

**Drug Control and System Improvement
Formula
Grant Program:**

The Edward Byrne Memorial State and Local Law
Enforcement Assistance Program

2002 Annual Report



New Mexico Department of Public Safety
Bureau of Grants Management

State of New Mexico
Bill Richardson, Governor

New Mexico Department of Public Safety
John Denko, Cabinet Secretary

**Drug Control and System Improvement Formula
Grant Program**

2002 Annual Report

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Table of Contents

[Table of Contents](#) 1

[Executive Summary](#) 2

[Overview of Evaluation Activities](#) 3

[Aggregate Figures for BJA-Required Performance Measures.](#) 8

[Program Purpose Area 2](#) 8

[Program Purpose Area 8](#) 9

[Program Purpose Area 13.](#) 9

[Program Purpose Area 14](#) 10

[Program Purpose Area15B.](#) 10

[Program Purpose Area18.](#) 10

[Program Purpose Area 26.](#) 10

[Supplementary or Anecdotal Information on Programs.](#) 11

[Program Purpose Areas](#) 11

 1. [Purpose Area 2: Multi-Jurisdictional Task Forces](#) 11

[Regional Task Forces](#) 13

[New Mexico State Police Narcotics](#) 19

[New Mexico Gang Task Force](#) 19

[South West Investigative Task Force](#) 20

 2. [Purpose Area 8: Career Criminal Prosecution](#) 21

[2nd Judicial District Office](#) 21

 3. [Purpose Area 13: Treatment](#) 21

[University of New Mexico ASAP](#) 21

[San Juan County DWI Detention and Treatment Facility](#) 22

 4. [Purpose Area: 14](#) 22

[Albuquerque Women’s Resource Center](#) 22

 5. [Purpose Area 18: Domestic Violence](#) 22

[Clovis Domestic Violence](#) 22

 6. [Purpose Area 15b: Criminal Records Improvement](#) 23

[3rd District Attorney Office](#) 23

 7. [Purpose Area 26: Anti-Terrorism](#) 23

[Office of Emergency Support](#) 23

[Appendix I NMSP Levels](#) 25

[Appendix II Critical Elements](#) 27

[Appendix III Applicant Review Grantee Questions](#) 31

[Appendix IV Applicant Review Ratings](#) 32

Executive Summary

The New Mexico Byrne Program funded 17 programs for a total of \$2,982,760. The majority of the funding goes to the nine Multi-Jurisdictional Task Forces. There are seven regional task forces, the New Mexico State Police, and the Southwest Investigative Task Force. Also funded were the New Mexico Gang Task Force, two domestic violence programs, two judicial districts, two treatment programs and the Office of Emergency Services and Support.

MJTF

All multi-jurisdictional task forces have been working to create a more collaborative environment, working with local agencies in their regions as well as agencies and task forces in other regions, with the New Mexico State Police Task Force and with federal entities such as the DEA and FBI. This collaboration has facilitated intelligence sharing and joint operations. The Southwest Investigative Task Force is a fugitive apprehension program that operates throughout the state and works with agencies around the nation.

The New Mexico landscape as well as its population density creates a unique environment in which the task forces must operate. Some areas of New Mexico have just 0.4 persons per square mile. Agents are required by the circumstances to spend more time cultivating relationships in order to infiltrate tightly knit communities. One bust may take months, but it has a huge impact on the community. The task forces also collaborate with other regions to bring in individuals who are completely unfamiliar in the area.

The Multi-jurisdictional Task Forces have proven to be effective in making more arrests and seizing more narcotics. New Mexico is positioned such that traffickers regularly pass through whether it is from other states or Mexico. In addition, some Regions have local families that have been in the drug business for generations. This requires that Regions are able to respond in multiple ways to a variety of types of operation.

The task forces have had to address an explosion in the production of methamphetamine throughout the state. Regions and the New Mexico State Police collaborate on dismantling methamphetamine labs depending on the location of the labs and the available equipment. Other drugs that are targeted by the task forces are heroin, cocaine and marijuana.

Additional Programs

The New Mexico Gang Task Force provides funding to agencies with a gang initiative through an application process. They also provide a statewide training on the latest in law enforcement training regarding gangs and gang activity. The domestic violence programs were victim focused providing information and training on stopping the cycle of abuse. The Second Judicial District worked on drug diversion programs such as drug court and the Third Judicial District Attorney updated their internal and external information systems in order to be on-line with correctional and law enforcement agencies.

University of New Mexico ASAP is a community based treatment program targeting individuals coming out of prison. Their goal is to keep these people from returning to activities that would result in their being returned to prison. Of the people who remain in the program for six or more

months, 100% have stayed away from criminal activity. The San Juan county DWI program is a 28-day institutionalized treatment facility for first and second time offenders.

The OESS has funded exercises to test the utility of the Regional Response Teams. In addition OESS funded several trainings for two Counter-Terrorism Intelligence Agents and eighteen State Police Agents and Officers attended the Weapons of Mass Destruction Tactical Operations Course hosted by the Department of Energy.

A new sub-recipient application process was developed this year to more equitably distribute funds based on evaluation results, timeliness of submitting reports to the Department of Public Safety Grants Management Bureau (DPS-GMB), and utilization of funding. The process consists of a panel of peers who are given a presentation by sub-recipient applicants. During the applicants must respond to a set of pre-defined questions (see appendix 3) in addition to answering any questions that arise during the process. After the presentation, the applicant leaves and the panel discuss the answers the applicant gave to all the questions. Panel members then fill out an applicant review form (see appendix 4) and submit them to DPS-GMB. After all applicants have been reviewed, the panel reconvenes and discusses applicant requests for funding. Once discussion has concluded, the panel decides by consensus on whether a particular applicant should receive funding, how much funding should be awarded and if there are any special requirements that should be established in order for an applicant to maintain funding once received. These recommendations are given to DPS-GMB who in turn presents them to the Secretary of the Department of Public Safety for approval or modification.

All New Mexico Byrne Programs have had to transition to a new set of evaluation requirements due to a change in evaluators. Though they have experienced some challenges, overall they have done an exceptional job in collecting and reporting the requested information. The evaluation collects data based on the Bureau of Justice Assistance Critical Elements, the New Mexico State Police Case Levels, site visits, and quantitative indicators such as arrests, number of repeat offenders, cases referred to other jurisdictions and cases moved up to other levels.

Overview of Evaluation Activities

The New Mexico Department of Public Safety awarded grant funds to a collaborative evaluation team made up of two evaluation firms from the State of New Mexico -- Coop Consulting, Inc, of Santa Fe, New Mexico (fiscal agent), and Koster Planning and Evaluation, Inc, of Corrales, New Mexico. Both groups are long established lead evaluators with support structures and additional staff. This report is on the first year of those evaluation activities.

The evaluation process had been designed to measure program indicators of success and to develop a logic model of successful programs and the characteristics that lead to that success. The new evaluation team updated the evaluation plan and implemented new systems of data collection. All of these evaluation activities are parallel to and complement the goals and objectives of all federally funded programs, with an emphasis on collaborative strategies and best practices in all activities. The evaluation design takes a multi-level approach to implementation and improving the effectiveness of Byrne funded projects

The evaluation team made site visits throughout the first year of the project. Funded agencies were asked to articulate the challenges and successes with evaluation, their current goals and

objectives, and their thoughts on appropriate measures. Site visits are intended to develop an understanding of the programs activities so as to better the data gathered through the quantitative portion of the evaluation process. The visits also try to identify factors that contribute to program success. The visits also allow for a dialogue with programs about potential systemic responses to barriers that are encountered in their activities.

1. Each type of funded program area of activity is evaluated differently, according to program purpose and goals and objectives. Indicators have been determined that reflect the agency areas of effort; the chosen indicators are very similar to the new draft required indicators.
2. Multi-Jurisdictional Task Forces are challenging to evaluate because of the complexities of cross jurisdictional cooperation. Their effectiveness in enforcing drug trafficking laws is based on numerous policy and operational issues. The Critical Elements for MJTFs as developed by BJA, are a primary method of conducting process evaluation of New Mexico's Task Forces; the Critical Elements were shaped into an instrument (draft follows) to measure progress on each element.
3. Law Enforcement agency efforts will also be described by the narcotics case evaluation guideline levels adapted and distributed by the New Mexico State Police. These levels indicate the type of trafficking activity represented by the case, from street level crime to international drug trafficking organizations.
4. Output data are collected from all projects as part of the process evaluation. Arrest, seizure, and other data are collected but not used as an ultimate indicator of program success. Trend data and the ability of Task Forces to respond to new trafficking patterns and to use intelligence more effectively are likely to be a much more important indicator of ultimate program effectiveness. Data will be collected and analyzed by region and will be reported in a context supplied by the agencies in the region.
5. Two years' data will be sufficient to create a theoretical model that will allow for the development of useful questions and their answers about program effectiveness, and of efficiency. The question "Is value added by the project to otherwise stand-alone, smaller programs, worth the investment of project dollars and resources?" can eventually be answered with this model.

