

**STATE OF MAINE**  
**Maine Department of Public Safety**  
**FY 2019 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 composed of individuals from the state, local, and federal government agencies, and non-governmental organizations.

### **JAG Project Identifiers**

- Law enforcement programs.
- Prosecution and court programs.
- Prevention and education programs for substance use
- Corrections and community corrections programs.
- Drug treatment and market intervention programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation)
- Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

## ***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 includes, but is not limited to, task forces and using the State's purchasing power to assist local agencies. 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 70% of law enforcement agencies in Maine have less than 20 officers, see Table 1, page 6. 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. This concept addresses the need for specialized skills and expertise in rural settings where the criminal activity takes place without regard to the size or experience of the agency. Using the State's purchasing power allows the smaller agencies to obtain services or supplies at a reduced rate consequently allowing the local agencies to increase their purchasing potential.

Maine's FY 19 Byrne JAG funds will be used to support the following priorities:

1. Enhance law enforcement efforts to effectively and efficiently support criminal justice initiatives at the state level by supporting the Maine Drug Enforcement Agency,
2. Enhance local law enforcement efforts by distributing Byrne JAG funding to Ineligible Local Governments using non-competitive grant funding based on BJA allocations, and
3. Grant administration.

**Table 1: Certified Municipal, County and State Law Enforcement Personnel,  
December 31, 2018**

<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	64	290	291
9-19 Officers	31	447	94
20-64 Officers	17	585	66
65+ Officers	3	298	0
Sheriff's Dept. (10 Judicial Marshal's)	16	389	272
<b>SUBTOTAL</b>	<b>134</b>	<b>2,009</b>	<b>723</b>
<b>P/T Law Enforcement Agencies</b>	<b>12</b>	<b>0</b>	<b>30</b>
<b>State Law Enforcement Agencies</b>			
Railroad Police	1	1	0
Dept. of Corrections LE Investigators	1	7	13
Dept. of Corrections Probation Officers	1	142	0
Baxter State Park Authority	1	4	0
Maine Forest Service	1	57	0
Maine State Police	1	315	0
Maine Warden Service	1	122	0
Maine Marine Patrol	1	45	0
Maine Judicial Marshal Office	1	122	0
Maine Capitol Police	1	8	0
Maine Fire Marshal Investigators	1	15	0
Maine University Police Departments	4	30	13
Attorney General Investigators	1	11	0
Motor Vehicle Investigators	1	13	2
Maine Drug Enforcement Agency	1	1	0
<b>SUBTOTAL</b>	<b>18</b>	<b>892</b>	<b>26</b>
<b>TOTAL</b>	<b>164</b>	<b>2,901</b>	<b>779</b>
<b>Correctional Agencies</b>	<b># of Depts.</b>	<b># of Authorized Full-Time Corrections</b>	<b># of Authorized Transport Officers</b>
Mountain View Correctional Facility	1	124	0
Long Creek Youth Development	1	102	0
Maine Correctional Center	1	219	0
Maine State Prison	1	273	0
Maine Dept. of Corrections Main Office	1	2	0
County Jails	15	772	7
<b>TOTAL</b>	<b>20</b>	<b>1,492</b>	<b>7</b>

Because of historically high levels of illicit drug activity and related crime, every community in Maine is impacted. Uniform Crime Reports and the 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. These are ever present and successful investigations and offender prosecutions reduce 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 and working short-staffed due to difficulties attracting people to the law enforcement profession. 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 force in conjunction with the prosecution unit within the Criminal Division of the Attorney General's Office integrate state, county, and local law enforcement agencies and prosecutors, enhancing interagency coordination and intelligence, and facilitating multi-jurisdictional investigations to remove mid- and upper-level narcotic offenders and related crime operations.

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 regularly discusses the use of JAG funds for the Maine Drug Enforcement Agency (MDEA) at their meetings and feedback to date has been positive.

## Sub-Grant Award Process

The Maine Department of Public Safety (DPS) has developed a sub-grant application process which solicits formal proposals from applicants to apply for funding under the JAG funding priorities. Once awards are made, formal contracts are executed through the Division of Purchases. If a State of Maine agency is awarded funding, a Memorandum of Understanding is used in lieu of a contract.

As part of the sub-grant application process, all 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 and approved. Projects will be funded for up to two years. It is anticipated that projects will begin in April 2020, and end by September 30, 2021.

