

**STATE OF MAINE**  
**Maine Department of Public Safety**  
**FY2017 Edward Byrne Memorial Justice Assistance Grant**  
**(JAG) Program Application**  
**CFDA#: 16.738**



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## **INTRODUCTION**

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program, authorized under Public Law 109-162, is the leading source of federal justice funding to state and local jurisdictions. The JAG Program provides states, tribes, and local governments with critical funding necessary to support a range of program areas including law enforcement, prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, planning, evaluation, technology improvement, and crime victim and witness initiatives.

The Maine Department of Public Safety is the State Administering Agency (SAA) for the funds and has received JAG funding since 1995, and those funds are passed through to local units of government and state agencies. JAG grants are awarded by the Maine Justice Assistance Council (JAC). The JAC is made up of state, local, and federal government, and non-governmental organizations.

### **JAG Purpose Areas**

- Law enforcement programs.
- Prosecution and court programs.
- Prevention and education programs.
- Corrections and community corrections programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness Programs (other than compensation).

### **A. STATE STRATEGY/FUNDING PRIORITIES**

The underlying principle in the State of Maine's crime control and criminal justice system improvement strategy is the coordination and collaboration of all levels of law enforcement and criminal justice systems. This allows coordination of existing resources to maintain or increase capacity and avoid duplication of effort. Maine takes this approach because of the nature of Maine's law enforcement infrastructure, geography and limited resources. Approximately 75% of law enforcement agencies in Maine have less than 20 officers. It is difficult for small law

enforcement agencies to undertake strategic drug enforcement and investigation with their limited personnel and resources. As drug distribution activities spread over larger regions – ignoring the boundaries of individual jurisdictions – law enforcement and prosecutors benefit from task forces that combine the talents of individual agencies into a coordinated effort. There is also a need for specialized skills and expertise in rural settings where criminal activity takes place without regard to the size or experience of the agency.

<b>Agency Categories Municipal / County Officers</b>	<b># of Depts.</b>	<b># of Authorized Full-Time Police</b>	<b># of Authorized Part-Time Police</b>
1-8 Officers	71	313	424
9-19 Officers	30	393	120
20-64 Officers	16	578	78
65+ Officers	3	313	0
Sheriff's Dept. (0 Transport Officers)	16	366	269
<b>SUBTOTAL</b>	<b>136</b>	<b>1,963</b>	<b>891</b>
<b>P/T Law Enforcement Agencies</b>	<b>14</b>	<b>0</b>	<b>30</b>
<b>State Law Enforcement Agencies</b>			
Maine State Police	1	308	0
Maine Warden Service	1	117	3
Maine Marine Patrol	1	45	1
Maine Judicial Marshal Office	1	113	0
Maine Capitol Police	1	7	1
Maine Fire Marshal Investigators	1	15	0
Maine University Police Departments	4	34	14
Attorney General Investigators	1	10	0
Motor Vehicle Investigators	1	11	1
Maine Drug Enforcement Agency	1	1	0
<b>SUBTOTAL</b>	<b>16</b>	<b>661</b>	<b>20</b>
<b>TOTAL</b>	<b>166</b>	<b>2,624</b>	<b>941</b>

Table 1: Certified Municipal, County and State Law Enforcement

Because of historically high levels of illicit drug activity and related crime, every community in Maine is impacted. Uniform Crime Reports and criminal justice system stakeholder input consistently points to illicit drug abuse as a major crime problem in the state. It is believed that there is a link between drug abuse, domestic violence, robbery, burglaries,

other property crime and juvenile criminal behavior are ever present and successful investigation and offender prosecution reduces drug trafficking and abuse, as well as related criminal activities. A needs assessment determined Maine's Multi-jurisdictional Drug Task Force Program provides a sound framework and means to achieve solutions or to solve this problem and associated issues.

Law enforcement agencies are facing challenges in doing more with less because of budget shortfalls that many Maine communities are facing. Byrne JAG funding will assist Maine communities by providing vital resources to investigate, dismantle and prosecute illicit drug activity on a statewide level using a multi-jurisdictional task force approach to leverage funds and resources effectively. The multi-jurisdictional drug task and drug prosecution support program integrates state, county, and local law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence; and facilitates multi-jurisdictional investigations to remove mid- and upper-level narcotic offenders and related crime operations.

Maine's FY 17 Byrne JAG funds will be used to support the following priorities:

1. Enhance the quality and effectiveness of drug enforcement
2. Enhance law enforcement efforts to effectively and efficiently support criminal justice initiatives in their community or state level.

The use of these funds for the Multi-jurisdictional Drug Task Force Program has the support of Maine's law enforcement community. The Maine Chiefs of Police Association Board of Directors discussed the use of JAG funds for the Maine Drug Enforcement Agency (MDEA) at their meeting in September 2016 and will most likely have a similar discussion in September of 2017 at the annual meeting. All of the Chiefs accepting funds from the Byrne JAG fund source for use to reimburse for sworn law enforcement personnel assigned to MDEA signed

letters accepting the funds on behalf of Maine law enforcement as part of funds that could support local efforts. Those letters are attached to this document as Appendix A.

**SUB-GRANT AWARD PROCESS**

The Maine Department of Public Safety (DPS) has developed a sub-grant application process which solicits formal proposals from eligible applicants to apply for funding under the JAG funding priorities. Once awards are made, formal contracts are executed through the Division of Purchases.

As part of the sub-grant application process, applicants receive a formal grant application packet that includes:

- JAG Program Funding Overview
- OMB Uniform Guidance
- Financial Guidance
- Statutory Authority
- Program Requirements
- Eligible Programs and Purpose Areas
- Ineligible Activities and Cost Items
- Application Requirements
- Evaluation Criteria
- Program Term
- Reporting Requirements

**TIMELINE**

The Maine Department of Public Safety will allocate the awards once the award notification is received. Projects will be funded for up to two years and it is anticipated that projects will begin October 30, 2017 and end by September 30, 2019.