The following design describes the implementation of the evaluation model. As previously reported, this evaluation process will mirror that already established for the strategy. The new model is described briefly afterwards.

1. The evaluation team analyzes the regular quarterly reports submitted by the programs. These reports help track implementation and achievement of program objectives. These reports are aggregated and reported for each quarter (three months) of activity.
2. The evaluation team will review data from a variety of sources including crime statistics, reports from previous year, and a variety of social harm indicators.

3. The evaluation team conducts site visits to each program to develop local indicators, to assess technical capacity, and to conduct in depth interviews with program coordinators. These visits will increase communication between programs and evaluators, providing the opportunity for the establishment of a participatory evaluation approach. Additionally, joint meetings of program managers, evaluators and NM Department of Public Safety staff are held regularly to enhance collaboration between these groups and to address questions about evaluation processes, data elements, etc.
4. The evaluation team trains sub-recipients and NM Department of Public Safety staff in evaluation approaches and methods. The evaluation team will continue to work with agencies in developing and implementing local evaluation plans that will measure their specific activities and directly link into the overall strategic plan. In addition the team will provide training to NM Department of Public Safety staff on coordination of evaluation; the integration of evaluation into services, prosecution and enforcement activities, and homeland security programs; and the use of data.
5. The evaluation team will insure that data is collected from each program to provide the Bureau of Justice Administration with the required performance indicators for fiscal year 2003.
6. Finally, the evaluation team will maintain contact with the national discourse for evaluation of the Byrne Program and incorporate concepts as they become generally accepted. The team will also contribute to the discussion by disseminating concepts, logic models and indicators that work well in New Mexico.

These approaches have resulted in a more participatory evaluation effort, yielding a self-reflective, improvement-oriented system; the development of indicators directly tied to program efforts and activities; and increased capacity for both the Department of Public Safety and those programs funded under the Byrne Grant.

The evaluation plan also focuses on evaluating the progress of each grantee toward its self-determined goals and objectives. The evaluation effort will, especially through site visits, work with local programs to identify barriers to reaching their goals and objectives. Where these are issues that can be controlled by the grantee, the opportunity to self-correct during the program year and make progress toward objectives is real.

One indicator identified as a core element of the evaluation model categorizes the level of drug focused law enforcement activity based upon the type of criminal organization. The guidelines utilized by the New Mexico State Police, Narcotics Section, and approved by the Regional Task Forces essentially provide a framework for categorizing cases according the impact of the case from street-level to international drug trafficking organizations. See Appendix I for detailed guidelines.

In addition to this framework, the evaluators implemented the Bureau of Justice Assistance framework for critical elements of success for Multi-Jurisdictional Task Forces, using it as a

gauge to determine the level of development and maturity of task forces. These elements are now used as core evaluation criteria for the New Mexico Task Forces.

Programs that are not task forces will be evaluated based on individualized criteria drawn from their goals and objectives.

A Plan to Develop Data to Assess Progress Towards National Drug Control Strategy

In addition, the evaluators will develop baseline data for the state to assess progress towards the National Drug Control Strategy's Strategic Goals and Objectives. The goals associated with supply reduction (3 of 5) will be used, and indicators related to the measures in the national strategy will be developed for New Mexico. The information below discusses the goals of the National Strategy's plan that New Mexico will use for the baseline and new fiscal year if sufficient data are available. A final selection of elements to be tracked once sufficient efforts to collect these data over two years have identified useful indicators and those for which data are available.

The following are excerpts from the *2000 National Drug Control Strategy: Performance Measures of Effectiveness*, from the Office of National Drug Control Policy.

Strategy Goal Two

Increase the safety of New Mexico's citizens by substantially reducing drug-related crime and violence

The negative social consequences of drug-related crime and violence mirror the tragedy that substance abuse inflicts upon individuals. Crime and reduced public safety are among the consequences of drug trafficking and drug use. Achieving progress in Goal Two is predicated on the pursuit of policies and programs that successfully reduce domestic consumption and the trafficking of illicit drugs and associated criminal activity. Also central to achieving progress toward this goal is a significant reduction in the availability of illicit drugs.

Goal Two Impact Targets: Progress can be measured by the following three targets that reflect the overall impact of drug control activities on this goal:

Drug-Related Crime and Violence

Domestic Trafficker Success

Drug Availability in New Mexico

Progress on specific crimes that comprise the violent crime rate will be reported as follows:

- The rate of murders per 100,000 inhabitants
- Forcible rapes per 100,000 inhabitants
- Robberies per 100,000 inhabitants
- Aggravated assaults per 100,000 inhabitants

Strategy Goal Four

Shield America's air, land, and sea frontiers from the drug threat

In addition to demand reduction, the *Strategy* is designed to address the reduction of illegal drug supply entering into or produced in the United States. Accordingly, the emphasis of Goal Four is to reduce that supply in transit to the United States and at the United States border. Goal Five's emphasis is on breaking foreign and domestic sources of illegal drug supply. Note that once illegal drugs cross the border, they are either removed from domestic consumption through law enforcement efforts or enter into domestic consumption. This aspect of drug flow is a part of goal 2.

Goal Four Impact Target. The key measure of effectiveness of the *Strategy's* initiatives associated with shielding America's air, land, and sea frontiers is the rate at which illegal drugs successfully enter the United States.

Reduce the Rate of Illicit Drug Flow through the Transit/Arrival Zones (Cocaine—Transit and Border Zones)

Heroin

Other Drugs

Strategy Goal Five

Break foreign and domestic drug sources of supply

America's supply reduction effort is primarily focused on reducing the quantity of illicit drugs produced both domestically and for export to the United States. New Mexico will work to collaborate with and assist all international efforts as possible.

Goal Five Impact Targets. The key measures of the *Strategy's* effectiveness at breaking foreign and domestic sources of supply are:

Reducing Illicit Drug Exports

Reducing Domestic Production and Cultivation

Cocaine

Other Drugs

The information collected on domestic production will be aggregated and described as progress towards state level goals related to sources of supply. The single largest barrier is the lack of a viable central repository for data, which has to date prohibited the development of quality baseline data for the State of New Mexico.

Aggregate Figures for BJA-Required Performance Measures.

Program Purpose Area 2

Nine Multi-Jurisdictional Task Forces (MJTFs) are funded under Program Purpose Area 2: seven Regional MJTFs, a State-wide Task Force related to gang initiatives and a Task Force directed by the US Marshals which focuses on clearing warrants. The following table illustrates the indicators that New Mexico collected during 2002.

a. Number of offenders arrested	*2625	*Repeat offenders: 897	
A1. Number of cases cleared (SWIFT)	906		
b1. Number of prosecutions initiated	*1987		
b2. Number of Convictions or Pleas Resulting in Sentences	** unknown		
d. Quantity (by weight and drug) seizure			
Type	Weight	Type	Weight
Marijuana	40,504.78 Pounds	Temazepam	7 Pills
Marijuana	170 Plants	Risperidone	13 Pills
Cocaine	60,363.52 Grams	Propranolol	2 Pills
Crack	2179.32 Grams	Paroxetine HCL	15 Pills
Heroin	4495 Grams	Oxycodone	15 Pills
Methamphetamine	37,736.09 Grams	Olanzapine	2 Pills
Prescription Drugs	12,759 Pills	Naproxen	11 Pills
Oxycotin	36 Pills	Morphine	79 Pills
Lortab	7 Pills	Ecstasy	1 Pill
Oxycodone	2.2 Grams	Methocarbamol	2 Pills
Psilosybin	430.5 Grams	Lorazepam	99 Pills
Steroids	260 Doses	Hydrocodone	6 Pills
Mushrooms	256 Grams	Diazepam	6 Pills
Ketamine	340 Vials	Cyclobenzaprine	61 Pills
Valium	35 Pills	Carisoprodol	88 Pills
Amphetamine	.2 Grams	Alprazolam	1 Pill
Dimethylsulfone	17.76 Grams	Acetaminopen	1 Pill
Ephedrine	9776 Grams	Welbutrin	16 Boxes
Methadone	2 Grams	Nicotrol	3 Boxes
Hashish	7.3 Doses	Meth Ice	28 Grams
Zolpidem	13 Pills	Meth Labs	156 Labs
Trazodone	8 Pills		
Thioridazine	17 Pills		

*The above numbers under-represent actual numbers; these reflect data from the Second, Third and 4th quarters only from fiscal year 2002. Sub grantee reporting formats were changed during the first quarter so first quarter data cannot be merged with the subsequent quarters. Additionally, sub grantees were not asked to submit data related to the number of drug seizures or the value of property forfeited.

