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Office of Intergovernmental Services

Date: October 28, 2019

To: All Stakeholders for the Edward Byrne Memorial JAG State Solicitation

From: State Administering Agency (SAA) –DFA-Intergovernmental Services

RE: Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2019 State Application Submission

The Arkansas Edward Byrne Memorial Justice Assistance Grant FY2019 State Application was submitted on June 25, 2019. To meet the Certifications and Assurances requirements, the submitted application is attached and made available on the DFA-IGS websites under Announcement & News Releases. Below is the link. An addendum to the JAG application, the Comprehensive Strategic Plan Draft, has been previously posted for review and comments.

<http://www.dfa.arkansas.gov/newsEvents/Pages/default.aspx>

The Edward Byrne Memorial Justice Assistance Grant FY2019 State Solicitation can be found at

<https://www.bja.gov/funding/JAGState19.pdf>

If you have comments regarding the solicitation, the state's application for 2019, or how the State of Arkansas might use these funds in the future, please submit in writing to igs.jag@dfa.arkansas.gov on or before November 28, 2019.

PROJECT IDENTIFIERS

As the designated state administrative agency (SAA), the Arkansas Department of Finance and Administration, Office of Intergovernmental Services (DFA-IGS) is responsible for the administration of various federal grant programs including the Edward Byrne Memorial Justice Assistance Grant Program (Byrne JAG).

The project identifiers that will be associated with the JAG proposed projects are listed below.

- Body Armor – Ballistic –Resistant
 - Body-Worn Cameras
- Computer Software/Hardware
- Equipment-General, Tactical, Video/Audio
- Evidence-based programming/approaches
- Mental Health/Behavioral Health Training
- Reentry
- Prevention-substance abuse/delinquency
- Screening and Assessment
- Substance abuse treatment
- Taskforces

PROGRAM NARRATIVE

Description of the Issue

State's Strategy/Funding Priorities. Arkansas' has selected three (3) funding priorities under Byrne JAG 19. The funding priorities are Law Enforcement, Behavioral Health/Mental Health, and Prevention and Education. During the first year of the strategic plan, Arkansas is proposing utilizing 100% of the pass-through funds toward law enforcement efforts; the next-year funding (JAG20) 95% and years thereafter 90% toward these efforts. The remaining 10% of pass-through

funds will support the behavioral-mental health and prevention and education priorities' objectives outlined in the strategic plan.

Subgrant award process and timeline for Law Enforcement – Multijurisdictional Drug Task Force Program (DTFs) and Local Law Enforcement Equipment Grant (“less-than-\$10,000” jurisdictions).

December 2019 : JAG sub-recipients (DTFs) are notified of continuation of funding for SFY2020

January 1, 2020: Sub Grants Awards are issued (Project Period: January 1, 2020 to June 30, 2020)

February 15, 2020: The first request for reimbursement for SFY20 sub-grant year due to the Grantee (Sub Recipient's reimbursement request are to be submitted by the 15th of each month)

February 2020 – July 2020: Review expenditures and confirm proper documentation for all sub-recipients 'activities

April 30, 2020; July 30, 2020: PMT reporting due from sub recipient 20 days before the federal reporting date for the SAA

January 1, 2020 – June 30, 2020: During this period, monitoring of sub-grants will be conducted in-person and/or enhanced desk reviews by Grant Analysts. Monitoring reports are to be completed to document the results and the process

October 30, 2020: Closeout Sub Awards for 2019 federal Byrne JAG Award

December 2020: Local Law Enforcement Units (jurisdictions) are notified of availability of funding

January 2021 – February 2021: Request for Application received by eligible entities

April 2021: Sub Grants Awards are issued (Project Period: April 1, 2021 to May 31, 2021)

June 2021 – July 2021: Review expenditures and confirm proper documentation for all sub-recipients 'activities

July 30, 2021: Quarterly reporting/PMT due from sub recipient 20 days before the federal reporting date for the SAA

August 2021 – October 30, 2021: Conduct site-visits of 20% funded subrecipients and verify equipment purchased/activities.