June 25, 2019	Submit Byrne JAG Application
July 01, 2019	Posting of FY19 JAG Application for Public Comment as noted in Appendix B
August 05, 2019	Final Review by Governing Body
October 2019	Federal Award
December 2019	Release RFP for Subgrants
January – February 2020	Receive proposals from Subgrant Application Process
March 2020	Review, Discussion and Approval of Subgrants by Justice Assistance Council
April – May 2020	Sub-grant Contracts Issued
March – May 2020	Review of Statewide Criminal Justice Strategic Planning

Ongoing	Monitoring and Technical Assistance
July – December 2019	Review of the 2017 Maine Edward Byrne JAG Strategic Plan
December 2021	Grant Close Out

## ***STRATEGIC PLANNING PROCESS***

### **Maine Justice Assistance Council**

The Maine Justice Assistance Council (JAC) 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 policy 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. Its composition is designed to facilitate coordinated planning and program implementation of federal, state and locally funded programs and projects.

The 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. They also represent the interests of Federal, State, and local criminal justice professionals, substance abuse service providers, and victim service providers.

#### **Membership of the Justice Assistance Council:**

- 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
- A representative of a domestic abuse prevention organization
- A District Attorney
- LECC Manager, U.S. Attorney's Office,



- The Director of the Maine Criminal Justice Academy
- The Associate Commissioner for Adult/Community Services, Department of Corrections
- Chairperson of the Maine Commission on Domestic Abuse or designee
- A representative of a state law enforcement agency
- One Sheriff
- The Chief Justice of the Supreme Court, or designee
- The Commissioner of the Department of Corrections, or designee
- The Attorney General, or designee
- A representative of a victim's group

All JAC meetings are announced on the Maine Department of Public Safety website and are open to the public. The JAC met on August 27, 2018, and endorsed the state's priorities for Byrne JAG funding for the State's two-year budget cycle beginning July 1, 2019. At that same time, they reviewed the *Drug Control, Violence and Multi-Year Strategy* previously approved at the JAC December 2016 meeting. After discussion, the JAC decided not to make any changes to the current plan. The document is continually posted on the Maine Department of Public Safety's homepage at <http://www.maine.gov/dps/grants/documents/JAC-Strategy-FINAL-12-2016.pdf>.

## ***Maine's Priority Areas***

### **Priority #1. 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 the Maine Drug Enforcement Agency (MDEA) and the Drug Prosecution Unit within the Criminal Division of the Attorney General's Office.

#### **Project Period:**

18 Months

#### **Program Description:**

The JAG program funding will support MDEA, the lead agency in Maine's fight

against drug crime. 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 within MDEA that cover multiple counties throughout Maine.

MDEA 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 and satisfies the variable pass-through required the Bureau of Justice Assistance. 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, Criminal Division, Drug Prosecution Unit

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 who is 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 MDEA, and law enforcement agencies. This coordinated effort results in a large volume of high-quality felony drug cases.

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;
- Provide consultation and legal advice to MDEA agents and to local law enforcement agencies; and,
- 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 because of increased apprehension, prosecution, and financial investigation activities.
- Provide a method of central acquisition and distribution of specialized equipment for drug enforcement activities.

## Priority #2 Ineligible Local Government Support Program

The Maine Department of Public Safety will coordinate the distribution of funds to certain units of local government within the state are ineligible for a direct FY 2019 award of JAG funds due to their small size.

### Project Period:

18 Months

### Program Description:

Ineligible units of local government can access Byrne/JAG funds to expand or support public safety programming. Units of local government which would receive less than a \$10,000 grant under the Byrne/JAG formula are statutorily ineligible to receive direct funding from BJA under the Byrne/JAG program. In each of the sixteen counties, there will only be one applicant agency submitting a single application. This applicant agency acts as the liaison between the individual municipalities and the Maine Department of Public Safety. The local governments within the counties can choose to go by the award allocations provided on the BJA Ineligible list, work together in collaboration toward one project, or to reallocate the funding amounts.

The Single Applicant Agencies must certify, for all merged ineligible local governments in their county, that Byrne/JAG funds will not be used to supplant or replace state or local funds but will rather increase the amount of funding that would have been available if the grant were not made.

Historically, the Single Applicant Agencies applications fund: equipment; information and data technology systems; law enforcement operations and administration; and law enforcement training. Examples of funded projects from the FY 17 Ineligible grants include:

- The “patrol” function is the primary responsibility of any municipal law enforcement agency charged with public safety. Having effective two-way communications with mobile units on patrol is paramount to their safety and necessary for the appropriate distribution of critical information. The Lisbon Police Department used \$2,760.25 to replace aging radios that were near the end of their useful life.
- The City of Auburn serves as the “corridor” to the western Maine mountain recreational areas. As such, the “corridor” has had a significant increase in drug and human trafficking. Cell phones are an integral part of the commission of these crimes. Additionally, Auburn has 10 schools dispersed throughout the city. An increasing number of children are victims of bullying and sex crimes with cell phones and other technology. Prosecution of these crimes requires real-time downloads/investigations. Since the Auburn Police Department did not have these in-house capabilities, they used \$6,147.00 to purchase a one-year subscription for data recovery and extraction software and an additional \$3,290.00 to certify a detective as a Logical and Physical Operator of this equipment.
- The Aroostook County Sheriff’s Office was concerned about Deputies losing their weapons during a physical confrontation. To reduce the likelihood of this occurring but still retain access to their weapon, they used \$1734.60 to purchase 20 secure level III duty holsters.

