asked to provide data regarding drug-related misdemeanor and felony arrests from October 2012 to December 2012 and January 2013 to March 2013 as a result of Byrne JAG funding. These numbers across jurisdictions and combined totals are displayed in the tables and figure below.

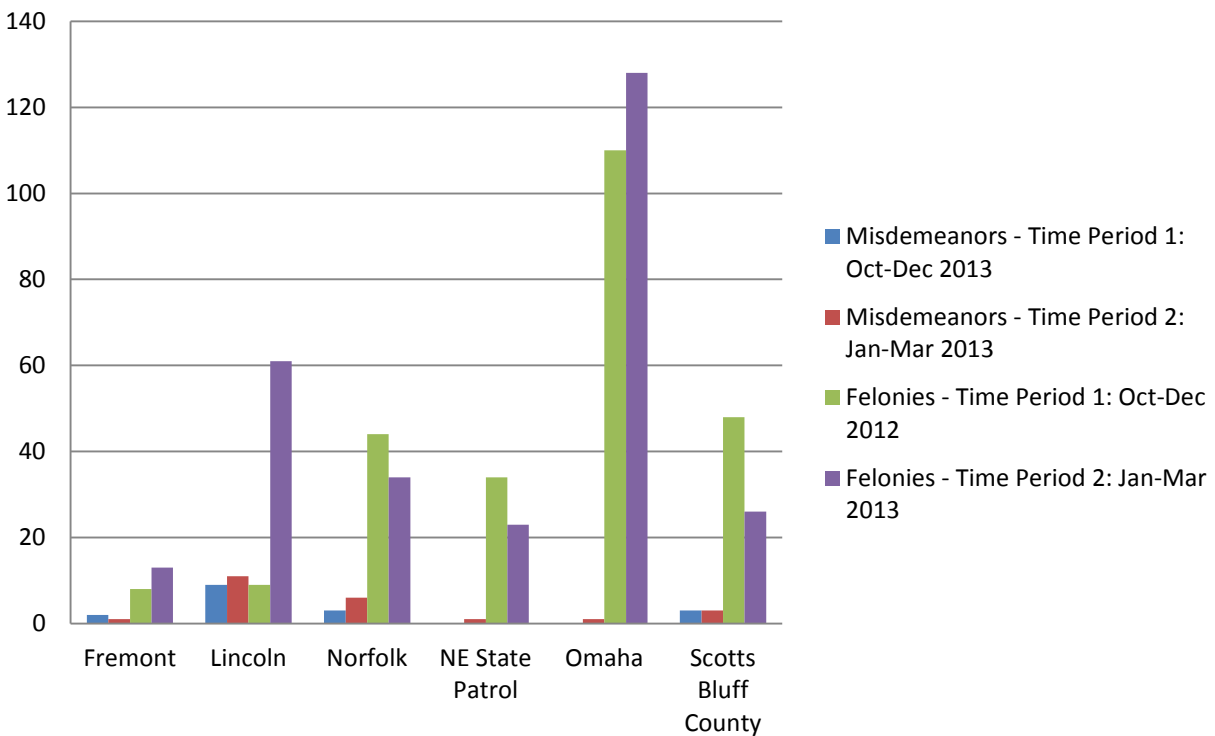
Drug Task Force Activity, October 2012-December 2012: Individuals Arrested Based on Task Force Activity

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
Individuals charged with a misdemeanor	2	9	3	0	0	3	17
Of those charges, how many were drug related?	2	9	3	0	0	3	17
Individuals charged with a felony	8	9	44	34	113	48	256
Of those charges, how many were drug related?	8	9	44	34	110	48	253
Gang members arrested	0	2	0	0	14	0	16

Drug Task Force Activity, January 2013-March 2013: Individuals Arrested Based on Task Force Activity

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
Individuals charged with a misdemeanor	2	12	6	1	1	3	25
Of those charges, how many were drug related?	1	11	6	1	1	3	23
Individuals charged with a felony	14	65	34	23	128	26	290
Of those charges, how many were drug related?	13	61	34	23	128	26	285
Gang members arrested	0	6	0	0	15	0	21

Figure 3. Drug-related Misdemeanors and Felonies by Time Period



The drug task forces were asked to provide data regarding the number of gangs disrupted or dismantled from October 2012 to December 2012 and January 2013 to March 2013 as a result of Byrne JAG funding. These numbers across jurisdictions and combined totals are displayed in the tables below.