**Sub grantees can track the number of cases that are sent to prosecution but once the offender is in the district attorneys office, sub grantees are not able to extract reliable information regarding case outcomes. 220 prosecutions have been reported to New Mexico Department of Public Safety, which is gross under-representation of cases prosecuted. The district attorneys offices across the state have been mandated to move to a standardized database system so that all information will be tracked in the same way and can be reported to the Law Enforcement Agencies as well as the New Mexico Department of Public Safety. To date, this has not occurred. As a result, there is no time efficient means of relating information back to the sub grantees and in some areas no mechanism exists for reporting back to the arresting Law Enforcement Agency.

In 2002 a New Mexico legislative bill went into effect that revamped the state asset forfeiture law. A criminal conviction is now a prerequisite to a civil lawsuit formally taking or forfeiting the property. Law enforcement is required to sell forfeiture items with proceeds designated for storage expenses and then victim restitution. Most of the funds are moved to a general fund of the governing body of the law enforcement agency, which allocates the monies to substance abuse treatment and education. Before the law went into effect the assets of the seizure went to the department who carried out the seizure or forfeiture. If state and municipal law enforcement work with federal agencies, 80% of the proceeds can be returned to the local agency. Therefore, unless a federal agency is involved, the MJTFs are not conducting seizure and forfeiture activities. Additionally, under federal law, federal agents have a threshold of \$1,000 before they can seize anything, limiting the cases that can be handled under federal law.

Note that with the receipt of the Byrne Performance Indicators in the fall of 2003, modifications in data collection are planned and will be implemented to be able to report on all required indicators in the future, except for those that cannot be collected due to the State forfeiture law.

Program Purpose Area 8

The Second District Attorney was funded under this program purpose area but did not track the number of career criminal prosecutions. As a result, we are unable to report this information. This will be addressed this fiscal year.

Program Purpose Area 13.

There were two programs funded under this area: the San Juan County DWI Program and the University of New Mexico Addictions and Substance Abuse Programs.

- a. Number of children/youth funded: None (0). Both UNM ASAP and the San Juan County DWI program addressed adult offender treatment.

b. Number of Adults funded: To date 91 clients have been funded through UNM ASAP and an additional 492 adults were funded through the San Juan DWI Treatment program for a total of 583.

c. Number of institutional-based programs: One (1).

San Juan County DWI Detention and Treatment Program. This DWI program incarcerates, first- and second-time offenders in a minimum-security facility and provides a multi-component treatment program during incarceration.

d. Number of community-based programs: One (1).

As part of the UNM ASAP treatment program, UNM ASAP is a community based substance abuse treatment service provider. UNM ASAP personnel collaborate with New Mexico Corrections Department (NMCD) Adult Institution Substance Abuse Treatment personnel and Region I Probation/Parole Division to establish a continuum of care for/with inmates who have participated in the substance abuse treatment program within the institutions who are paroling to Bernalillo County.

e. Number of drug or alcohol-focused programs: Two (2).

UNM ASAP treats substance use, either drug or alcohol and the San Juan County DWI focuses on alcohol use.

Program Purpose Area 14

The Albuquerque Women's Resource Center (AWRC) provided intensive, long-term classes and other services including legal aid, counseling and group therapy to victims of domestic violence. Over 90 women were provided legal assistance on their court cases. The number of women attending classes was not reported. The AWRC did not complete many of its funded objectives and returned money to the Department of Public Safety. They also closed their agency and were not refunded.

Program Purpose Area 15B.

The Third District Attorney was funded under this program purpose area but did not track the number of records automated. Hardware and software have been purchased and set up for data collection, which will begin during the new fiscal year.

Program Purpose Area 18.

The Clovis Police Department received overtime monies for focus on issues of domestic violence. Two supervisors and nine team members were trained in domestic violence and 528 offenders were arrested. Breakdowns of those arrested were requested too late in the program to provide accurate reporting for the year. This program was not refunded for the current fiscal year.

Program Purpose Area 26.

The office of Emergency Support and Services received funding under this purpose area of \$145,000. Most funds were unspent and reverted to the Department for re-award (\$118,400).

- a. Equipment was not purchased under this program purpose area.
- b. One State Police Major attended the National Homeland Security Conference. Two Counter-Terrorism Intelligence Agents, and eighteen State Police agents and officers attended the Annual Counter-Terrorism Conference and Exposition. Three regional exercises were conducted by the Office of Emergency Support and Services (OESS). The number of participants at these exercises was not collected. As a result, we are unable to report this information.

Supplementary or Anecdotal Information on Programs.

Although violent crime has decreased (26.9% from 1998 to 2000) in New Mexico, the state's crime rate remains higher than the United States average. In particular, violent crime is much higher in New Mexico than the U. S. in general and significantly higher than in neighboring states.

Drug use among arrestees in Albuquerque is similar to that found in comparable locales; the exception being opiate use, which is higher in New Mexico. While drug use among arrestees appears comparable, the overall rate of drug use is much higher in New Mexico than in the rest of the United States and is higher in many cases than the rates in neighboring states. When marijuana is removed from the analysis, drug use rates are very close to rates of neighboring states.

Drug hospitalization rates, while recently showing a slight decline, remain high. Current hospitalization rates will be obtained and a full trend analysis completed, using the New Mexico Department of Health Public Health Division Epidemiology definitions of drug-related age-adjusted hospitalization rates. Drug death rates have been recomputed, using definitions of drug-related diseases developed by the Public Health Division Epidemiology, showing a jump in drug-related deaths from 1997 to 1998.

New Mexico is the 5th largest state in the United States with 121,355.53 square miles and is comprised of 33 counties in seven regions. The population of New Mexico is 1,819,046 with a population density of 15 persons per square mile of land area. In the State, 76.1% of the population over the age of 25 has a high school diploma, while 21.0% have a bachelor's degree or higher. The per capita personal income of New Mexico is \$23,908 (47th); the United States is \$30,832. The percent of persons living below poverty is 18.4 (3rd); the United States is 12.4.

Program Purpose Areas

2. Purpose Area 2: Multi-Jurisdictional Task Forces

Nine Multi-Jurisdictional Task Forces (MJTFs) are funded under Program Purpose Area 2: seven Regional MJTFs, a State-wide Task Force related to gang initiatives and a Task Force directed by the US Marshals which focuses on clearing warrants.

There are a number of factors that relate to the environment in which a task force functions. First, the higher economic status of an area contributes to the success of the task force. The less economically stressed an area is, the more infrastructure to support activities of the task force, the more likely that municipalities will provide higher pay to law enforcement agencies, there will be enough accessible agents and that necessary equipment will be available. A second factor is the ability of the task force to access other resources, such as being able to leverage additional resources. This advantage is notable in more urban communities as well as those that are close to the border. A geographically smaller area and higher population density leads to more coverage by law enforcement agents in the region, which contributes to the success of the task force. Conversely, there are more challenges to those Regions that are sparsely populated in large geographical areas with fewer resources. A final factor is whether the locale is desirable for recruitment and retention of officers, this is pay-related in addition to area amenities.

The other set of factors have to do with the structure of the task force and how it operates. Strong leadership is critical to the success of the task force. This leadership can be found in the commander or coordinator position but strong leadership over programmatic decisions is most effective. Second, a high degree of federal involvement is necessary, possibly more so than in other states given the New Mexico forfeiture laws and the proximity of the border for a number of New Mexico counties. Although federal presence operates in different ways in each task force, there is a relationship between effectiveness and federal participation. Sometimes federal presence can override local politics that inhibit task force effectiveness.

A critical factor is strong cross-jurisdictional relationships. Task forces that can develop and maintain strong relationships with the agencies in their Region, with other MJTFs, with the State Police, and federal agencies demonstrate more effectiveness. A final internal factor associated with an active, successful task force is an involved, well-trained Board that supports the Task Force rather than being unresponsive or oppositional. Many of the critical elements from BJA contribute to the development of a supportive, active Board.

The following are a set of recommendations for more exploration for New Mexico Department of Public Safety and for the evaluation team. These recommendations are based on the above findings as well as the critical elements reports.

- Actively support Federal involvement: study US Marshall Task Force for possible replication.
- Assess decision-making structure in each task force. Review commander and coordinator positions.
- Examine pay structure in task forces, particularly in rural areas.
- Require evidence of cross-jurisdictional exchange for grant compliance.
- Create workshop settings for officers to brainstorm cross-jurisdictional case collaboration.
- Develop strategies to increase active participation of District Attorney in regions and data collection.
- Create strategies to increase resources for the Task Forces.
- Create strategy to bring state into compliance with Jacob Wetterling Act.