### **Priority #3 Grant Administration**

The solicitation allows up to 10 percent of the state’s JAG award, including up to 10 percent of any earned interest, for costs associated with administering the award. The

State of Maine will allocate approximately 9.8 percent of the state's total JAG award for grant administration. The costs include personnel, fringe benefits, travel, other costs, and indirect costs.

## Analysis of Need – Crime in Maine<sup>1</sup>

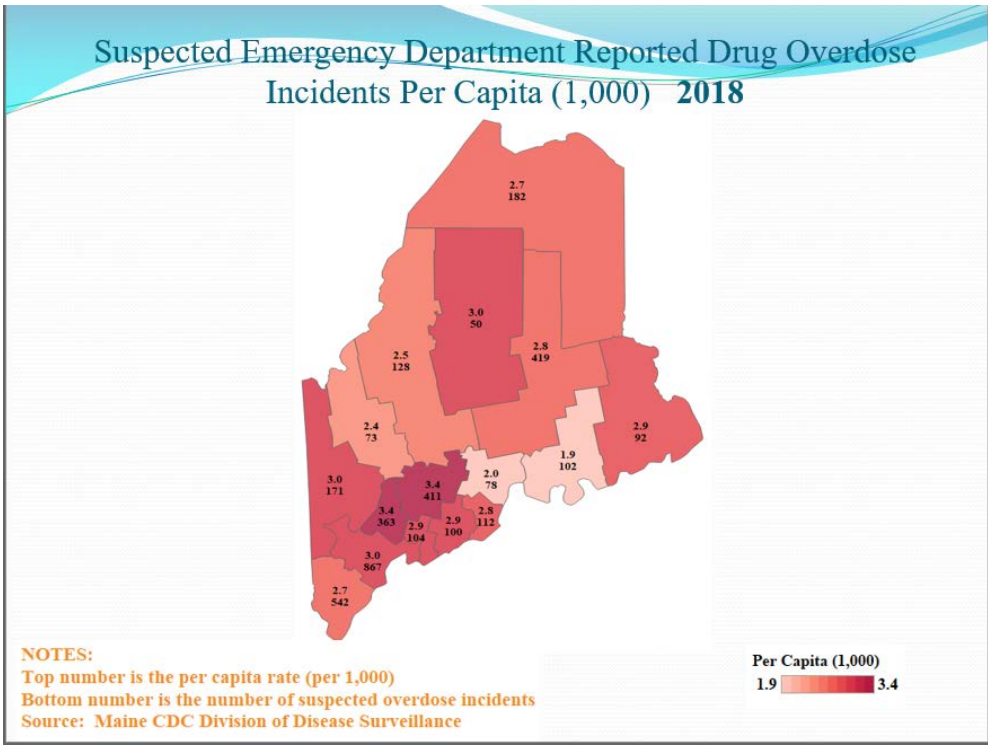
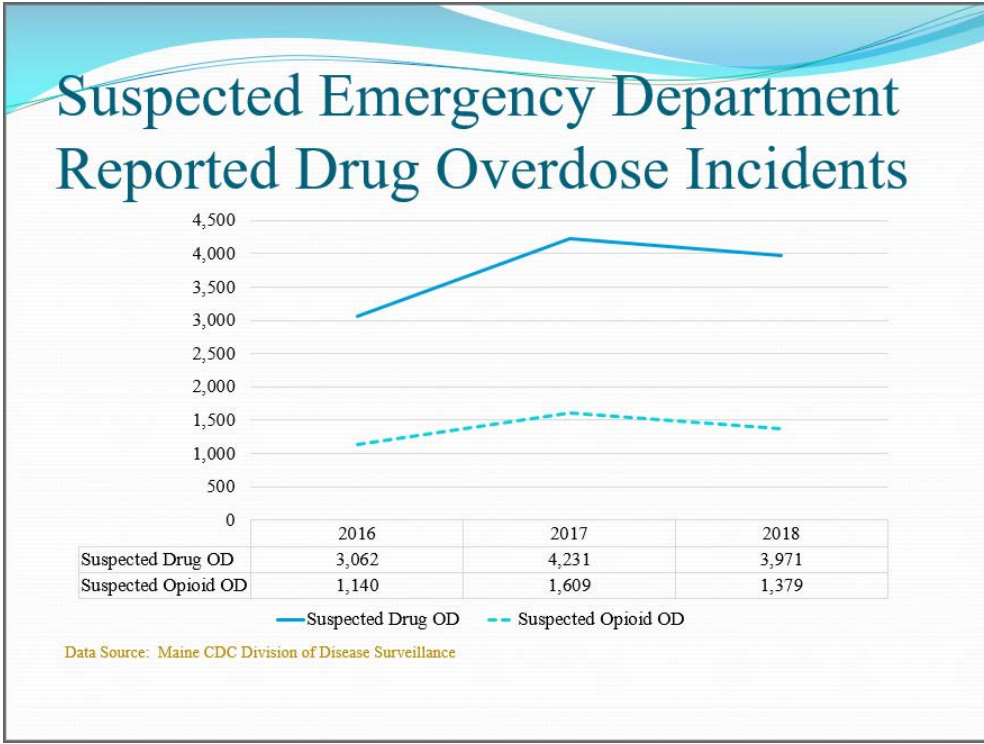
All Maine communities are affected by drug use and abuse. The availability of illegal drugs, diverted prescription medications, related crime, medical and legal costs and the lives they impact are evidence of this. An effective enforcement program that disrupts the drug market is required to undermine the ability of drug suppliers to meet, expand, and profit from drug demand. This effort strengthens the State's ability to support prevention efforts by making initiation to drug use more difficult and contributes to treatment efforts by eroding the ability of users to sustain their habits and to alternatively seek treatment.