October 30, 2021: Closeout Sub Awards (law enforcement equipment grants) for 2019 federal Byrne JAG Award

Description of Programs to be funded. Arkansas' focus in administering Byrne JAG to Law Enforcement consist of the Multijurisdictional Drug Task Forces (DTFs). The DTFs are to address the problems of drug trafficking within the state and its borders. This includes the possession, manufacturing and distribution of controlled substances by drug crime networks and to augment the quality and effectiveness of drug enforcement and prosecution.

Statewide Impact - The State of Arkansas gives funding priority for Byrne JAG to multi-jurisdictional Drug Task Forces entities (DTFs) to perform a broad range of enforcement and collaboration efforts and activities to address drug trafficking and drug-related crimes across the State. Currently Arkansas has nineteen 19 DTFs that covers approximately two-thirds of States' seventy-five (75) counties. These DTFs in coordination with other local, state, and federal agencies, perform drug interdiction and eradication along major interstates, highways, and byways of the State. Over the last 12 months, the Drug Task Forces impact has resulted in drug confiscations of over 2.7 million grams of drugs and seizure of assets valued over \$39 million statewide. In addition, 418 drug organizations were disrupted and 125 dismantled. There were over 4,200 ongoing investigations with over 2,700 drug-related arrests made in the last state fiscal year and approximately 4,000 drug convictions.

Byrne JAG funding continues to be critical for the ongoing efforts of the DTFs. Annually, the combined operational budgets for the 19 DTFs exceeds \$4.1 million. Their efforts are being sustained through both federal, state funding, and local funding. The Byrne JAG funds and state level resources (State Drug Crime Enforcement and Prosecution fund and State Appropriate Match) allows continued support to the 19 DTFs across the state. Byrne JAG supports approximately forty percent (40%) of the DTF's annual operational cost. To sustain the state's DTFs, a hundred percent (100%) of JAG funds (excluding the jurisdiction with less than \$10,000

set-a-side amount and the 10% administrative costs) are awarded for the program efforts and operations.

In addition to the funding of DTFs, the Department of Finance and Administration, Office of Intergovernmental Services (DFA-IGS) continues to administer JAG funding to units of local government as required per BJA (jurisdiction with less than \$10,000). These local jurisdictions will receive awards based on the Bureau of Justice Assistance's pre-calculated amount. These awarded funds typically assist local jurisdictions (law enforcement units) with small equipment needs.

As the State moves towards a facilitated strategic planning process, funding priorities will be determined by a comprehensive assessment and a review of the data collected from stakeholders. Currently, there are not any NIBRS implementation challenges. The State of Arkansas has completed its transition to NIBRS. Arkansas has met compliance for the required 2021 NIBRS reporting.

Project Design and Implementation

The Arkansas Alcohol and Drug Abuse Coordinating Council is a key stakeholder in the strategic planning process. The Council consists of a diverse group of individuals appointed by the Governor to represent multiple disciplines from many sectors of the state including: state police, education, corrections, highway and transportation, state crime lab, department of health, Arkansas National Guard, local police, judges, health professionals and public citizens.

The Arkansas Alcohol and Drug Abuse Coordinating Council (AADACC) was established by Act 855 of 1989 and Act 551 of 1995 and is composed of the following members.

- Arkansas Drug Director
- Director of the Bureau of Alcohol and Drug Abuse Prevention
- Director of the Arkansas State Police
- Director of the Department of Education
- Director of Highways and Transportation
- Director of the Department of Correction
- Director of the Department of Finance and Administration
- Adjutant General of the Arkansas National Guard

- Arkansas Attorney General
- Director of the State Crime Laboratory
- Director of the Blood Alcohol Testing Program
- Director of the Administrative Office of the Courts
- One Police Chief
- One County Sheriff
- One Prosecuting Attorney
- One non-government private citizen
- Director of a Drug Abuse Treatment Program
- One School Drug Counselor
- Director of a Drug Abuse Prevention Program
- Director of a DWI Program
- A Health Professional
- Four At-Large Members (*two must be recovering persons*)

The Council has the responsibility for overseeing all planning, budgeting, and implementation of expenditures of state and federal funds allocated for alcohol and drug education, prevention, treatment, and law enforcement. The Law Enforcement Committee (a committee of the Council) is available to assist the SAA in reviewing applications for funding. The Law Enforcement committee reviews the SAA funding recommendations and forwards them to the full council for approval.