Regional Task Forces

\$1,831,778

The following map shows the area of New Mexico in which each Region MJTF operates.



Multi-jurisdictional Task Forces have proven to be effective in making more arrests and seizing more narcotics. New Mexico is positioned such that traffickers regularly pass through whether it is from other states or Mexico. In addition, some Regions have local families that have been in the drug business for generations. This requires that Regions are able to respond in multiple ways to a variety of types of operation.

Most Regions met all the goals and objectives they had set for themselves. Those Regions that were not able to meet all goals and objectives still achieved the majority. All Regions reported that they had attained operational goals. Most objectives that were not met were due to obstacles beyond the control of the Region, and dealt with issues such as the expansion of the Regional Task Force Board or the addition of extra agents.

The most frequently reported barrier by the Task Forces is the scarcity of resources, which impacts personnel and equipment. The frustration for Task Forces is that without increased funding, they cannot increase outputs, which can include comprehensive investigation for some

Regions. Some factors in the lack of funding include critical obstacles that are legislative in nature: 1) the revised New Mexico Forfeiture law, implemented in July 2002 delineated in the section above addressing BJA-required performance measures; and 2) the State non-compliance with the Jacob Wetterling Act which has reduced the award for Byrne funding by 10%.

All task forces experienced the following three obstacles for reporting. First, the New Mexico data collection system is fragmented and major components frequently inaccessible; and second, a system of reporting between the Task Forces and the District Attorney's Offices inadequate and in some cases non-existent. The third obstacle is that different funding sources require different ways of measuring and counting success. An effort at the State level is currently underway to align goals and reporting requirements.

In most Regions there are very few, if any, available alternatives to sentencing and New Mexico prisons are overcrowded. These factors contribute to a system of multiple repeat offenders creating a feeling for some agents as being part of "the catch and release program."

For rural, outlying areas, recruiting and retaining law enforcement personnel is a serious challenge. Many Task Forces (as local law enforcement agencies) are significantly short-handed. Factors include military call-up, movement to other jurisdictions including federal jobs, lack of funds to pay for all necessary agents, and low pay. Task Forces are trying to address this in various ways including efforts to increase pay, finding alternative sources of funding, and recruiting retired officers.

The regions vary substantially in geographic area, population density, infrastructure, services, and economic circumstance. Therefore, in the following section, each region/task force is reported separately. Note that activities delineated below do not necessarily represent every accomplishment by the Task Forces. In the interest of conciseness only some areas are highlighted.

Region 1
\$277,599

Region I is comprised of Bernalillo, Sandoval, Torrance, and Valencia counties and is located in the center of the state. The total population for this region is 729,649 living in 9,288 square miles. Bernalillo County has the highest population density of any county in New Mexico with 447.4 persons per square mile with the population density of the region at 134.6 persons per square mile. The per capita income for Region I is \$17,211.25. Both Torrance and Valencia County have a per capita income under \$15,000. In Region I, 80.9% of the population over the age of 25 have a high school diploma, while 21.1% have a bachelor's degree or higher. Fifteen point four percent of the population is living below poverty. Nine reservations are located in Region I. Two major Interstates intersect in Bernalillo County, I-40 that traverses the country east west and I-25, a north-south route from Mexico through Colorado.

Region I MJTF activities included targeting money laundering, stash houses, methamphetamine labs and interdiction. Major accomplishments include successful joint operations with the DEA task force, ATF, the New Mexico State Police and the Lincoln County Task Force as well as investigations conducted solely by the Region. The results of these operations include the

identification of 30 individuals in a major DTO with international and national links, the dismantling of fifteen (15) Methamphetamine labs, eleven (11) stash houses, 640 hotel and bus station interdiction operations, and 484 drug-related investigations. The efforts of Region I to follow up and assist smaller outlining law enforcement agencies that develop information on shipments of narcotics have been significant. Methamphetamine lab manufacturing materials and components being shipped through the Albuquerque area to smaller surrounding communities for final production has appreciably been reduced by the interdiction effort.

Due to declining resources, Region I has focused on critically assessing and prioritizing to ensure that the investigations pursued will have the greatest yield. Major obstacles for Region I are endemic through out all Task Forces: the forfeiture law and the lack of a viable central repository for data.. Region I has also recently instituted a working group comprised of interested community members such as treatment providers to increase communication and planning across all sectors that deal with drug-related issues.

Region II

\$362,000

Region II is comprised of Cibola, McKinley and San Juan counties and is located in the Northwest corner of the state. The total population for this region is 214,194 living in 15,502 square miles. The population density of this Region is 13.1 persons per square mile. The per capita income for Region II is \$11,961.78. McKinley County has a per capita income under \$10,000. In Region II, 71.4% of the population over the age of 25 have a high school diploma, while 12.5% have a bachelor's degree or higher. Twenty-seven point five percent of the population is living below poverty. Three reservations and the Navajo Nation are located in Region II.

Region II MJTF activities included targeting methamphetamine labs and distribution, and interdiction. Major accomplishments include a successful joint operation with the DEA and the State Police as well as investigations conducted solely by the Region. As a result of this joint operation there were seven major DTO's dismantled, six minor DTO's dismantled and three major DTO's disrupted. Other activities include the investigation of 330 cases referred by participating agencies, targeting money laundering, referring 68 cases to Crime Stoppers tip to patrol, referring six (6) cases to federal agencies, and conducting fifteen (15) undercover operations. Year to date Region II has disrupted eight (8) DTO's and dismantled fifteen (15) DTO's. In a joint operation with the DEA and State Police, the Task Force was able to identify and arrest the sources for much of the methamphetamine imported and distributed in the Farmington area.

Region II has experienced some challenges in interagency cooperation. The Region essentially functions as two distinct areas because the needs and priorities of the counties vary tremendously. Additionally only one of the three counties is designated a HIDTA county, which creates some tension in mission among the counties. For the next fiscal year, a new position was created to oversee the southern end of the region, developing and strengthening collaboration among agencies in the southern end of the Region.

Region III

\$307,524

Region III is comprised of Los Alamos, Rio Arriba, Santa Fe and Taos counties and is located in the North central area of the state. The total population for this region is 218,804 living in 10,079 square miles. The population density of this region is 64 persons per square mile. The per capita income for Region III is \$22,151.5 with the low end in Rio Arriba at \$14,263 and the high end in Los Alamos at \$34,646. In Region III, 83.2% of the population over the age of 25 have a high school diploma, while 34.7% have a bachelor's degree or higher. Rio Arriba is at the lower end (15.4%) of those with higher education and Los Alamos is at the higher end (60.5%). Fourteen percent of the population is living below poverty. Eight reservations are located in Region III.

Region III MJTF activities included interdiction, as well as targeting heroin and cocaine. Major accomplishments include identifying nine (9) Level I Operations and fifteen (15) Level II Operations, disrupting six (6) Level One Operations and ten (10) Level II Operations. A total of 432 cases were initiated as a result of these efforts. Region II also referred ten (10) people to in-patient treatment. Region II seized amounts of cocaine and heroin that far exceeded projections; consequently, the purity of heroin has dropped from 70% to 50%.

Region III has expanded the Task Force with an addition of an agent in Taos, and maintaining a good working relationship with all task force members. Partnerships include other Regions, the State Police and the FBI. In addition to having an operational Regional NCIC, they increased their drug data tracking capacity with the addition of an analyst from the Counter Drug Support Unit.

The major obstacle Region III has encountered is the need for increased federal presence; specifically having a DEA agent assigned to Northern New Mexico would be a tremendous benefit, aiding filing seizures at the federal level.

Region IV

\$295,253

Region IV is comprised of Colfax, Harding, Mora, San Miguel and Union counties and is located in the Northeast area of the state. The total population for this region is 54,479 living in 16,360 square miles. Harding County has the lowest population density of any county in New Mexico with 0.4 persons per square mile. About half of Harding's 810 residents live in one town, the rest are spread across the county. The population density of the entire region is only 2.88 persons per square mile. The per capita income for Region IV is \$14,593.20. In Region IV, 75.4% of the population over the age of 25 have a high school diploma, while 17.3% have a bachelor's degree or higher. Almost twenty percent of the population is living below poverty.

The Region IV MJTF underwent restructuring this fiscal year due to an almost complete turnover in staff, agents and commander. Toward the end of the fiscal year, the new structure was in-place including an off-site covert office, which enhanced the relationship between the Region and the State Police. The State Police can now maintain undercover status while being at the Region IV office. Region IV targeted habitual offenders as well as marijuana and methamphetamine. Joint efforts of Region IV with the New Mexico State Police (NMSP) and

the DEA resulted in 343 cases, the majority lower level. The State Police and Region IV dismantled seven (7) Methamphetamine labs. A current operation includes the State Police and the DEA.