Drug Task Force Activity, October 2012-December 2012: Gangs Disrupted/Dismantled

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
Number of gangs disrupted	0	0	0	0	14	0	14
Number of gangs dismantled	0	0	0	0	0	0	0

Drug Task Force Activity, January 2013-March 2013: Gangs Disrupted/Dismantled

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
Number of gangs disrupted	0	1	0	0	15	0	16
Number of gangs dismantled	0	0	0	0	0	0	0

Of particular interest was the number of drug-trafficking organizations disrupted or dismantled as a result of Byrne JAG funding. The drug task forces were asked to provide data regarding the number of drug-trafficking organizations disrupted or dismantled from October 2012 to December 2012 and January 2013 to March 2013 as a result of Byrne JAG funding. These numbers across jurisdictions and combined totals are displayed in the following tables and figure.

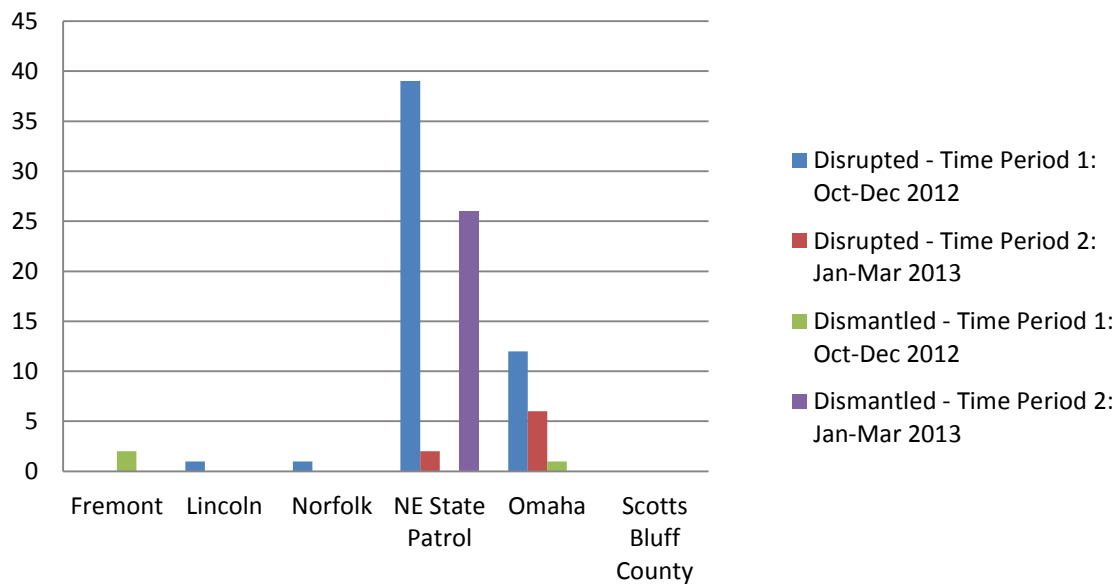
Drug Task Force Activity, October 2012-December 2012: Drug Trafficking/Money Laundering Organizations (DTOs) Disrupted/Dismantled

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
Number of DTOs disrupted	0	1	1	39	12	0	53
Number of DTOs dismantled	2	0	0	0	1	0	3

Drug Task Force Activity, January 2013-March 2013: Drug Trafficking/Money Laundering Organizations (DTOs) Disrupted/Dismantled