With limited strategic planning, the Council thus far has unanimously supported prioritizing funding to the Drug Task Forces (DTF) for statewide drug enforcement operations and efforts. To comply with the FY 2019 JAG strategic plan, DFA-IGS with BJA's Strategic Plan Training and Technical Assistance (TTA) provider, National Criminal Justice Association, has started the strategic planning process to engage stakeholders from across the justice criminal system. The process has included an assessment phase which will identified the gaps in the State's needed resources for criminal justice, goals to improve the criminal justice system, and the discussion of evidence-based approaches to addressing and preventing crime. The overall strategic planning process has been successful in determining the state's priorities, identifying goals and objectives, and determine funding allocations.

To accomplish the FY 2019 JAG strategic plan requirement, DFA-IGS and the Office of State Drug Director established the JAG 19 Strategic Plan Core Team. The team consisted of

representation from the Health Department, Substance Abuse Prevention and Treatment, Law Enforcement, Community Corrections, Re-Entry, Administrative Courts, National Guard Counterdrug, SAA, and State Drug Directors Office. The TTA provider has worked with this group to discuss data, gaps/challenges, prioritization, and guidance on establishing goals and objective.

Below is a summary overview of the JAG Strategic Planning Process:

- DFA-IGS requested and received technical assistance for facilitating the JAG 2019 state's strategic planning process from the National Criminal Justice Association. **(November 2018)**
- National Criminal Justice Association created a stakeholder survey and collected responses. **(December 2018 – February 2019)**
- DFA-IGS and the Office of the State Drug Director identified members from the Council to serve and participate on the JAG Strategic Plan Core Team **(February 2019)**
- Strategic Planning Core Team met to review and discuss the information received from the survey as well as reviewed crime statistics and gaps, barriers/challenges. This process was facilitated by the National Criminal Justice Association **(April 2019-June 2019)**
- DFA-IGS and the Strategic Planning Core Team prioritized the system needs, recommended fund priorities, and developed and identified goals with achievable objectives. **(June 2019)**
- DFA-IGS (SAA) will work with the TTA provider to finalize the strategic plan for Council and BJA Submission **(July 2019-September 2019)**
- Finalize the Strategic Plan for Council approval and post plan for public comments 30-Days. **(July 2019)**
- Final JAG 2019 Strategic Plan submitted to BJA **(September 2019)**

Capabilities and Competencies

Currently, the SAA does not participate in any other strategic planning/coordination efforts with other criminal justice agencies. The SAA is in the process of engaging the Arkansas Alcohol and Drug Abuse Coordinating Council to develop the State's strategic plan. The SAA will facilitate

and coordinate these efforts. The participation of council members has been key in identifying strategies and setting priorities for the State's Byrne JAG funding. Additional strategic planning/coordination efforts that are in process is with the United States Attorney Offices Eastern and Western Districts Project Safe Neighborhoods (PSN) project. DFA-IGS (State Administering Agency) is partnering with the Single State Agency for substance abuse (Office of the State Drug Director/Department of Human Services) for the Comprehensive Opioid Abuse Site-Based Programs. DFA-IGS will facilitate a comprehensive statewide planning to address opioid abuse, misuse, and fatalities. The required planning team representatives are High Intensity Drug Trafficking Area Program (HIDTA), Administrative Office of the Courts, Arkansas Community Corrections (ACC): Probation and Parole, Department of Human Services: Child Welfare, Governor's Office-Senior Advisor for Child Welfare, Arkansas Sheriff's Association, Arkansas Chief's Association, Drug Enforcement Agency (DEA), Arkansas Foundation For Medical Care (AFMC), Arkansas Municipal League (an association of city/county governments), City of El Dorado, and City of Marianna. The plan will consist of strategies implement that support treatment and recovery service engagement; provide prevention and education programs for youth; increase the use of diversion or family court programming; and/or reduce the incidence of overdose death and allow for financial support to localities. DFA-IGS continues its partnership with the SSA through the submission a Comprehensive Opioid Abuse Site-based program application, if funded, will support peer recovery specialists' efforts working with law enforcement units. This project supports and aligns with the identified strategic plan goals and objectives.