August 1, 2017	Posting of FY2017 JAG Application for Public Comment
June 6, 2017	Final Review by Governing Body
August 25, 2017	Submit Byrne JAG Application
September/October 2017	Receive proposals from RFP Process

September 11, 2017	Review, Discussion and Approval of sub-awards by Justice Assistance Council
October/November 2017	Sub-grant Contracts Issued
Oct. 2017 – September 2018	Review of Statewide Criminal Justice Strategic Planning
Ongoing Task	Monitoring and Technical Assistance
September 2020	Grant Close Out

**B. STRATEGIC PLANNING PROCESS**

**Maine Justice Assistance Council**

The Maine Justice Assistance Council is the multi-disciplinary policy board that serves as a forum for communication and a structure for coordination of criminal justice grants that address criminal justice issues. This officially constituted advisory board was established by Executive Order to provide comprehensive strategic planning and policy direction and to obtain regular guidance and advice from knowledgeable criminal justice practitioners, victim service providers and other stakeholder groups.

The Maine Justice Assistance Council (JAC) membership includes individuals with direct policy and administrative responsibility for other federally funded programs, including those supporting State and local drug abuse treatment, juvenile justice, education and prevention representing interests of Federal, State, and local criminal justice professionals, substance abuse, and victim service providers. Its composition is designed to facilitate coordinated planning and program implementation of federal, state and locally funded programs and projects.

Membership of the Justice Assistance Council comprises:

- The Commissioner of the Department of Public Safety, or designee
- Two Police Chiefs
- Director of the Office of Substance Abuse and Mental Health Services, or designee
- The Director of the Maine Criminal Justice
- A representative of a domestic abuse prevention organization
- A District Attorney
- LECC Manager, U.S. Attorney's Office,
- The Chief Justice of the Supreme Court,

- Academy
- The Associate Commissioner for Adult/Community Services, Department of Corrections
- Chairperson of the Maine Commission on Domestic Abuse
- A representative of a state law enforcement agency
- One Sheriff
- or designee
- The Commissioner of the Department of Corrections, or designee
- The Attorney General, or designee
- A representative of a victims group

All Justice Assistance Council meetings are announced on the Maine Department of Public Safety website and are open to the public. The Justice Assistance Council met on June 6, 2017 and endorsed the state's priorities for Byrne JAG funding. At that same time they reviewed a new version of the *Drug Control, Violence and Multi-Year Strategy* approved at their December 2016 meeting. The Statistical Analysis Center (SAC) was approved to update this plan update as part of their FY15 application to the Bureau of Justice Statistics. The final product has been a great help in the continued process of awarding federal grant funds to areas of greatest need. The document is continually posted on the Maine Department of Public Safety's homepage <http://www.maine.gov/dps/>.

### **Multi-jurisdictional Drug Task Force**

The Maine Department of Public Safety, through the JAC, will award funds to support the Maine Drug Task Force. The Maine Drug Task Force consists of:

- Maine Drug Enforcement Agency (MDEA)

**Project Period:** 18 months

**Program Description:** The JAG program funding will support the Maine Drug Enforcement Agency (MDEA), the lead agency in Maine's fight against drug crime. The Office of Attorney General has received full funding now using a State of Maine General Fund source. This was approved by the 127<sup>th</sup> Maine Legislature that was convened on December 3, 2014. MDEA provides the administrative structure for coordination and control of regional multi-agency task



force efforts. Participating agencies provide the resources permitting a comprehensive county and local participation in the multi-jurisdictional efforts and statewide coverage. MDEA also serves as the mechanism for implementation of other components of the Maine Drug Enforcement Strategy elements, specifically, upgraded drug information systems, a formalized drug intelligence network, and the pooling of specialized resources and equipment. Absent Byrne Justice Assistance Grant Program funding, there would not be the level of county and local participation in the multi-jurisdictional task force project. There are eight Task Forces (MJTF) within MDEA that cover multiple counties throughout Maine.

As the State's lead drug law enforcement agency, the Maine Drug Enforcement Agency, featuring a centralized administrative office and field offices across the state, will provide:

- Coordinated intergovernmental approach to the State's drug enforcement efforts;
- Statewide resources and critical drug enforcement assets for rural areas, coordinating resources throughout the State where drug activities are identified;
- Avoidance of overlap, and duplication of effort;
- Encouragement for information sharing; and
- Reduced overtime and administrative costs.

### **Pass Through**

The JAG funds to MDEA will directly benefit units of local government. That is, MDEA will provide salary reimbursement to local agencies for agent services. Each local jurisdiction receiving funding will voluntarily sign a waiver. This waiver will certify that the local jurisdiction: recognizes that the funds in question are set aside for local government use; believes that the proposed program will provide a direct local benefit; and agrees that funding at the state level is in the best interests of the unit of local government. These documents are attached as Appendix A.

## **Office of Attorney General Drug Prosecution Support Program**

The Office of Attorney General (AG) provides dedicated prosecutorial support to the Maine Drug Enforcement Agency. The prosecutorial aspect of the regional task force has six Maine Drug Task Force (MDTF) attorneys and a Drug Prosecution Coordinator, an Assistant Attorney General assigned by the Attorney General to prosecute the drug cases of MDEA and other law enforcement agencies pursuant to 25 M.R.S.A. § 2955 (7). This model achieves a high level of coordination and intelligence sharing within a regional drug task force area between the Office of the Attorney General, the District Attorney's, the Maine Drug Enforcement Agency and law enforcement agencies. This coordinated effort results in a large volume of high quality felony drug cases.

Maine Drug Task Force (MDTF) Attorneys not only conduct all of the ordinary prosecutorial functions in drug cases (e.g. grand jury, motions, trial, sentencing), but also perform many other functions such as reviewing all search warrants for the Maine Drug Enforcement Agency (MDEA) and a number of local law enforcement agencies, giving advice on suspect targeting, filing applications or grand jury subpoenas for telephone, utility and prescription records, conducting investigative grand juries, and extensive law enforcement training. Unlike typical prosecutors, MDTF Attorneys are charged with assisting drug investigators in the earliest stages of an investigation, resulting in more appropriate charging and a reduced possibility of a constitutional challenge to the case or civil liability to the State. MDTF Attorneys also function as an important part of the system of "checks and balances" on agents and drug investigations in general, providing essential guidance on investigative priorities and techniques. MDTF Attorneys work closely with drug investigators as cases develop and are available to the investigators 24 hours a day.