A major challenge for Region IV has been that officers move into higher levels of operation and other positions as they gain experience, slowing the development of an experienced Task Force. The reduction of funding has been a challenge for Region IV as has the retention of a commander.

Region V

\$151,240

Region V is comprised of DeBaca, Curry, Guadalupe, Quay and Roosevelt counties and is located in the East Central area of the state. The total population for this region is 80,137 living in 12,084 square miles. The population density for Region V is 9.08. Curry County has the highest population density in the region with 32 persons per square mile while two counties have less than 2 persons per square mile. The per capita income for Region V is \$13,895.60. In Region V, 73.6% of the population over the age of 25 have a high school diploma, while 15.6% have a bachelor's degree or higher. Twenty point three percent of the population is living below poverty.

Region V MJTF activities include targeting habitual offenders, interdiction, assisting other agencies, and identifying higher-level organizations. The results of these activities include arresting of 231 habitual offenders, dismantling 19 Methamphetamine labs. Major accomplishments include successful joint efforts with the NMSP, DEA, ATF, FBI and the Clovis Police Gang Unit. These efforts resulted in successfully dismantling one of the largest cocaine trafficking organizations in the Region. Region V also successfully assisted the State Police with significant seizures on Interstate 40.

The reduction of funding eliminated the ability of the Task Force to pay for overtime, phone service, equipment and training. Over the course of the fiscal year, participating agencies were able to contribute funds for a full-time agent and some equipment. Forfeiture money also helped purchase equipment. Region V also experienced a serious personnel shortage, due to commensurate shortages at the smaller participating agencies. Strategies are currently being discussed to improve officer recruitment and retention.

Region VI

\$185,941

Region VI is comprised of Chaves, Eddy, Lea, Lincoln and Otero counties and is located in the Southeast area of the state. The total population for this region is 250,260 living in 26,103 square miles. The population density for Region VI is 9.7. The per capita income for Region VI is \$16,336.00. In Region VI, 76.0% of the population over the age of 25 have a high school diploma, while 15.9% have a bachelor's degree or higher. Eighteen point eight percent of the population is living below poverty. There is one reservation located in Region VI.

Region VI is comprised of three task forces with a single coordinator, Pecos Valley Task Force, Chaves County Metro Narcotic Task Force (CCMNFT) and Lincoln County Task Force.

Activities of the entire Region account for 688 arrests and the dismantling of 49 Methamphetamine labs. CCMNFT activities included disrupting/investigating thirteen (13) DTOs and sharing of intelligence on twelve (12) cases, representing an increase from the previous fiscal cycle. Major accomplishments include successful partnering with the ATF to disrupt a family gang organization with national ties. This operation brought increased public confidence and public safety. While the CCMNFT are increasing the quality of cases, the available fund limit the number of upper level cases that can be successfully completed.

The Pecos Valley Drug Task Force targeted habitual offenders, interdiction, and methamphetamine and cocaine trafficking organizations. Activities of the Pecos Valley Task Force include joint successful operations with the FBI, DEA, US Customs, US Border Patrol and the CCMNFT. These efforts includes a number of nationally and internationally linked operations such as an OCDETF operation that has been going on for four years which successfully targeted a national methamphetamine trafficking organization, international and national cocaine smuggling operations, as well as another internationally linked DTO trafficking methamphetamine. Obstacles for the Pecos Valley Task Force include funding and an inexperienced prosecutor.

Region VII

\$251,269

Region VII is comprised of Catron, Dona Ana, Grant, Hidalgo, Luna, Sierra, and Socorro counties and is located in the Southwest area of the state. The total population for this region is 273,631 living in 25,292 square miles. The population density for Region VII is 10.0. The per capita income for Region VII is \$ 13,435. In Region VII, 72.1% of the population over the age of 25 has a high school diploma, while 16.3% have a bachelor's degree or higher. Luna has the lowest percentage (59.8) of high school graduates in the state. Hidalgo has the lowest percentage (9.9) of individuals with a bachelor's degree or higher. Twenty-five point nine percent of the population is living below poverty.

Region VII is co-located with the NM State Police Clandestine Laboratory Enforcement Team, which currently coordinates operations to curtail methamphetamine production and trafficking throughout the Region and State, dismantling 25 labs this year. Region VII also targeted repeat offenders, specific gang activity, and cocaine-related activity. Region VII has essentially operated as two task forces with a single coordinator through this year, the Southwest New Mexico Task Force (SWNMTF) and the Las Cruces-Dona Ana County Metro Narcotics Unit. Both Task Forces conducted many successful investigations partnering with other agencies such as the US Customs Service, DEA, FBI, and NMSP.

The SWNMTF merged during the past fiscal year with the Department of Homeland Security's Bureau of Investigations and Customs Enforcement. This added resources in personnel and intelligence connectivity. Efforts include a successful operation in identification, targeting, and infiltrating an international heroin trafficking organization responsible for distribution of large quantities in the United States as well as dismantling a local methamphetamine organization that resulted in an improvement in the quality of life for a small community in Southern New Mexico.

The LC-DA Narcotics Unit conducted several successful joint operations with the DEA, FBI, US Customs and the NMSP. These efforts resulted in the dismantling of an upper level cocaine trafficking organization that significantly impacted the availability of cocaine locally. Thirty-three (33) defendants were indicted after a six-year investigation. Efforts also resulted in the successful investigation of another international cocaine trafficking organization. Additionally, operations targeted interdiction, marijuana and ketamine.

Obstacles encountered by the Region include long-term commitment of personnel to other projects such as HIDTA and OCEDTF causing DCSI Operations to be conducted on an overtime basis. Some smaller agencies were not able to get their needs met. In addition, Region VII experienced an agent shortage on the Task Force itself. The Region has proposed structural changes for the upcoming fiscal year that include assigning program authority to the coordinator and a new method of distributing operational funds. This new approach was devised as a result of a comprehensive effort on the part of the coordinator to assess and address regional difficulties.

New Mexico State Police Narcotics

\$406, 164

The NMSP operates across the State of New Mexico. They work in conjunction with all seven Region Task Forces. Undercover work is a specialized function of the NMSP; they have conducted a minimum of one undercover operation per Region and two in most Regions. They also assist the Regions with canine units, haz-mat response officers, TACT Team officers, intelligence, and surveillance equipment. They provide a great deal of assistance with Clandestine Methamphetamine Labs, dismantling 73 out of 156 labs with two Clan lab trailers and providing personnel at other lab cases handled by other agencies. NMSP also can share contingency funds on joint operations. The NMSP interdiction efforts with the NM State Police Uniform Bureau and the Motor Transportation Division include training, payment for overtime efforts on road cases, and investigative assistance on cases involving narcotics.

Joint efforts with Region II and federal agencies in Operation Farmland resulted in many cases with 54 of them adopted federally. A major accomplishment of the NMSP is the total amount of drugs taken off the streets of New Mexico: 28,476 lbs of marijuana, 43,456 grams of cocaine, 276, 729 grams of methamphetamine, and 895 grams of heroin. They also made 728 arrests and seized \$2,407,694 in currency.

The largest challenge of the past fiscal year for NMSP was the project manager position changed three times creating communication, paperwork and logistics obstacles. Any challenge mentioned by the NMSP, and experienced by all the Regions, is the rapid increase of methamphetamine trafficking.

New Mexico Gang Task Force

\$304, 065

The New Mexico Gang Task Force (NMGTF) is the only multi-jurisdictional anti-gang law enforcement initiative operated statewide. The NMGTF provides overtime funding for gang initiatives and high quality, cost effective training to any interested Law Enforcement Agency. The program administers a statewide intelligence database, providing information from multiple

sources, in an information-sharing environment with gang-related activities, gang members, associations and criminal organizations. The NMGTF also assists in the development and implementation of appropriate anti-hate, anti-gang, anti-terrorism crime laws at the local, county, and state levels. They support the development of local anti-gang task forces through leveraging personnel and financial resources and providing administrative and technical assistance.

The NMGTF utilized approximately 56% of its funding for overtime anti-gang law enforcement operations or intelligence gathering operations. This funding enhanced normal departmental funded initiatives by 32.3% by allowing an additional 146 initiatives to occur. Approximately 4370 man-hours were used resulting in 681 arrests. To assist in or as a result of these initiatives member agencies made 7608 entries into the NMGTF gang database, GangNet, while 7809 gang-related queries were conducted.