Plan for Collecting the Data Required for Performance Measures

To ensure compliance with the Government Performance and Results Act (GPRA), Public Law 103-62, the SAA requires sub grantees to report data that captures the required accountability measures. Sub grantees are made aware of this requirement to submit performance measures as a part of the award process in addition to the quarterly reporting requirements. The performance measurement reporting tool is utilized by the sub grantee quarterly to capture required program information and activities. The reporting tool is submitted quarterly along with any additional program data and statistics required by DFA-IGS. Sub recipients are made aware of this

requirement in the special conditions before the sub grant is awarded; the special conditions are part of the award agreement. To ensure reporting is done in a timely manner in PMT, DFA-IGS (Grantee) will enter the sub recipient's performance measure data in the reporting system and complete the GMS reporting requirements. For the JAG funded projects, reporting activity will be conducted quarterly for PMT and semi-annual in GMS.

ARKANSAS JAG 19 STRATEGIC PLAN – IN PROCESS

To accomplish the FY 2019 JAG strategic plan requirement, DFA-IGS and the Office of State Drug Director established the JAG 19 Strategic Plan Core Team. The team consisted of representation from the Health Department, Substance Abuse Prevention and Treatment, Law Enforcement, Community Corrections, Re-Entry, Administrative Courts, National Guard Counterdrug, SAA, and State Drug Directors Office. The TTA provider has worked with this group to discuss data, gaps/challenges, prioritization, and guidance on establishing goals and objective.

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Arkansas'

Edward Byrne Memorial Justice Assistance Grant Program (JAG)

FIVE YEAR 2020 – 2025 Statewide Strategic Plan

**Asa Hutchinson, Governor
Arkansas Alcohol and Drug Abuse Coordinating
Kirk Lane, Chair/Arkansas State Drug Director**

**Prepared by:
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GREATEST CHALLENGES

The survey indicated the following criminal justice challenges that require attention is opioids/meth/other drugs; mental health/substance abuse resources; jail/prison overcrowding; housing/employment for offenders; property crime; violent crime; assault/crimes against person; workforce/hiring qualified staff; sexual assault; child abuse/neglect; intimate partner violence; legalized marijuana/alcohol offenses; police/community relations; and human trafficking.

The top three challenges were opioids/meth/other drugs; mental health/substance abuse resources; jail/prison and overcrowding. The percentage represents the response from the survey regarding the greatest challenges.

Opioids, Meth and Other Drugs (70%). In addition to the survey response, the Arkansas crime data for 2017 supports the survey respondents.

Mental Health/Substance Abuse Resources (55%). There were different types of mental health challenges identified for Arkansas. These include crisis intervention, mental health & suicide prevention; specialty courts; forensic social workers & mental health liaisons; civil/involuntary commitment; linkages to behavioral health services; substance abuse prevention; assessment & evaluation; benefit eligibility & enrollment; access to treatment; co-occurring mental illness & other chronic health conditions; sober housing; drug addicted mothers/babies; opioids/meth and other drug use; and drug endangered children.

Jail and Prison Overcrowding (36%). Jail and Prison overcrowding were ranked as a high priority by respondents. Within the corrections & community corrections responses, the ability to hire and retain qualified staff ranked as the number one concern. This was followed by diversion and alternatives to incarceration, re-entry, and smart probation/parole programs.

PROIRITY 1: LAW ENFORCEMENT

To focus on Multijurisdictional Drug Task Forces (DTFs); how to improve education/training and collaboration in the areas of behavioral/mental health; continue to support local law enforcement equipment/field operation needs

As a primarily rural state, Arkansas experiences a large difference in the financial resources available to urban governments and rural governments. Population concentrations and the resulting higher tax base afford urban areas an advantage in terms of resources available for combating drugs and violent crime. Urban areas, therefore, are better able to cover the cost for their own law enforcement needs. Rural areas, on the other hand, must rely on intergovernmental cooperation, pooled resources and external support to meet most requirements beyond their basic needs. Grant funds available through the Byrne Program have focused, although not exclusively, on providing support for rural narcotic enforcement and crime control.

Since the inception of the Byrne Program-supported task forces in 1988, the law enforcement emphasis on drugs and violent crime has significantly impacted most components of the criminal justice system.