## **Outcomes**

Project outcomes in the forthcoming year are to:

- Support on-going multi-jurisdictional drug enforcement statewide and consultation and legal advice to MDEA agents and to local law enforcement agencies;
- Increase the number of investigations, arrests and drug cases prosecuted.

This program addresses illicit drug activity, a priority issue addressed in the State of Maine Drug Control, Violence Prevention and System Improvement Strategy by seeking out, investigating, arresting, prosecuting, and convicting those individuals and organizations who are responsible for smuggling and distributing illicit drugs through and into the State of Maine. Additionally, it seeks to integrate Federal, state, county and local drug law enforcement agencies for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations.

## **Goals:**

- Reduce the supply of illegal drugs by immobilizing drug trafficking organizations; and
- Enhance the ability of law enforcement to detect, convict, and incarcerate drug traffickers by improving coordination and communication among criminal justice agencies.

## **Objectives:**

The multi-jurisdictional task force will:

- Disrupt the flow of drugs among suppliers, distributors, or users.
- Detect, apprehend, prosecute and incarcerate participants in drug trafficking organizations.
- Provide coordinated, controlled and directed drug intelligence capabilities.
- Seize drugs and the proceeds and assets of drug traffickers as a consequence of increased apprehension, prosecution and financial investigation activities.
- Provide a method of central acquisition and distribution of specialized equipment for drug enforcement activities.

## **Enhancement of State, County and Municipal Criminal Justice Programs**

- Provide equipment and training needs to law enforcement agencies.
- Assist criminal justice agencies in reducing crime

### **Analysis of Need – Crime in Maine**

The overall crime rate in Maine, decreased by 1.48% between 2014 and 2015. A total of 26,000 Index Offenses reported by police during 2015. During 2015 violent crime totaled 1,623, up 2.6% from 2014 and represents a crime of 1.22 per 1,000 population. Domestic violence offenses of assault showed a decrease of 3.2% from 5,067 in 2014 to 4,907 in 2015. For three years (2009-2011) there were increases the number of burglaries in Maine. Since 2012 there has been a decrease and that trend continues. A total of 4,675 burglaries were reported in 2015, a 6.7% percent decrease over 2014, when there were 5,009. Other crimes in Maine that decreased in 2015 include:

- Larceny-thefts, down 8.3 percent.
- Simple assaults, down 3.2 percent.
- Arson, down 8.1 percent.

### **Drug Crime in Maine**

Maine is experiencing a dramatic rise in drug distribution and use of opioids – narcotic prescription drugs and now heroin. This has led to an increased threat to public safety and health. Drugs is the common denominator that is driving other crimes, including murder, robbery, burglary, and assault. There are documented increased health care needs and criminal justice resources resulting from this threat with a large impact on treatment and hospitalizations in Maine. Prescription narcotic drugs are the most often-associated substance for inpatient substance abuse-related hospital admissions in all Maine counties. The 2010 estimated cost of this threat in Maine is \$1,403,435,398 or \$1,057 per capita.

Indicators of the drug threat to public safety and health are:

- Maine Department of Health and Human Services reports:

- The number of drug-related deaths and “drug-affected” or Neonatal Abstinence Syndrome (NAS) births has increased 525% since 2005 [165 to 1031].
- Maine Office of Chief Medical Examiner reports:
  - Drug-induced deaths has increased 33% since 2014 [208 to 276];
  - Heroin-related deaths increased 88% since 2014 [57 to 107];
  - Other opioid-related deaths increased 37% since 2014 [147 to 198];
- MDEA reports that:
  - MDEA’s heroin-related investigations increase 57% since 2014 [306 to 481];
  - MDEA’s other opioid-related investigations have decreased since 2014 [246 to 186];
  - Both the volume and the complexity of investigating drug crime has increased;
  - Maine is subject to ever increasing numbers of out-of-state drug trafficking organizations establishing drug markets in the state and involved in other criminal activity such as human trafficking.

In addition to the high threat posed by heroin and Controlled Prescription Drugs (CPDs), cocaine HCL, cocaine base, and marijuana also pose significant threat in Maine.

### **Heroin and Other Opioid Drugs**

In Maine, the impact of prescription drug overuse, misuse, and overdose has been significant. In 2012, Maine health care providers wrote prescriptions for long-acting/extended-release opioid pain relievers, which are more prone to abuse, at the highest rate in the nation as reported by the U.S. Center for Disease Control (CDC) in 2013. More evidence of the prescription drug epidemic and its connection to heroin use is highlighted by the Treatment Data System (TDS) collected by Maine. Between 2005 and 2012 the number of admissions to treatment for

prescription opioid addiction went from 2,400 to 5,500, respectively. In 2012, treatment for prescription opioid addiction started to decline while treatment for heroin addiction started to increase from 1,400 admissions to 3,100 admissions in 2014. In 2015 Maine experienced 156 motor vehicle deaths and 272 drug related overdose deaths.

As the CDC has highlighted, Maine has some of the highest volumes of prescription painkillers sold per capita, making the substances more available for overuse, misuse, abuse, and overdose. In 2010, 94 percent of overdose deaths in Maine involved prescription drugs and by 2012 they accounted for 86 percent, in 2014 they accounted for 89% of such deaths as reported by the Maine Office of Substance Abuse and Mental Health Service (SAMHS) in 2016. In 2014, more than one in three drug overdose deaths involved benzodiazepines.

Recent numbers from the Maine Office of the Chief Medical Examiner (OCME) show that the number of drug-induced deaths has increased every year since 2011, the largest portion of this increase was attributed to heroin overdose deaths with a more than six-fold increase between 2001 and 2015 (OCME 2016). This suggests a potential unintended consequence of tighter prescription drug laws. However, opioids are still the most commonly prescribed therapeutic class in Maine today and the leading cause of drug-induced deaths.

- The number of Maine's drug-affected or Neonatal Abstinence Syndrome (NAS) births has increased every year since 2005 rising from 165 in 2005 to 1024 in 2016 (Maine Department of Health and Human Services (DHHS)). NAS is described as a generalized disorder characterized by signs and symptoms indicating dysfunction of the automatic nervous system, gastrointestinal tract and respiratory system.
- According to Maine's Office of Substance Abuse and Mental Health Services (SAMHS), the number of Maine residents per 100,000 indicating heroin/morphine

use as the primary drug involved has been increasing since 2012 and those for synthetic opioids has declined.