The NMGTF hosted a basic gang training/recognition course in which there were 111 attendees and an annual conference with 326 participants; overall conference rating was 4.66 out of a possible high score of 5. Furthermore, participants strongly believed that the training provided was not only applicable to the performance of the current job but that it would allow them to better perform their job. Through eight training sessions NMGTF staff trained 53 individuals in the use of the GangNet database. Member agencies also made 28 gang-related presentations to community organizations.

Eight regular and prison meetings, and three intelligence meetings of the NMGTF provided a forum for resource leveraging and intelligence sharing resulting in better-targeted initiatives and investigations. This year nine additional agencies signed an MOU with the NMGTF. The NMGTF staff also participates in several multi-agency planning groups and strategic initiatives.

Challenges for the NMGTF included the malfunction of the server that hosted GangNet that made the database unavailable for several months. The purchase of a new server rectified the problem, although there have been difficulties bringing members back on-line. The NMGTF was not able to fund agencies to their requested level; the NMGTF received \$294,540 in requests and was only able to award out \$177,918 or 60% of requested funds.

An additional concern is the structure of the Board and efforts are underway to change the by-laws.

South West Investigative Task Force

\$20,000

This task force was begun in order for participating agencies to clear outstanding warrants in Bernalillo County, the most populated area of New Mexico. It began the year on a part-time basis but as success became evident, several participating agencies assigned personnel on a full-time basis. The original goal was to clear 600 warrants throughout the year and, in fact, they were able to clear 906. 1222 cases were opened, 906 completed, 204 discontinued and 112 on going. Of the discontinued cases, 175 cases were turned over to the New Mexico DPS Road Predator Program for further investigation and follow-up. This program has the potential to be a model for other communities to replicate.

The greatest facilitating factor for the SWIFT has been the relationship with the US Marshall's Office, giving access to national intelligence, national cooperation, and the ability to clear federal warrants. The main obstacle for the Task Force has been the lack of funding for equipment such as radios. This is slowly being addressed through greater commitment of the participating agencies.

9. Purpose Area 8: Career Criminal Prosecution

Second Judicial District Office

\$61,200

The Second Judicial District's Office focused on referring drug offenders, when appropriate, to diversionary programs such as Drug Court and conducting prior felony background checks. The Second also focused on forfeitures associated with narcotics cases, drug-free school zone cases, and various analyses of narcotics prosecutions.

Forty-eight percent of the cases referred to drug court were resolved as a Diversion. Those diversion cases made up 40% of those that successfully completed Drug Court requirements. Of the cases identified as occurring in a drug-free school zone, 13 resulted in a first-degree felony case. Projected goals of referring 150 pre-indictment defendants during the year to Drug Court Diversion program were exceeded by 180%. They also successfully presented 62 cases to the Grand Jury for first-degree drug trafficking charges. Using the Drug-Free School Zone, staff were able to successfully apply the ordinance to 27 cases. The Second Judicial District Attorney staff participate in the Region I Coordinating Council.

10. Purpose Area 13: Treatment

University of New Mexico ASAP

\$25,300

ASAP is a community based substance abuse treatment service provider. ASAP personnel collaborate with the New Mexico Corrections Department (NMCD) Adult Institution Substance Abuse Treatment personnel and Region I Probation/Parole Division to establish a continuum of care for/inmates who have participated in the substance abuse treatment program within the institutions who are paroling to Bernalillo County. The outcomes ASAP projected were 1) 45% of the referred target population currently enrolled in treatment remain out of prison during the six-month period in which they were with ASAP, 2) 45% would significantly reduce and/or abstain from the use of illegal drugs and/or alcohol, 3) 55% would refrain from committing new crimes, and 4) 45% would successfully complete the CASAA Therapeutic Community After Care Program.

ASAP has served 91 clients to date of whom 33 (36%) have been in the programs six months or more. All 33 (100%) of these individuals have remained out of prison, 31 (94%) have reduced and/or abstained from the use of illegal drugs/alcohol as verified the client's P/PO through UDS, 33 (100%) were not charged with any new crimes and/or further court involvement resulting in revocation of their Probation/Parole, and 33(100%) have successfully completed the program.

Of the 58 clients who did not remain in the program for six months or more, 16 were revoked and remanded to custody, 1 was revoked and remanded with new charges, 9 absconded, and 6 chose to drop out of the program. The status of 26 clients was not reported.

San Juan County DWI Detention and Treatment Facility

\$25,000

The San Juan County DWI treatment program is a 28 day program, incarcerating first-and-second time offenders in a minimum security facility and providing a multi-component treatment. Components include alcohol use, abuse and dependence; health and nutrition; psychological effects; drinking and driving; stress management; goal setting, family issues; domestic violence; and HIV prevention. After discharge offenders receive case management for six to twelve months. The program strives to keep offenders employed and in school and allows releases to eligible offenders.

During this fiscal year, a total of 492 offenders were sentenced to the program and 516 were discharged. Thirty-six (36%) percent (186 offenders) successfully completed the program. Three (3%) percent were rearrested on DWI charges and another 4% on other charges. This re-arrest rate has been shown to be one of the smallest in the country. This program was not refunded in the next fiscal cycle based on the Department's funding panel's recommendation.

11. Purpose Area: 14

Albuquerque Women's Resource Center

\$145,000

The AWRC targeted breaking the cycle of domestic violence using a comprehensive approach that focuses on early intervention and empowerment of victims. The primary focus of the program was on a curriculum called *Tools for Empowerment* which teaches clients to set boundaries and maintain them through appropriate assertiveness, establish their own rights as individuals, learn how to distinguish healthy relationships and how to make better decisions. AWRC also focused on providing legal services to clients to clarify and assist with complicated and intimidating processes. A third area of focus was on mental health counseling, individually and in groups to clients and their children.

The lawyer on staff tracked services provided to over 90 clients that consumed approximately 900 hours. The evaluation staff worked with AWRC and developed a database for tracking number of clients served through counseling and classes. However, the AWRC experienced many barriers throughout the year including insufficient funding, administrative clerical support and a lack of volunteers. These obstacles led to their inability to spend the DCSI award during the fiscal year and ultimately to closing their doors. As of the writing of this report the AWRC has re-opened under other funding, using lessons learned from this fiscal year to better manage their program.

12. Purpose Area 18: Domestic Violence

Clovis Domestic Violence

\$14,000

The City of Clovis targeted domestic violence by funding overtime and training for the department's Domestic Abuse Response Team (DART). All domestic violence incidents were reported to the DART supervisor from each shift who then reviewed and assigned the incident to a DART officer for follow-up. Follow-up consisted of interviewing the victim to determine what resources she or he had utilized, what services were needed and dispersing a written copy of Victim's Rights to the victim. Domestic violence incidents reported increased by 48% to 827 from the previous year. Arrests increased 38% to 528 from the previous year. This may be due to both the increase in population and the increase in awareness of domestic violence issues..

The City of Clovis police department suffered large manpower shortages due to retirement and job transfers. There were not as many applicants for positions as there were vacant positions. Due to the inability to maintain staff (overtime for nine DART members was targeted), the City of Clovis Domestic Violence program was not refunded.

13. Purpose Area 15b: Criminal Records Improvement

Third District Attorney Office

\$30,959

The Third Judicial District targeted standardizing their outdated and incompatible internal and external information system. This required the purchase of new computers, computer hardware and software, and an Internet conduit to each employee's computer. The Third Judicial District's ability to meet all these objectives opened the lines of communication with other agencies in the region and allowed sharing of information through the Jail Management System and police reports. The Third Judicial District also targeted the creation of a new website for use by law enforcement officials, citizens and victims of crime. This website has been created and an employee has been trained to maintain it.

14. Purpose Area 26: Anti-Terrorism

Office of Emergency Support

\$145,000 (\$118,400.66 reverted)

State Police Major Michael Francis attended the National Homeland Security Conference in Washington DC. Counter-Terrorism Intelligence Agents Alex D. Horcasitas and Jennie F. Tafoya attended the Annual Counter-Terrorism Conference and Exposition. Eighteen State Police Agents and Officers attended the Weapons of Mass Destruction (WMD) Tactical Operations Course hosted by the Department of Energy. DPS Counter-Terrorism Agent Jennie F. Tafoya attended the Annual Counter-Terrorism Conference and a Counter-Terrorism Strategic Analysis Course.

OESS developed the New Mexico Homeland Security Strategic Plan, which addresses the steps suggested by the *National Homeland Security Strategy* for states in supporting national efforts. OESS awarded a contract to Southwest Training Institute & Consulting to design and develop a tabletop exercise scenario to test Regional Response Plans. The exercise tested: 1) Region to Region Coordination, 2) Regional Jurisdictional Coordination, 3) Regional Assessment of Events, and 4) Regional Coordination with State Agencies and was conducted in three regions. OESS developed an informational card for distribution to Law Enforcement Agencies around the

State. In addition OESS published a New Mexico Homeland Security Executive Summary. This is an Executive Overview of Homeland Security in New Mexico.