The eventual responsibility for solving the drug and violent crime problems with any political jurisdiction rests with the law enforcement component of the criminal justice system. However, even with resources provided by communities, the state and the federal government, law enforcement will never have the manpower necessary to fully perform its work. It has been the policy of the AADACC to utilize Byrne Program funds in its long-term strategy to support law enforcement in its drug and violent crime efforts. This effort has been focused on rural areas of the state.

The state has chosen to utilize the intergovernmental cooperation concept, in the form of multi-jurisdictional task forces, as the most effective means of increasing an area's capability of dealing with drug and violent crime issues. The Byrne money alone does not afford an opportunity to have any appreciable impact on increasing law enforcement manpower throughout the state. At the same time, most law enforcement agencies are very small in terms of manpower, and cannot devote a significant effort toward specialty enforcement, such as narcotics. Consequently, the state will continue to focus its use of Byrne funds to support regional narcotics enforcement, utilizing the Multi-jurisdictional Task Force approach. Their goals will be to reduce the availability of illicit drugs; to disrupt and dismantle, to defeat drug traffickers through attacking their supply chain, production, infrastructure and financial activities.

Some minimal law enforcement needs continue to be met using local law enforcement grant funds ("less-than-\$10,000"). The state-administered funds are directed solely to agencies that do not receive direct funding from the Department of Justice. These funds are used to enhance the ability of small local police agencies to purchase small

amounts of enforcement and safety equipment. Approximately 200 local law enforcement agencies are provided grant funds every other year through this program.

PRIORITY ONE: GOALS AND OBJECTIVES

PRIORITY ONE: LAW ENFORCEMENT

Goal: To build capacity and provide resources to enforce state and local laws while strengthen collaborative involvement of criminal justice agencies and personnel to reduce all types of crime and reduce the illicit drug supply and demand

Objective #1. To support multi-jurisdictional task force programs that integrate federal, state and/or local drug law enforcement agencies and prosecutors for enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations.

Objective #2. Through “less-than-\$10,000 jurisdiction” set-aside, support local law enforcement agencies operational and equipment needs

PRIORITY 2: BEHAVIORAL/MENTAL HEALTH

To focus on improving behavioral criminal collaboration, training/collaborative efforts, and expanding peer recovery efforts

Co-occurring disorder diagnosis continues to increase this includes substance use disorders. The community faces daily challenges in addressing the distinct cognitive, behavioral, and the physiological issues especially in the criminal justice arena. According to NSDUH, an estimated 20.7 million Americans are in need of treatment services and most people are not seeking treatment. There is a need to improve the availability of treatment as well as the quality as well as engage those who need treatment. Additional needs include diversion programs in lieu of arrests; expansion of peer recovery support services for providing a bridge between formal systems and services;

Corrections and Substance Treatment: Since a significant portion of persons entering the state’s prison system are drug users and abusers, the state has operated a program for many years that provides basic drug treatment to inmates who are determined to have treatment needs. This program uses a basic 30-day treatment approach. However, research has shown that short-term treatment programs have low success rates. The Arkansas Department of Community Correction are utilizing grant funds provided through the Residential Substance Abuse Treatment (RSAT) for State Prisoners program to provide a nine-month treatment program for inmates prior to their release. These inmates are screened to determine if they are likely to benefit from the

treatment program. For those that remain under state supervision after their release (parole) the program provides for extended aftercare services.

PRIORITY TWO: GOALS AND OBJECTIVES

PRIORITY TWO: BEHAVIORAL/MENTAL HEALTH

Goal: To improve statewide crisis intervention through collaborative with stakeholders from mental health, substance abuse, and criminal justice to address appropriate services of persons with behavioral health disorders in the criminal justice system and provide education/awareness, joint projects, information sharing, and trainings.

Objective #1: To further the education of law enforcement/criminal justice personnel across the state by enhancing the existing mental health trainings offered and coordination other specific mental trainings and resources to assist with appropriate referrals and course of action

Objective #2: To support the expansion of crisis stabilization units and mental health crisis intervention resources and activities designed for criminal justice personnel and law enforcement.