	Fremont	Lincoln	Norfolk	NE State Patrol	Omaha	Scotts Bluff County	Totals
Number of DTOs disrupted	0	0	0	2	6	0	8
Number of DTOs dismantled	0	0	0	26	0	0	26

Figure 4. DTOs Disrupted/Dismantled by Time Period



Other Agency Data

Banister's Leadership Academy

Banister's Leadership Academy received \$20,000 of 2012 Byrne JAG funds to provide motivation, mentoring, tutoring, and leadership skills to Omaha youth in an effort to address high rates of delinquency and crime. The program was held at the Malcolm X Center in Omaha on the first and third Fridays of every month from 6:30 to 9:30 pm. Each session began with a healthy meal and ended with a snack.

During the period October 2012 to December 2012, youth attended group forums focused on Banister's 12 Leadership Pillars. Youth debated topics about politics, social change, school violence, and gang violence in a positive manner, as well as setting goals such as going to college or starting their own businesses.

During the period January 2013 to March 2013, all youth were assigned Level of Leadership Support Mentors who met with youth in groups and one-on-one. All youth were given an initial assessment to be assigned a level of support. Currently, there are 37 youth assigned mentors. Youth learned the first three pillars of leadership: Respect, Responsibility, and Trustworthiness.

Below is a summary of the youth served during the periods October 2012 to December 2012 and January 2013 to March 2013.

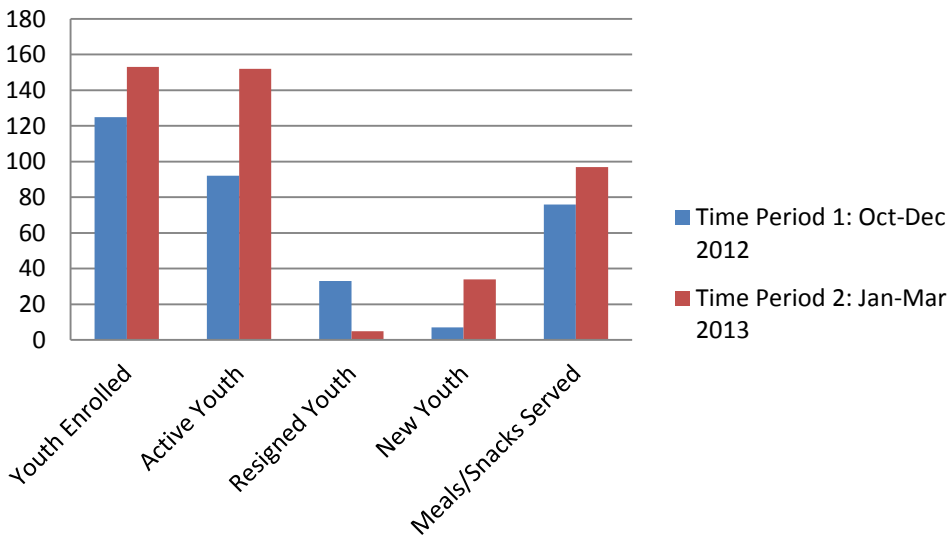
Banister's Leadership Academy, October 2012-December 2012: Youth Summary

Month	Number of youth enrolled	Active youth	Resigned youth	Number of new youth	Number of hot meals and snacks served
October	39	28	11	2	35
November	42	31	11	3	29
December	44	33	11	2	12

Banister's Leadership Academy, January 2013-March 2013: Youth Summary

Month	Number of youth enrolled	Active youth	Resigned youth	Number of new youth	Number of hot meals and snacks served
January	41	41	4	13	33
February	51	51	0	12	34
March	61	60	1	9	30

Figure 5. Youth Summary by Time Period



Nebraska Crime Commission

The Nebraska Crime Commission received \$160,000 of 2012 Byrne JAG funds to enhance the use and functionality of NCJIS data. The following usage statistics were provided for the period October 2012 through December 2012:

- Number of registered users: 7,947
- Number of registered agencies: 477
- Number of trainings provided: 2 (user and administrator)
- Number of searches performed: 1,464,223

Increases in functionality were also reported during this period. For example, an interface was implemented with the Department of Motor Vehicles (DMV) to enhance investigations and the use of NCJIS data. Photos submitted from the jails to NCJIS are now transmitted to DMV nightly. These photos augment the DMV driver license photo database for use in the facial recognition system. This allows a comparison of new driver photos for identity verification, allows comparisons to limit individuals getting multiple licenses for fraudulent purposes, and can be used for investigative purposes. Additionally, the CONNECT functionality was enhanced to provide federated searches across Nebraska, Kansas, Wyoming, and Alabama datasets. CONNECT can now be used to search N-DEx, the FBI's national data exchange.

The following usage statistics were provided for the period January 2013 through March 2013:

- Number of registered users: 8,220
- Number of registered agencies: 479
- Number of trainings provided: 0
- Number of searches performed: 1,634,952

Figure 6. Registered Users/Agencies by Time Period

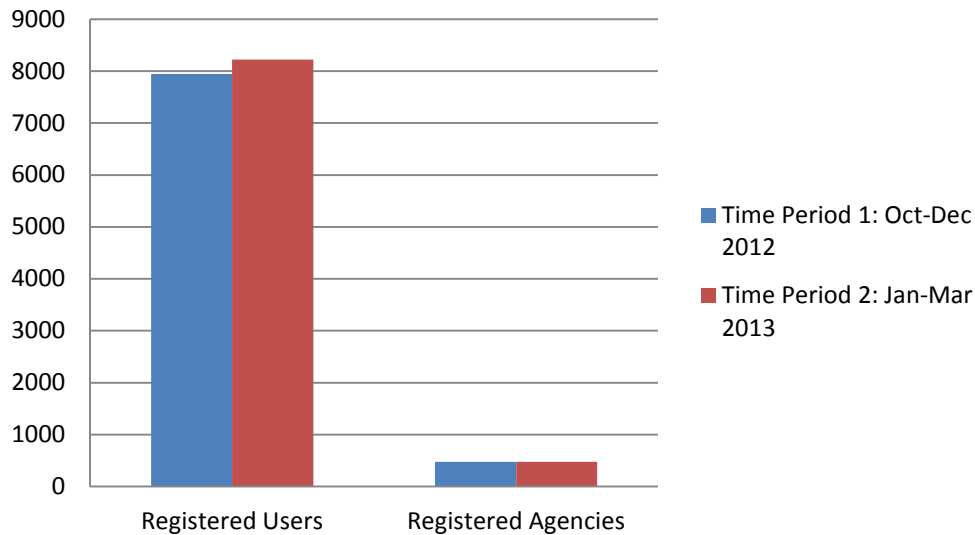
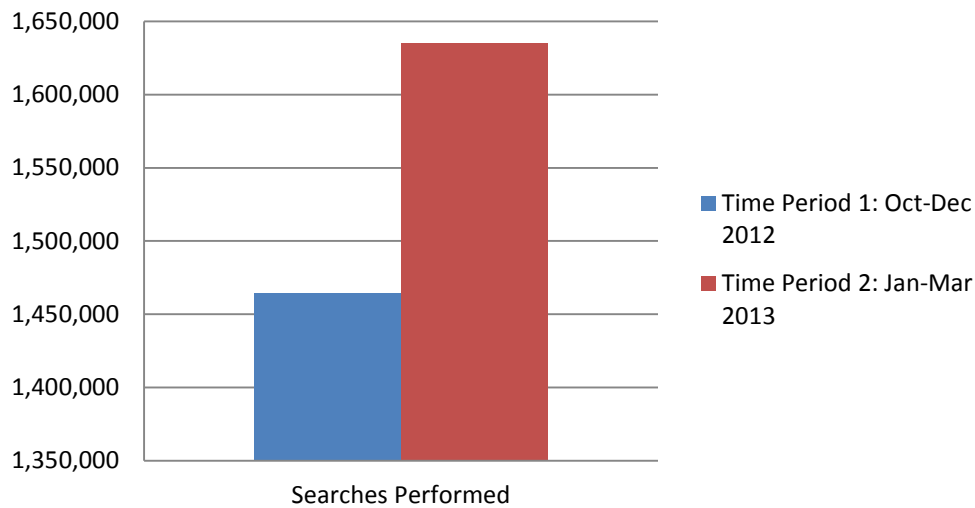