- Total drug-induced deaths increased 214 percent from 2013 to 2016, largely due to a rise in deaths due to heroin/morphine and deaths due to fentanyl either alone or in combination with others drugs. (Figure 3)

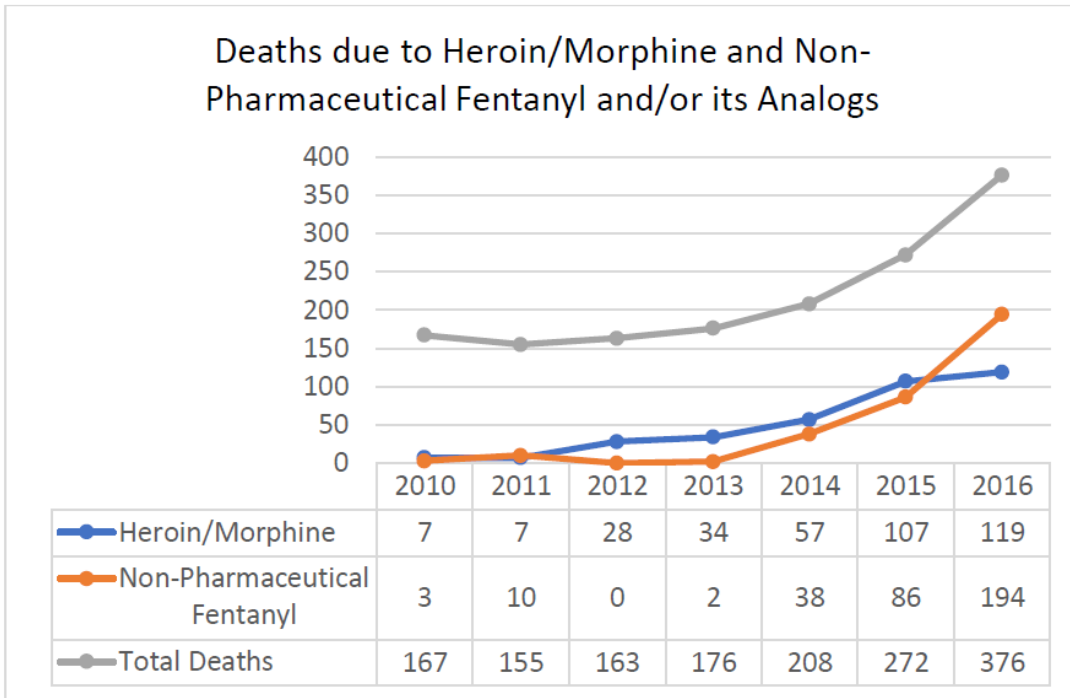


Figure 3. Total drug deaths with subtotals for the number of deaths due to heroin/morphine and non-pharmaceutical fentanyl and/or its analogs. Although separate totals are provided for heroin/morphine and fentanyl/fentanyl analog fatalities, many deaths include both drug categories.

While a variety of controlled pharmaceuticals are available for illicit purchase, oxycodone and (to a lesser extent) hydrocodone products are the preferred opioid analgesics. Fentanyl has also increasingly been associated with heroin samples. Detoxification and maintenance-assisted drugs such as Methadone and Buprenorphine are also being diverted. Pain clinics in the southern New England states continue to be targeted by fraudulent prescription rings while employee pilferage from pharmacies remains the most frequently occurring method of diversion.

## DRUG THREAT

1. The overall drug threat to Maine and New England increased over the past year.
  - a. As of early 2017, the top drug threats to Maine and New England were heroin, fentanyl, controlled prescription drugs, cocaine hydrochloride (HCL), crack cocaine, methamphetamine, and marijuana.
2. In 2016, the threat associated with heroin and fentanyl became increasingly interrelated.
  - a. Samples of purported heroin now contain significant amounts of fentanyl, making it difficult to distinguish between the two drugs absent laboratory analysis.
  - b. Both heroin and fentanyl contributed to an increase in opioid-related fatalities in Maine and across New England in 2016, as reflected by medical examiner data in all six states.
  - c. There are two confirmed deaths where Carfentanil was identified in toxicology results.
3. Dominican drug trafficking organizations remain the primary distributors of heroin, fentanyl, and cocaine in New England, while Mexican organized crime/drug cartels serve as sources of supply. At the retail level of the trade, national street gangs and national neighborhood-based street gangs are actively involved with illicit and controlled prescription drug trafficking, and these activities contribute to violent crime.
4. Although overall levels of trafficking and abuse remained low compared to other illicit drugs and controlled prescription opioids, methamphetamine production occurs primarily in Maine as compared to the other New England states and in the form of “one-pot” laboratories.
  - a. In 2016, the highest number of lab incidents was recorded in Maine – 126. As of 30-June, Maine has experienced a 59 percent reduction in lab incidents as compared with this same time period in 2016 – a total of 35 down from 86. Lab incidents have occurred in 7 counties from Aroostook to York with the largest number discovered in Penobscot County – 17.

## RESPONSE

1. The investigation of trafficking organizations involved in the distribution of heroin, other opioid drugs, and cocaine, as well as those involved in the production of methamphetamine are priorities.
2. As a strategy, MDEA is also proactively pursuing identifying those responsible for furnishing/trafficking those drugs that result in death so as to bring those cases before the courts.



3. MDEA is also engaged with prevention and awareness through presentations before community and professional organizations.
4. 17DE01314 is typical of cases that MDEA is pursuing. In June 2017, this investigation resulted in the seizure of 716 grams heroin/fentanyl, 546 grams cocaine, \$35,000+ cash, .45 caliber semi-automatic handgun with 47 rounds and a illegally modified 12 gauge shotgun. Those arrested were a Sanford, ME resident, a Lawrence, MA resident and two Lowell, MA residents.