Appendix I NMSP Levels

Narcotics Case Evaluation Guideline

Intent: Set a guideline for the evaluation of narcotic related investigations. As with any type of criminal investigation, it is difficult to completely evaluate the level of productivity for any given case and caseload per Agent. However, the ability to best fulfill our obligated mission requires that each Agent receive guidance regarding the level of investigative effort that is expected. These evaluation standards should provide that guidance. We should remember that guidance is just that, guidance. It does not replace common sense and the need to address other issues as they arise. This is not intended to solely judge productivity. It is a management tool for measuring the relative complexity and value of narcotic investigations.

Method: Place an operational level of narcotic related investigations. Through the combination of these levels along with aggravating and mitigating factors a value for narcotics operations can be obtained.

Operational Levels

Level 4: Consists of undercover purchases or narcotic investigations where no mid-level traffickers have been identified and only street level traffickers are prosecuted. Purchase/seizure amounts for this level of operation do not generally exceed gram to 1 ounce amounts of Methamphetamine and Cocaine, ounce to ¼ pound amounts of Marijuana, papers or BB's of Heroin, or minor dose amounts of other schedule I, II, III, or IV substances. This type of investigation does not normally involve drug trafficking organizations and is mainly street level. Road seizures with follow-up investigation and no further arrests or seizures would fit into this level of investigation.

Level 3: Consists of undercover purchases or narcotic investigations where mid-level traffickers have been identified and are prosecuted. Purchase amounts for this level generally include ounce amounts of Methamphetamine and Cocaine, pound amounts of Marijuana, ounce amounts of Heroin, or more than personal use amounts of other schedule I, II, III, or IV substances. Road seizures where controlled deliveries are executed and additional arrests are made and assets are seized would fit into this level of investigation. This is due to the general disruption or dismantling a controlled delivery can have on an organization.

Level 2: Consists of undercover or narcotic investigations where mid-level traffickers have been identified/prosecuted and efforts are being made through aggressive investigative efforts to identify their source of supply. Phone toll analysis, pin-registers, pole cams, flow charts, and financial record inspections are all examples of aggressive investigative efforts. Seizure amounts during this level should reach a pound or more of Methamphetamine and Cocaine, multiple pound amounts of Marijuana, multiple ounces of Heroin, or more than 5,000 dosage units of other schedule I, II, III, or IV substances. This level would address local/regional drug trafficking organizations that consist of 5 or more conspirators/people. Road seizures where the investigation leads to a current Title

III and/or OCDETF investigation would fit into this level of investigation. This is due to the impact the road seizure can have on the Title III and/or OCDETF investigation. A seizure of a clandestine laboratory capable of producing between gram and ounces would qualify for this level.

Level 1: Consists of undercover purchases or narcotic investigations where sources of supply have been identified through aggressive investigative efforts and efforts are being made to identify/prosecute the leaders of the organization. These types of investigation consist of Title III or pager intercepts and generally are OCEDTF investigations. Seizure amounts during the course of these investigations should reach kilogram amounts of Methamphetamine and Cocaine, at least 100 pounds of Marijuana, pound to kilogram amounts of Heroin, or more than 20,000 dosage units of other schedule I, II, III, or IV substances. This level would address some regional organizations, but most likely, national/international organizations. A seizure of clandestine laboratory capable of producing in excess of an ounce or more would qualify for this level.

AGGRAVATING FACTORS

1. Offender was armed with a firearm/weapon during undercover purchases or buy/bust.
2. Offender is a habitual defendant with at least two or more felony convictions.
3. Offender has propensity toward violence.
4. Offender is a Fugitive from Justice and considered a flight risk.
5. Offender is on Probation/Parole.
6. Children were present during violations involving drug transactions.

MITIGATING FACTORS

1. Multiple offenders who have not been identified.
2. Multiple offenders who have only one undercover purchase made against them.
3. Multiple wash-buys where no prosecution will be commenced.

The adoption of these guidelines was the first step in correlating the priority issue of a comprehensive statewide drug policy with the identified crime problem. These evaluation guidelines provide law enforcement with guidance for conducting narcotic investigations and encourage organizational investigations.

The extent to which arrests and investigations focus on moving investigative emphasis from Level IV (primarily street crime) toward Level I (international crime organization) will, depending on local conditions and the nature of the local drug problem and population base, reflect how effectively local multi-jurisdictional task forces are operating. In more rural areas, much of the activity may focus on Level IV, but the intelligence gathered should be used to create or assist investigations that are attempting to go to Level III and II.

Appendix II Critical Elements

Critical Element 1: Written interagency agreements adhered to by all participating agencies establish broad objectives and funding methods for the task force. Well-thought-out written agreements can minimize future questions about activities and responsibilities and serve as a strong statement of the task force's intention to set aside turf issues and work as a unit for the benefit of all agencies. A supportive feature of many successful task forces is the establishment of an advisory board or group to guide decision-making and oversight processes. This "board of directors" can play a number of critical roles, including policy development, support for long-term funding, and coordination with external officials and other agencies.

Critical Element 2: Prosecutor involvement, either as the "lead agency" or as a direct member and participant on a task force, is common and has improved a task force's ability to process cases and evidence, planning and tactics used in pursuing cases, and law enforcement linkages to other components of the criminal justice system.

Critical Element 3: Computerized information/intelligence databases and systems of the agencies involved in task forces have become increasingly sophisticated. The development and maintenance of intelligence networks have become key components in the task force maturation process and have resulted in establishing capabilities in the individual participating agencies that few could have managed on their own. Enhanced investigative capabilities have led to expansion of task force objectives and activities to include financial investigations and surveillance of racketeer-influenced and corrupt organizations (RICOs). These networks often result in agencies avoiding duplication of investigative efforts.

Critical Element 4: Target decision, case planning and selection, and enhanced investigation tactics are now based on clear, specific criteria that focus the procedures used by task forces members. Initially task force participants agree upon and describe offenses and offenders for priority apprehension. All participants work together as a team when deciding on tactics to be used, both investigative and prosecutorial. This also leads to enhanced ability to coordinate the efforts of task force agencies with other agencies.

Critical Element 5: Communication among task force participants and their sponsoring agencies, other responsible officials, and other components of the criminal justice system is critical to the sustenance of the task force. Task forces should never become isolated or outside the reach and direction of their home agencies. Continually open channels for communication are critical to MJTF acceptance and support externally and meeting objectives internally. Many states are using the framework of statewide cluster meetings for all task forces to share information on improvements and modifications that produce more effective results. **Frequent, regular meetings** help keep task force officers focused on overall direction and program goals and objectives. By building relationships among agencies, the meetings minimize organizational problems. They also promote improvements through feedback to the group and reinforce the roles of various participants. Occurring weekly or more frequently, these meetings provide a venue in which to review current cases, planned arrests or surveillance projects, or other developments. An unanticipated result of communication concerning task force activities is better overall communication among agencies.

Critical Element 6: Coordination of task force activities often determines the long-term acceptance and, hence, viability, of the task force. Many studies have produced innovative means to promote coordination given the objectives and activities involved. Larger, urban task forces are more complex and must put in place multiple forms of coordination. Specialized task forces (gangs, border crimes, rural) often rely on coordination to gain resources critical to the success of their operations on an as-needed basis. Many task forces now hold meetings, at least on a monthly basis, with all local, state, and federal entities operating within their jurisdiction.

Critical Element 7: Establishing the basis for a task force's **budget** is the central feature of interagency agreement and is predicated on a consensus to support the cost of operations across the jurisdictions involved, including any federal funding that may be included. Reliable, long-term funding sources are crucial to a task force and, if found, often indicate that a task force has institutionalized itself. **Funding** must match the complex needs most task force operations have if they are to meet their objectives. The availability of advanced technology and computerized systems has created ever increasing pressures to find funding to support more than the salaries and benefits of task force participants. Training, the need for external expertise, and the use of overtime during periods of surveillance require additional resources. **Long-term funding allocations** would alleviate many funding issues, but too often task forces exist on a year-to-year basis.

Critical Element 8: Clearly formulated **goals, objectives, and performance measures** are often a challenge to develop in the creation of a task force but are critical to success in the future. When task forces achieve their goals, they gain specificity about what is to be accomplished, with objectives that are both measurable and observable. Numerous examples of task force objectives and performance measures exist, making this exercise much less difficult and creating opportunities for comparing results across task forces. At the time task forces apply for continuing funding from outside or within their jurisdictions, the results of assessments and evaluations become critical and often determine if they will receive support.