Figure 7. Searches Performed by Time Period



The Indian Center

The Indian Center, Inc. in Lincoln received \$25,000 of 2012 Byrne JAG funds to implement the Matrix Model, an evidence-based substance abuse treatment program relying on the primary tools of Cognitive Behavioral Therapy and Motivational Interviewing. These dollars provided funding for the program administrator position.

Cody Manthei, PLADC Program Administrator for Many Nations Healing Counseling Services (MNHCS) at The Indian Center, Inc., attended a two-day Basic Matrix Training on March 25-26, 2013, in Los Angeles, CA. At this training she was introduced to the original model and a model that was culturally adapted to meet the needs of the Native American population (for example, providing Elder words on each topic for added support and encouragement). Training focused on the elements of the model, the usefulness of Cognitive Behavioral Therapy with difficult populations, and incorporating elements of the Matrix Model into existing treatment programs.

CCJR staff interviewed Ms. Manthei on March 13, 2013 to discuss the successes and challenges of implementing an evidence-based practice for substance abuse treatment. Of six participants, there were 4 successful program completions. As of the date of the interview, three of these individuals were still sober and two had been referred for a higher level of care. When asked to describe ways in which JAG funds built capacity in the organization, Ms. Manthei described how one of the individuals completing the program had become a peer mentor for others. The JAG dollars also funded the training that allowed her to administer the Matrix Model in a successful fashion. Additionally, MNHCS became approved for third-party billing from four sources, which is very important for their continued sustainability. When asked for suggestions regarding the return on investment of JAG Byrne funds, Ms. Manthei indicated that additional accountability, oversight, and structure regarding the use of JAG funds might ensure that the funds are used productively.

Law Enforcement Training Center

The Nebraska Law Enforcement Training Center received \$8,000 of 2012 Byrne JAG funds to provide specialized training in the areas of violent crime and drug enforcement. Their trainers serve the entire law enforcement community in the State of Nebraska. During the period October 2012 through December 2012, twenty-one officers were trained from various regions across the state.

During the period January 2013 through March 2013, the Nebraska Law Enforcement Training Center held the Low Light Instructor Course. Eighteen Nebraska Law Enforcement Officers were certified as Low Light Tactic Instructors.

Nebraska Department of Corrections

The Nebraska Department of Corrections (NDCS) received \$17,000 of 2012 Byrne JAG funds to fund i2 analytical products, training, and support in order to track inmate misconduct and gather intelligence information. The grant allowed NDCS to purchase IBM i2, Inc. software. The

department has 22 users and added three new users during the reporting period. NDCS continues to work with various law enforcement agencies in sharing intelligence and system upgrades and support.

Douglas County Attorney's Office

The Douglas County Attorney's Office received \$69,086 of 2012 Byrne JAG funds to maintain the functions of the Violent Crime Unit and the Sexual Assault Unit. The Violent Crime Unit functions to track, investigate, and prosecute violent crime in Douglas County, specifically gang and gun violence. The Sexual Assault Unit consolidates the prosecuting of sexual assault cases, including investigation, prosecution, offender registration, commitment, lifetime supervision, and treatment of sex offenders. The Violent Crime Unit was able to secure the convictions of a number of high-profile gang members, including a case that serves as a model for future prosecutions in Nebraska in which prosecution utilizes Shotspotter technology for tracking gunshots. Funds were also expended to assist with witness testimony in three separate cases.