Outputs:

<i>Category</i>	<i>2015 Total</i>	<i>2016 Total</i>	<i>2017 YTD*</i>
Drug Offense Investigations Initiated	1,122	1,056	273
Judicial Search Warrants Served	350	254	81
Information & Education Presentations	61	48	13
OD Deaths Notifications	113	187	46
Pharmacy Robberies	8	5	2
Lab-related Incidents	56	126	35
Lab Seizures	32	59	19
Dumpsites, etc.	24	67	16
Organized Crime Narcotic (OCN) Cases Initiated	0	12	5
Organized Crime Drug Enforcement Task Force (OCDETF) Cases Initiated	4	1	0
Overtime Hours	3,333	3,225	1,056
Firearm Seized	91	57	73
Assets Seized	10	13	10
Value of Assets Seized	\$182,200	\$77,302	\$120,300
Currency Seizures	104	156	85
Value Currency Seized	\$607,524	\$403,934	\$336,031

\*30-JUN

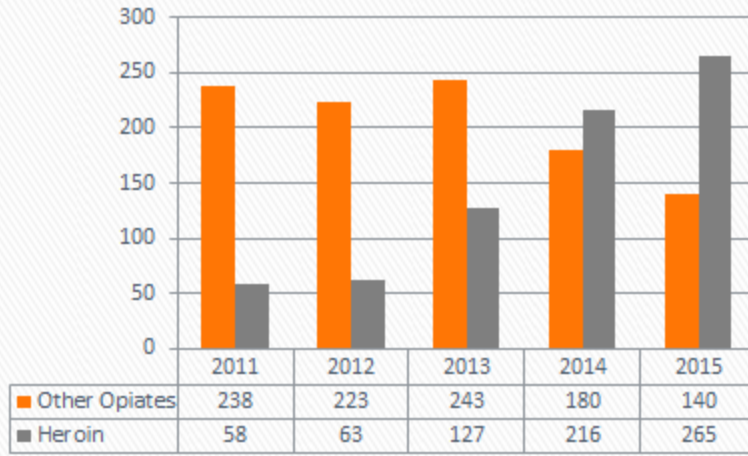
Drug seizures YTD\*:

- 1.2 KG Fentanyl – largest single seizure was 903GM in Portland
- 3.7 KG Heroin – represents 37,000+ doses; largest single seizure was 1.8 KG in Sanford that is the largest seizure in Maine history and another 2 KG seized in Lawrence, MA destined for Maine in this case
- 1 KG Cocaine HCl and 0.8 KG Cocaine Base – largest single seizure was 546GM in Sanford
- 91GM Methamphetamine
- Other drug seizures included 105GM Cathinones; 1.1 KG Marijuana; and 122GM of LSD, MDMA, and Psilocybin

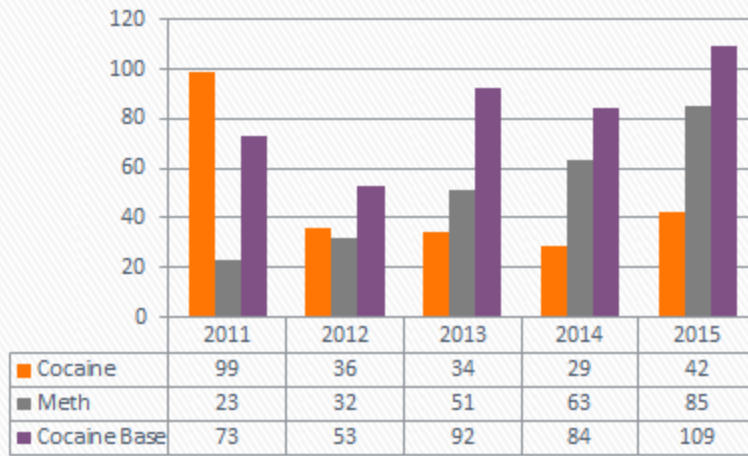
Drug Offense Investigations Initiated:

<i>Category</i>	<i>2015 Total</i>	<i>2016 Total</i>	<i>2017 YTD*</i>
Hallucinogen	9	11	7
Heroin	481	533	162
Opium or Derivative	41	43	6
Cocaine	236	161	130
Synthetic Narcotic	145	112	37
Narcotic Equipment	0	0	0
Marijuana	54	17	2
Amphetamine	149	173	62
Barbiturate	0	1	0
Fraud Obtaining Prescription Drugs	7	5	1
<b>TOTAL</b>	<b>1,122</b>	<b>1,056</b>	<b>407</b>

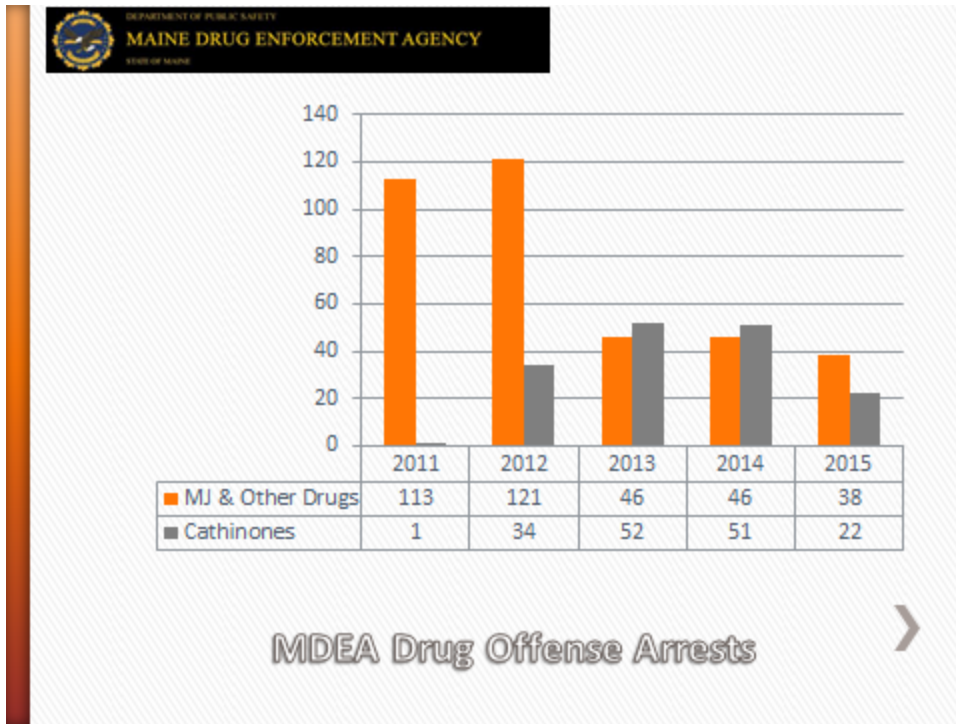
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MDEA Drug Offense Arrests