Critical Element 9: Monitoring and evaluation should be constant throughout the implementation of a task force and throughout its lifetime as these assessment tools are key to revising task force goals, targets, procedures, and related activities. Strong management practices, including evaluation, lead to the long-term institutionalization of task forces within their environment. This, in turn, often leads to changes in their objectives and adaptation of tactics but does not undercut their ability to serve unique and essential functions.

Critical Element 10: Staffing and recruitment begins with the recognized need for experienced leadership and supervision. Supervisors often seek seasoned officers to work for them but often recruit younger, less experienced officers or even prosecutors who need training. Most task forces set limits on the length of time individuals, including supervisors, can participate in a specific task force. Individual agencies often profit greatly when task force members return to their home agencies to use their new skills. Numerous task forces depend on part-time members, working when needed for special duties or on overtime from their regular positions. The flexibility required when faced with limited resources explains both the success and fragile nature of some task force configurations.

Critical Element 11: Effective asset seizure and forfeiture activities are not critical for all task forces because of the differences in constraints and applicability in individual jurisdictions. In general, however, offenders' forfeiture of assets seized in drug arrests benefit task forces both as a practical enforcement tactic and as a means of ensuring financial viability of the task force. (Note: Due to changes in law effective 7/1/02, this element is not applicable.)

Critical Element 12: Technical assistance and training programs that draw on the experiences of current and former task force participants are critical to the maintenance and continuity of task force operations. Federal sources often provide funds for personnel training. Such training may be replaced in the future with existing guidelines and manuals and successful train-the-trainer programs that provide cost-effective opportunities for training at local levels. The success of many task forces relies on supervisory experience and sufficient expertise to accomplish objectives. However, effective training programs are critical to ensuring that personnel at all levels will be able to contribute to the success of the task force.

(Source: US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, 2000; Effective Programs Monograph No. 2: *Creating a New Criminal Justice System for the 21st Century: Findings and Results from State and Local Programs*)

Region/Agency:

Critical Element	Rating	Changes	Barriers/Facilitators
1. Interagency Agreement *Establishing broad objectives and funding methods *Advisory board			
2. Prosecutor involvement			
3. Computerized Information, intelligence networks			
4. Target decision, case planning and selection *Based on clear, specific criteria to focus procedures			
5. Communication *Statewide cluster meetings *Frequent, regular meetings			
6. Coordination * Meetings with all local state and federal agencies in jurisdiction			
7. Budget *Reliable, long-term funding *Funding matching needs *Long-term funding			
8. Clearly formulated goals, objectives and performance			

New Mexico Department of Public Safety Byrne Formula Grant 2002 Annual Report

measures			
9. Monitoring and evaluation *Strong management practices			
10. Staffing and recruitment *Experienced leaders and supervisors			
11. Effective asset seizure and forfeiture activities			
12. Technical assistance and training *Current and former task force members to assure continuity *Training			

- Develop rating scale of 1-5; definitions of each rating point to be developed with law enforcement and DPS input.

Self-Rating on quarterly basis, added to quarterly report by the second quarter.

Appendix III Applicant Review Grantee Questions

The following criteria shall be used to rate renewal projects:

Priority Areas and Projected Impact

1. What are your targeted priorities for 2003-2004?
2. How do they link to the regions' major drug control issues?
3. How are these priorities different from your 2002-2003 priorities?
4. What are the anticipated impacts of your activities?

Project Design and Performance

1. How do you plan to implement your project?
2. What are your objectives?
3. How do your objectives fit with the intent of your project?

Project Costs

1. What is your budget? Please describe each line item.
2. Explain the discrepancies? (If applicable)

Prior Performance

1. Of your current year objectives, which objectives have you completed? Of those you have not yet completed, what is the expected completion date?
2. What changes in program capacity or expertise for the next fiscal year will impact your scope of work, record-keeping and/or data collection?

Complete only one of the following sections:

a. Multi Jurisdictional Task Forces

1. How, why, when and with what agencies does your region collaborate?
2. Please share with us a simple example of an operation and how you would allocate manpower and resources.
3. Conditions change during the year. That is expected. What procedures do you have in place that allows you to accommodate these unspecified changes?
4. How is information shared among members of your task force, with agents, from agents to commanders and from commanders to agents?

b. Other Program Types

1. How are your activities related to New Mexico's Drug Strategy priorities?
2. How, why and when do you collaborate with appropriate local law enforcement, legal authorities (such as the district attorney), or corrections agencies?

Appendix IV Applicant Review Ratings

Applicant: _____

Date: _____

The following criteria shall be used to rate renewal projects:

Instructions for filling out criteria - In the space provided for each question, make comments based on applicants' response and/or reviewed materials.

Rate applicant on each question using the following rating scale:

Unacceptable	Poor	So-So	Good	Excellent
1	2	3	4	5

A. Priority Areas and Projected Impact

1. Were goals for the Byrne funding clearly defined by the applicant?
Rating: 1 2 3 4 5
2. Are the achievements specified in question 1, clearly linked to the regions' major drug and/or violent crime issues?
Rating: 1 2 3 4 5
3. How are the achievements different from the applicant's 2002-2003 achievements, and are any differences clearly described?
Rating: 1 2 3 4 5
4. Were the anticipated impacts clearly described?
Rating: 1 2 3 4 5

Applicant: _____

Instructions for filling out criteria - In the space provided for each question, make comments based on applicants' response and/or reviewed materials.

Rate applicant on each question using the following rating scale:

Unacceptable	Poor	So-So	Good	Excellent
1	2	3	4	5

B. Project Design and Performance

1. Were the project objectives clearly described?
Rating: 1 2 3 4 5
2. Did the applicant present a valid and reasonable implementation plan?
Rating: 1 2 3 4 5
3. Are the objectives clearly linked to the project design?
Rating: 1 2 3 4 5
4. and 5. Is there active participation of key partners/stakeholders? Were roles clearly defined?
Rating: 1 2 3 4 5
6. Did the applicant describe sufficiently the process in place if a partner/stakeholder discontinues participation or if conflicts arise?
Rating: 1 2 3 4 5

Applicant: _____

Instructions for filling out criteria - In the space provided for each question, make comments based on applicants' response and/or reviewed materials.

Rate applicant on each question using the following rating scale:

Unacceptable	Poor	So-So	Good	Excellent
1	2	3	4	5

C. Project Costs

1. Is each category line item clear and understandable?					
Rating:	1	2	3	4	5
2. If funding utilization clearly stated?					
Rating:	1	2	3	4	5

Applicant: _____

Instructions for filling out criteria - In the space provided for each question, make comments based on applicants' response and/or reviewed materials.

Rate applicant on each question using the following rating scale:

Unacceptable	Poor	So-So	Good	Excellent
1	2	3	4	5

D. Prior Performance

1. How many objectives were completed?
How many objectives were not completed?
Were reasons for not completed reasonable and understandable?

Rating: 1 2 3 4 5

2. Does the Sub recipient demonstrate sufficient organizational capacity to complete fiscal, budgetary monitoring, record keeping, and data collection requirements?

Rating: 1 2 3 4 5

Applicant: _____

Instructions for filling out criteria -

In the space provided for each question, make comments based on applicants' response and/or reviewed materials.

Rate applicant on each question using the following rating scale:

Unacceptable	Poor	So-So	Good	Excellent
1	2	3	4	5

E. a. Multi Jurisdictional Task Forces (complete only if applicable)

1. To what degree does the applicant demonstrate useful and collaborative linkages between participating agencies?	
Rating: 1 2 3 4 5	
2. To what degree does the applicant demonstrate the effective allocation of manpower and resources?	
Rating: 1 2 3 4 5	
3. To what degree does the applicant demonstrate appropriate responsiveness to changing conditions during the contract year?	
Rating: 1 2 3 4 5	
4. To what degree is the evidence of a high level of communication among the members of the Task Force?	
Rating: 1 2 3 4 5	

Applicant: _____

Instructions for filling out criteria -

In the space provided for each question, make comments based on applicants' response and/or reviewed materials.

Rate applicant on each question using the following rating scale:

Unacceptable	Poor	So-So	Good	Excellent
1	2	3	4	5

E. b. Other Program Types (complete only if applicable)

1. To what degree does collaboration occur between the applicant and appropriate local law enforcement, legal authorities (such as the district attorney), or corrections agencies?
Rating: 1 2 3 4 5
2. How do you collaborate with other providers or agencies in your community?
Rating: 1 2 3 4 5
3. To what degree does the applicant demonstrate appropriate responsiveness to changing conditions during the contract year?
Rating: 1 2 3 4 5