Nebraska Attorney General's Office

The Nebraska Attorney General's Office received \$100,000 of 2012 Byrne JAG funds to augment the work of prosecutors in rural County Attorney's offices. Local County Attorney's offices are often under-equipped to successfully prosecute complex violence and drug cases without training and technical assistance. During the October 2012 to December 2012 period, the Nebraska Attorney General's Office assisted in cases with final outcomes in Alliance, Red Willow County, and Box Butte County. Additionally, a number of current and "cold" death investigations were conducted and the Unit fielded approximately 200 calls requesting guidance from officers, prosecutors, law makers, constituents, and other professionals.

CCJR staff interviewed Assistant Attorney General John Feudenberg on September 27, 2013. The goal of the interview was to gain an understanding of the manner in which JAG Byrne funds aided the Attorney General's office in prosecuting cases and training, as well as the ways in which statewide prosecution capacity is built through these funds.

JAG Byrne funds cover the salaries and expenses of two investigators in the Attorney General's Office. These individuals assist in conducting investigations for the central office and at the request of offices across the state. They also manage the Homicide Investigative Tracking System (HITS) and the National Precursor Log Exchange (NPLEX) program. The HITS program collects information to track homicides and missing persons across the state. Collaborative efforts are made to track potential serial killers and to track homicide trends. NPLEX is a federally mandated program that tracks the ingredients of meth. It connects consumers across pharmacies and tracks excessive purchases. Nebraska has a 99% participation rate for pharmacies and Mr. Feudenberg reports a significant drop in the amount of meth produced within the state.

An important focus of this evaluation is the manner in which JAG Byrne funds promote the sustainability and capacity-building of justice programs in Nebraska. The primary manner in which the Attorney General's Office builds capacity in Nebraska is through trainings and providing technical assistance for law enforcement and local prosecutors. Topics of trainings have included the prosecution of human trafficking cases and trainings on search and seizure regulations. They will also be training hundreds of people as part of the 10th Annual *Protect Our Children* Conference in Omaha in October, 2013. The office is currently investigating seven open murder cases across the state. The JAG Byrne-funded investigators are essential to closing these cases and getting convictions against dangerous persons. Taken together, this capacity building assists smaller counties in getting the "worst of the worst" criminals off the streets for significant periods of time.

A final focus of this evaluation is the use of evidence-based practices by funded agencies. Although the Attorney General's Office does not currently provide training/technical assistance on explicitly identified evidence-based practices, they are involved in promoting promising practices across many areas of prosecution. For example, they train on the proper and legally effective ways to execute a search and seizure in efforts to produce a case that results in prosecution. They assist in the preparation of successful search warrants and arrest warrants that will be upheld against legal challenges. Finally, they have been training local prosecutors on how to collect DNA evidence and use it to get a conviction.

Conclusions and Recommendations

Conclusions. The purpose of this evaluation is to provide a summary report to the Crime Commission describing the law enforcement, training, prevention, and associated activities occurring as a direct or indirect result of the infusion of Bryne JAG funds. A secondary goal is to track the use of evidence-based practices supported by JAG funds. Because federal funding agencies continue to emphasize the use of practices that are supported by research evidence, we are tracking the use of EBPs, as well as fidelity to the model of the practices that have been adopted. Similar to evaluations of JAG Byrne funded activities in other states, this is primarily an administrative or process evaluation.