MDEA Drug Offense Arrests



**Data Source:** Maine Department of Public Safety, Maine Drug Enforcement Agency

The availability of illegal drugs, diverted prescription medications, related crime, medical and legal costs and the lives they impact are evidence of this. Without an effective enforcement program to disrupt the drug market, the State is unable to undermine the ability of drug suppliers to meet, expand, and profit from drug demand. An ineffective program impacts the State’s ability to support prevention efforts by making initiation to drug use more difficult and fails to contribute to treatment efforts by eroding the ability of users to sustain their habits. The MDEA through its regional multi-jurisdictional task forces is the lead state agency in confronting drug trafficking crime. The Office of the Attorney General’s Drug Prosecutors provides the prosecutorial expertise in prosecuting drug crime.

**Gaps in Resources:** Budget shortfalls have not allowed for full funding of the Multi-Jurisdictional Drug Task Force Program or the Drug Prosecutors. However, there has been progress gaining state revenues for the program. MDEA now receives approximately 70% of its

funding from state sources and only relies on 30% on federal funding. The Office of the Attorney General receives 100% of its funding from the general fund. This was approved by the 127<sup>th</sup> Maine Legislature that was convened on December 3, 2014.

### **C. ADDITIONAL STRATEGIC PLANNING/COORDINATION EFFORTS**

Statewide criminal justice strategic planning effort will continue in order to update Maine's criminal justice strategy. This is coordinated by the Maine Department of Public Safety and uses available technical assistance offered through the Bureau of Justice Assistance and the National Criminal Justice Association.

The Justice Assistance Council has oversight of other programs authorized under the Violent Crime Control Act of 1994, including the Violence Against Women STOP Formula Grant Program, and Residential Substance Abuse Treatment (RSAT).

The Department of Public Safety is the designated state administrative agency for **the** following Federal Grant Programs:

- Byrne Justice Assistance Grant
- Paul Coverdell Forensic Science Improvement Grant Program
- Project Safe Neighborhoods
- Residential Substance Abuse Treatment
- STOP Violence Against Women Formula Grant
- DNA Forensic Casework Backlog Reduction
- High Intensity Drug Trafficking Area
- Port Security Grant Program
- Internet Crimes Against Children
- National Criminal History Improvement Program
- Walsh Implementation Grant
- State & Community Highway Safety Grant
- Alcohol Traffic Safety
- Occupant Protection
- Safety Belt Performance Grants
- Traffic Safety Information Systems
- Child Safety & Booster Seats Incentive
- Motorcycle Safety

This arrangement promotes the consideration of other BJA programs in the planning process and the development of coordinated and comprehensive approaches to programming the use of Federal grant resources.

#### **Coordination and Collaboration With Stakeholders in the Planning Process**

Other meeting venues were used for the JAG planning process. The Maine Chiefs of Police Association consistently votes unanimously to support the multi-jurisdictional task force with Byrne JAG funds.

The Maine Department of Public Safety also collaborates in statewide coordinated law enforcement efforts to facilitate participation in the prescription drug “National Take Back Initiative” sponsored by the Drug Enforcement Administration. Maine consistently ranks in the top states in the nation for the amount of drugs collected per capita during national drug take-back days.

Police throughout Maine gathered a record amount of unwanted prescription medication over the weekend as part of the tenth National Prescription Drug Take-Back Day on April 29, 2017. Departments collected 27,140 pounds of medication dropped off by residents at their local police station or other collection sites. These drugs were incinerated.

#### **D. PERFORMANCE MEASUREMENT DATA PLAN**

The Maine Dept. of Public Safety (DPS) administers and provides direct oversight of all activities related to federal grants using the U.S. Department of Justice – Office of Justice Programs Financial Guide. These resources provide guidance to DPS and sub-grantees in overall grant management activities, including financial and programmatic reporting requirements.

The SAA requires each subrecipient of Byrne JAG funds to complete a quarterly report on the Performance Measurement Tool (PMT) website, which is then compiled when the SAA submits

the aggregated state quarterly PMT report to the Bureau of Justice Assistance. In addition, all funded program areas are required to also submit a DPS developed quarterly progress report that collects more detailed information on grant activities.

Each applicant is required to identify performance measures, activities and assessment of their project that receives Byrne/JAG funding in their application. This information will be used throughout the grant period for monitoring. Each application will be reviewed to assess goals, objectives and performance measures.

### ***Summary***

Maine continues to experience substantial and increasing problems with substance abuse, diversion, and trafficking of drugs. The related patterns of rising prescription drug abuse and narcotic abuse are increasing in rural areas. Without an effective program to disrupt the drug market, the State is unable to undermine the ability of drug suppliers to meet, expand, and profit from drug demand. A diminished or ineffective program impacts the State's ability to support prevention efforts by making initiation to drug use more difficult and fails to contribute to treatment efforts by eroding the ability of users to sustain their habits. Multi-jurisdictional drug task force activities will reduce the distribution, availability, and use of illicit drugs through a collaborative statewide drug enforcement effort.

It is understood that there are two additional certifications required before funds can be awarded to the State of Maine. Both of these are currently being reviewed by Governor Paul R. LePage and Attorney General Janet T. Mills. (Appendix B) Local law enforcement certification forms will be required at the time when subgranting to local units identified as less than \$10,000 by DOJ.

No research will be conducted as a result of this application.