Objective #3: To effectively communicate and build relationships among local treatment providers and law enforcement/criminal justice personnel through collaborative efforts and information sharing

Objective #4: To support collaborative efforts that embed social services with law enforcement to rapidly connect individuals at risk and/or survivors and their families with substance abuse and behavioral health treatment providers and/or peer recovery specialists

Objective #5: To support and enhance peer recovery (specialists) throughout the state

Objective #6: To support programs that identify and meet the treatment needs of adult and juvenile drug-dependent and alcohol-dependent offenders.

Objective #7: To support programs designed to improve criminal justice agencies' capacity to provide treatment resources and services for offenders detained.

PRIORITY 2: PREVENTION AND EDUCATION

To focus on increasing prevention and education programming including evidence-based/community approaches that addresses mental health/substance use disorder to criminal justice personnel and law enforcement

Substance abuse prevention. Preventing drug use before it starts is a fundamental belief of a comprehensive approach to drug control. It is proven that prevention works when implemented through evidenced-based programs that are focused on specific audiences. Arkansas seeks early intervention through informational media campaigns and projects that increase protective factors and reduce risk factors. As outlined in the 2019 National Drug Policy, there is a need to combine two or more evidence-based elements to be more effective in reducing treatment and criminal justice costs. This plan will allow the continuous of addressing universal interventions that reduce specific health problems; selective interventions that are delivered to specific communities due to exposure to certain environments; and other appropriate interventions that are directed to those already involved in risky behaviors or developing/illustrating problem behaviors.

Since its creation in 1989, the AADACC has considered prevention and education as a vital component in the overall strategy for addressing substance/drug and crime control. Substance abuse prevention was identified as one of the top three greatest challenges.

Direct activities to support prevention and education occur at the school district and community levels. In Arkansas, this means working through more than 300 school districts and over 350 incorporated towns and cities. However, it is recognized that a need for additional resources to support prevention and education activities as it relates to law enforcement/community policing and the criminal justice system.

It is the goal of the AADACC to utilize a maximum amount of funding to continue to support this activity into the foreseeable future, and to continuously encourage the schools themselves to allocate additional resources for prevention and education.

This plan will address special problems rather than attempt to spread a limited amount of funds across the state. A focus will be on areas of high crime areas and on programs operated through a state agency that can implement programs statewide (i.e. evidence-based programs).

There is a need to support juvenile community service programs that divert first time offenders from an extended pattern of crime through community service, restitution and education activities. Records indicate that diversion programs have been highly effective in preventing recidivism by program participants. The plan will continue to support projects of this nature as a crime prevention measure in areas that experience high levels of juvenile crime and drug use.

The plan will support design and implementation of programs that interact with law enforcement or the criminal justice system that can be operated statewide. Such programs that consist of going into the classroom and instruct juveniles on the law as it applies to them, and to have an adult official advise them of the legal consequences of violating the law.

PRIORITY THREE: GOALS AND OBJECTIVES

PRIORITY THREE: PREVENTION AND EDUCATION

Goal: To improve substance use education and prevention by increasing evidence-based educational strategies and diversion programs for non-violent or drug related offenders; expand socio-economic and collaborative leadership training for local law enforcement and creating collaborative leadership models that advance community partnerships.

Objective #1: Identify and/or develop programs to divert juveniles who are first time offenders from further acts of criminal behavior.

Objective #2: To support evidence-based re-entry programs that address the State's recidivism rate as well as sustain recovery for individuals with mental health/co-occurring disorders.

Objective #3: Support the implementation of demand-reduction education and community programs in which law enforcement officers participate.

Objective #4: Identify alternatives to prevent detention, jail, and prison for persons who pose no danger to the community

Objective #5: Identify and/or develop programs to divert juveniles who are first time offenders from further acts of criminal behavior.

Objective #6: To support prevention screenings and structure to assist courts with appropriate referrals of offenders to treatment levels of education

SECTION 5. PERFORMANCE AND MONITORING *(In Process)*

SECTION 6: ALLOCATION OF FUNDING: JAG PROGRAM AREAS *(Draft)*

The State of Arkansas has three priorities that are included in the 2020-2025 Strategic Plan. The State is currently funding only one of those priorities. During year one 100% of pass-through funds will support the Multi-jurisdictional task forces operations.

SECTION 7. COORDINATION EFFORTS *(In process)*