The funded programs display various strengths and weaknesses. For example, the drug tasks forces are obviously removing large quantities of drugs from users and sellers. In the 6-month period of this evaluation, 439 kilograms (967 pounds) of marijuana were seized. There were also significant seizures of powdered cocaine, crack cocaine, meth, and unauthorized prescription pills. In addition, 613 drug-related investigations were closed during this time period, 538 persons were charged with drug-related felonies, 37 gang members were arrested, and 29 drug trafficking/money laundering organizations were dismantled. More difficult to discern, however, is the ability of task forces to build capacity for public safety, crime reduction, and recidivism reduction. In other words, because drug trafficking and gang activity persist year after year, there is little evidence that task force activities are an investment of JAG Byrne funds that enhance sustainability in promoting public safety in Nebraska. Moreover, evidence-based practices for sustaining public safety are lacking in the activities of the task forces.

Banister's Leadership Academy is a program that showed impressive growth and retention over the evaluation period. From one 3-month period to the next, enrollments went up, the number of active youth increased, and the number of resigned youth decreased. Although this program shows potential for sustainability by increasing pro-social activities of at-risk youth, evidence-based practices are not being used. In addition, we do not have information on youth outcomes from participants in the program.

The Nebraska Crime Commission's NCJIS program also shows increased usage, as the number of registered users and registered agencies increased, as did the number of searches performed. Functionality also increased, clearly indicating additional capacity for supporting public safety. Given the nature of the program, however, it is difficult to quantify the impact of this increased usage and increased capacity.

Activities of some of the funded agencies were less easily quantified, so UNO's Consortium for Crime and Justice Research conducted interviews with The Indian Center and the Nebraska Attorney General's Office. The Indian Center is the sole JAG-funded agency seeking to implement a documented evidence-based practice. They experienced small-scale success in applying the Matrix Model with substance abusers, but suffered from a lack of stable institutional support. Our interview with the Nebraska Attorney General's Office provided additional insight into their statewide training and technical assistance activities that facilitate the prosecution of complex violent crime cases in Nebraska.

Recommendations. The current method of administration of the JAG Byrne funded programs in Nebraska is not conducive to a comprehensive outcome evaluation. If the question is "to what extent are public safety enhanced and delinquency, crime, violence, and recidivism reduced in Nebraska as a result of JAG Byrne funds?", a complete answer currently eludes us. We suggest the following recommendations for implementing, evaluating, and tracking costs of JAG Byrne funding programs:

- To aid in evaluation activities, grant recipients should be required to produce more complete metrics in order to document the progress of these programs. Grant recipients should document implementation activities resulting from JAG funds as well as specific resulting program activities. Although some agencies currently provide such information in addition to the required federal metrics, this is not occurring across all agencies. *Given the diversity of funded activities across agencies, a formal evaluation of all recipients might only be possible through the use of such self-reported performance statistics.*
- Potential subgrantees need to have an understanding of what program evaluation is and how they can facilitate the evaluation of their specific programs. *The Crime Commission*

might consider requiring that at least some of the costs of program evaluation be included in submitted budgets.

- Some recipients suggested that additional oversight over how program dollars are spent might be warranted. Although we would like to rely on the conscientiousness of fund recipients to ethically disburse funds according to the program guidelines, additional documentation or site visits might be useful to audit program-related expenditures and actual activities of funded programs.
- *A true assessment of program impact or program outcomes requires a thoughtful process of developing outcome measures and a realistic procedure for measuring these outcomes.* For example, drug task forces would need to provide measures of subsequent drug crime to show that their activities reduced criminal activity. A great example is the requirement of the Project Safe Neighborhoods program. The targeted outcome is a reduction in handgun-related violence. Program success is not measured by inputs or program activities such as number of guns removed from the streets or number of arrests. Instead, the outcome measure of reductions in subsequent handgun-related violent crime is the sole indicator of program performance. As another example, if your agency provides prevention services to youth, a proper outcome measure would be subsequent delinquency of program participants. These outcomes could be compared to previous delinquency in a pre/post fashion or could be compared to rates of delinquency of a matched control group. Programs that cannot prove that they are improving public safety should not receive subsequent funding.