Appendix A  
MDEA Acceptance Letters

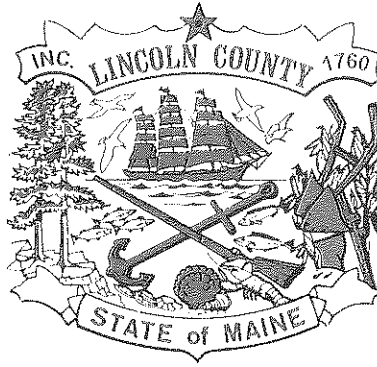


Office Of The Sheriff  
Lincoln County, Maine

Lincoln County Sheriff's Office  
42 Bath Road / P.O. Box 611  
Wiscasset, ME 04578

(207) 882-7332 (207) 832-4000  
(207) 563-3200 (207) 549-7072

Fax (207) 882-9872



Todd B. Brackett, Sheriff  
Rand D. Maker, Chief Deputy

Administrative Division  
(207) 882-6576

Correctional Services  
(207) 882-9728

July 19, 2017

Commissioner John Morris  
Department of Public Safety  
45 Commerce Drive – SHS #104  
Augusta, ME 04333

Dear Commissioner Morris,

As a recipient of Bureau of Justice Assistance's Byrne JAG funding for the purposes of assigning a deputy to the multi-jurisdictional drug task force project of the Maine Drug Enforcement Agency (MDEA), the Lincoln County Sheriff's Office certifies the following: recognizes that the funds in question are set aside for local government use; believes that the proposed project will provide a direct local benefit; and agrees that funding the project at the state level is in the best interests of the unit of local government.

Our current agreement for Jason Pease with the MDEA contains the following language incorporated into the current contract of participation (Rider D, paragraph 5) – "In accordance with the Department of Justice, Bureau of Justice Assistance requirement regarding the use of the Edward Byrne Justice Assistance Grant program awards to pay for the salaries and fringe benefits of agents assigned to MDEA, the Department understands they must maintain evidence certifying that the position vacated by the assigned officer is either backfilled by the Department or that the Department has had their yearly budget allocation increased by an amount at least equal to the reimbursed personnel costs. Such contractual remuneration by the MDEA to the Department for these certified costs shall be considered as pass through reimbursements to participating agencies in the multi-jurisdictional task force."

Sincerely,

A handwritten signature in black ink, appearing to read "Todd B. Brackett", with a long horizontal flourish extending to the right.

Sheriff Todd B. Brackett

Police Department



Division of Student Life  
81 Rangeley Road  
Orono, Maine 04469-5794  
General Bus.: 207-581-4040  
Chief: 207-581-4053  
[www.umaine.edu/police](http://www.umaine.edu/police)

July 18, 2017

John E. Morris, Commissioner  
Maine Department of Public Safety  
45 Commerce Drive, Suite 1  
104 State House Station  
Augusta, ME 04333-0104

Dear Commissioner Morris:

As a recipient of Bureau of Justice Assistance's Byrne JAG funding for the purposes of assigning a deputy/officer to the multi-jurisdictional drug task force project of the Maine Drug Enforcement Agency (MDEA), the University of Maine Police Department certifies the following: recognizes that the funds in question are set aside for local government use; believes that the proposed project will provide a direct local benefit; and agrees that funding the project at the state level is in the best interests of the unit of local government.

Our agreement assigning an officer with the MDEA contains the following language incorporated into the current contract of participation (Rider D, paragraph 5) – "In accordance with the Department of Justice, Bureau of Justice Assistance requirement regarding the use of the Edward Byrne Justice Assistance Grant program awards to pay for the salaries and fringe benefits of agents assigned to MDEA, the Department understands they must maintain evidence certifying that the position vacated by the assigned officer is either backfilled by the Department or that the Department has had their yearly budget allocation increased by an amount at least equal to the reimbursed personnel costs. Such contractual remuneration by the MDEA to the Department for these certified costs shall be considered as pass through reimbursements to participating agencies in the multi-jurisdictional task force."

Respectfully,

A handwritten signature in cursive script that reads 'Roland J. LaCroix'.

Roland J. LaCroix  
Chief of Police

RJL:smy

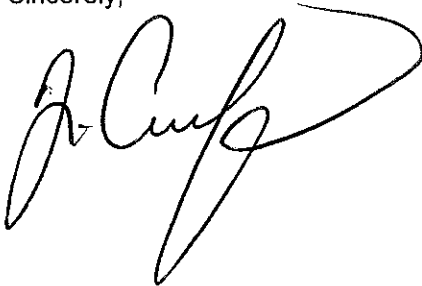
Aroostook County Sheriff's Office  
Sheriff Darrell O. Crandall  
25 School Street, Suite 216  
Houlton, Maine 04730

Commissioner Morris,

As a recipient of Bureau of Justice Assistance's Byrne JAG funding for the purposes of assigning a deputy/officer to the multi-jurisdictional drug task force project of the Maine Drug Enforcement Agency (MDEA), the Aroostook County Sheriff's Office certifies the following: recognizes that the funds in question are set aside for local government use; believes that the proposed project will provide a direct local benefit; and agrees that funding the project at the state level is in the best interests of the unit of local government.

Our current agreement for Forrest Dudley with the MDEA contains the following language incorporated into the current contract of participation (Rider D, paragraph 5) – "In accordance with the Department of Justice, Bureau of Justice Assistance requirement regarding the use of the Edward Byrne Justice Assistance Grant program awards to pay for the salaries and fringe benefits of agents assigned to MDEA, the Department understands they must maintain evidence certifying that the position vacated by the assigned officer is either backfilled by the Department or that the Department has had their yearly budget allocation increased by an amount at least equal to the reimbursed personnel costs. Such contractual remuneration by the MDEA to the Department for these certified costs shall be considered as pass through reimbursements to participating agencies in the multi-jurisdictional task force."

Sincerely,

A handwritten signature in black ink, appearing to read "D. Crandall", with a large, sweeping flourish at the end.



**ELLSWORTH POLICE DEPARTMENT**  
1 CITY HALL PLAZA  
ELLSWORTH, MAINE 04605  
Tel. 207-667-2133 Fax 207-667-4916



**Chief Glenn Moshier**  
[gmoshier@ellsworthmaine.gov](mailto:gmoshier@ellsworthmaine.gov)

**Captain Troy Bires**  
[tbires@ellsworthmaine.gov](mailto:tbires@ellsworthmaine.gov)

Glenn M. Moshier  
Chief of Police  
Ellsworth Police Department  
One City Hall Plaza  
Ellsworth, ME 04605

July 12, 2017

Commissioner Morris,

As a recipient of Bureau of Justice Assistance's Byrne JAG funding for the purposes of assigning an officer to the multi-jurisdictional drug task force project of the Maine Drug Enforcement Agency (MDEA), the Ellsworth Police Department certifies the following: recognizes that the funds in question are set aside for local government use; believes that the proposed project will provide a direct local benefit; and agrees that funding the project at the state level is in the best interests of the unit of local government.

Our current agreement for Christopher Smith with the MDEA contains the following language incorporated into the current contract of participation (Rider D, paragraph 5) – "In accordance with the Department of Justice, Bureau of Justice Assistance requirement regarding the use of the Edward Byrne Justice Assistance Grant program awards to pay for the salaries and fringe benefits of agents assigned to MDEA, the Department understands they must maintain evidence certifying that the position vacated by the assigned officer is either backfilled by the Department or that the Department has had their yearly budget allocation increased by an amount at least equal to the reimbursed personnel costs. Such contractual remuneration by the MDEA to the Department for these certified costs shall be considered as pass through reimbursements to participating agencies in the multi-jurisdictional task force."

Sincerely,

Glenn M. Moshier  
Chief of Police

# Appendix B

## Certifications

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

Edward Byrne Justice Assistance Grant Program  
FY 2017 State Solicitation

**Certifications and Assurances**  
**by the Chief Executive of the Applicant Government**

On behalf of the applicant "State" named below, in support of that State's application for an award under the FY 2017 Edward Byrne Justice Assistance Grant ("JAG") Program, and further to 42 U.S.C. § 3752(a), I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant State named below, and I have the authority to make the following representations on my own behalf and on behalf of the applicant State. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant State.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the State (e.g., the State legislature), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant State will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I certify that— (a) the programs to be funded by the award (if any) that OJP makes based on the application described above meet all the requirements of the JAG Program statute (42 U.S.C. §§ 3750-3758); (b) all the information contained in that application is correct; (c) in connection with that application, there has been appropriate coordination with affected agencies; and (d) in connection with that award (if any), the applicant State will comply with all provisions of the JAG Program statute and all other applicable federal laws.
7. I have examined certification entitled "State or Local Government: FY 2017 Certification of Compliance with 8 U.S.C. § 1373" executed by the chief legal officer of the applicant government with respect to the FY 2017 JAG program and submitted in support of the application described above, and I hereby adopt that certification as my own on behalf of that government.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it "supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 42 U.S.C. § 3795a), and also may subject me and the applicant State to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDOJ, including by OJP and by the USDOJ Office of the Inspector General.

\_\_\_\_\_  
Signature of Chief Executive of the Applicant "State"

Paul R. LePage

\_\_\_\_\_  
Printed Name of Chief Executive

Maine

\_\_\_\_\_  
Name of Applicant State

\_\_\_\_\_  
Date of Certification

Governor

\_\_\_\_\_  
Title of Chief Executive

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

**State or Local Government: FY 2017 Certification of Compliance with 8 U.S.C. § 1373**

On behalf of the applicant government entity named below, and in support of its application, I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDJ"), that all of the following are true and correct:

- (1) I am the chief legal officer of the State or local government of which the applicant entity named below is a part ("the jurisdiction"), and I have the authority to make this certification on behalf of the jurisdiction and the applicant entity (that is, the entity applying directly to OJP). I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.
- (2) I have carefully reviewed 8 U.S.C. § 1373(a) and (b), including the prohibitions on certain actions by State and local government entities, -agencies, and -officials regarding information on citizenship and immigration status. I also have reviewed the provisions set out at (or referenced in) 8 U.S.C. § 1551 note ("Abolition ... and Transfer of Functions"), pursuant to which references to the "Immigration and Naturalization Service" in 8 U.S.C. § 1373 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.
- (3) I (and also the applicant entity) understand that the U.S. Department of Justice will require States and local governments (and agencies or other entities thereof) to comply with 8 U.S.C. § 1373, with respect to any "program or activity" funded in whole or in part with the federal financial assistance provided through the FY 2017 OJP program under which this certification is being submitted ("the FY 2017 OJP Program" identified below), specifically including any such "program or activity" of a governmental entity or -agency that is a subrecipient (at any tier) of funds under the FY 2017 OJP Program.
- (4) I (and also the applicant entity) understand that, for purposes of this certification, "program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (*cf.* 42 U.S.C. § 901(a)(2)). Also, I understand that, for purposes of this certification, neither a "public" institution of higher education (*i.e.*, one that is owned, controlled, or directly funded by a State or local government) nor an Indian tribe is considered a State or local government entity or -agency.
- (5) I have conducted (or caused to be conducted for me) a diligent inquiry and review concerning both—
  - (a) the "program or activity" to be funded (in whole or in part) with the federal financial assistance sought by the applicant entity under this FY 2017 OJP Program; and
  - (b) any prohibitions or restrictions potentially applicable to the "program or activity" sought to be funded under the FY 2017 OJP Program that deal with sending to, requesting or receiving from, maintaining, or exchanging information of the types described in 8 U.S.C. § 1373(a) or (b), whether imposed by a State or local government entity, -agency, or -official.
- (6) As of the date of this certification, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by, any prohibition or any restriction that would apply to the "program or activity" to be funded in whole or in part under the FY 2017 OJP Program (which, for the specific purpose of this paragraph 6, shall not be understood to include any such "program or activity" of any subrecipient at any tier), and that deals with either— (1) a government entity or -official sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. § 1373(a); or (2) a government entity or -agency sending to, requesting or receiving from, maintaining, or exchanging information of the types (and with respect to the entities) described in 8 U.S.C. § 1373(b).

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 42 U.S.C. § 3795a), and also may subject me and the applicant entity to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDJ, including by OJP and by the USDJ Office of the Inspector General.

_____ Signature of Chief Legal Officer of the Jurisdiction	Janet T. Mills _____ Printed Name of Chief Legal Officer
_____ Date of Certification	Attorney General _____ Title of Chief Legal Officer of the Jurisdiction
_____ Name of Applicant Government Entity ( <i>i.e.</i> , the applicant to the FY 2017 OJP Program identified below)	

**FY 2017 OJP Program: Byrne Justice Assistance Grant ("JAG") Program**