The Maine Department of Public Safety relies largely on three state agencies to assist in the analysis of the needs that can be fulfilled by the available Byrne Jag funds. The Maine Department of Health and Human Services provides data on the effects of drug use in Maine. The Maine Office of Chief Medical Examiner supplies information on drug-related deaths. The Maine Drug Enforcement Agency furnishes statistics and other details related to crime in Maine especially those crimes related to drug trafficking. Excerpts from the provided data are included in the following subsections.

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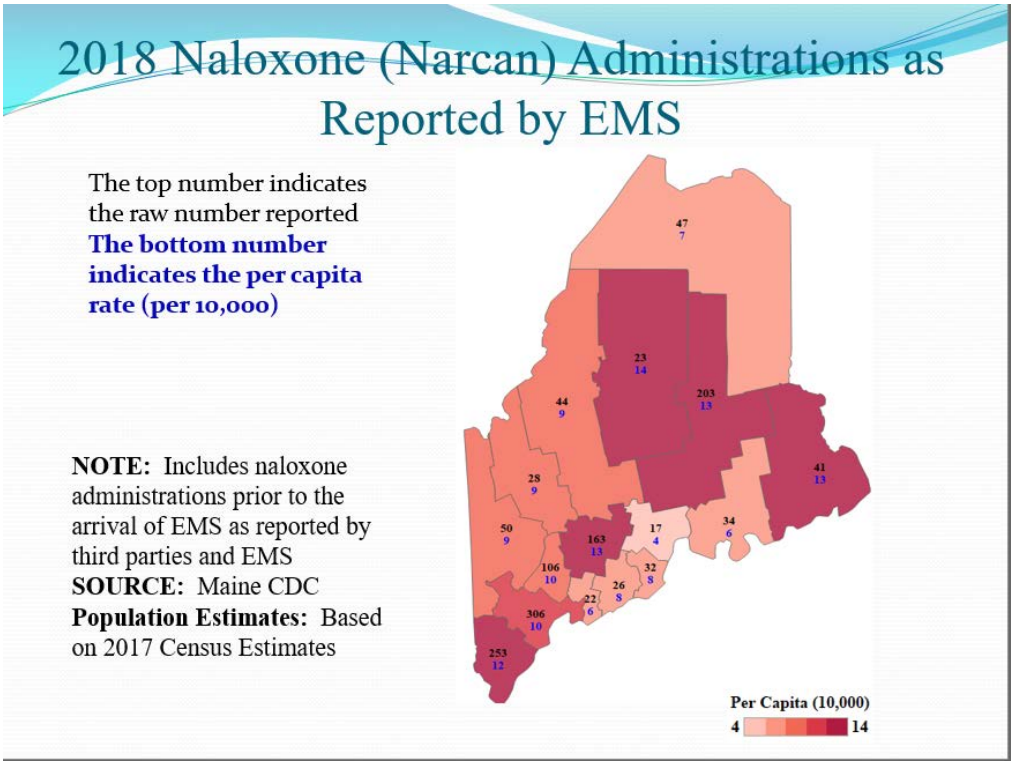
<sup>1</sup> Uniform Crime Reporting (UCR) Program, *Crime in Maine 2017*, <https://www.maine.gov/dps/msp/about/maine-crime/2017>

Maine Department of Health and Human Services reports<sup>2</sup>:



<sup>2</sup> Maine Department of Health and Human Services, Office of Substance Abuse and Mental Health, Hot-Spotting Opioids, January 29, 2019





## Number of Substance Exposed Infant Notifications\* Maine: 2011-2018

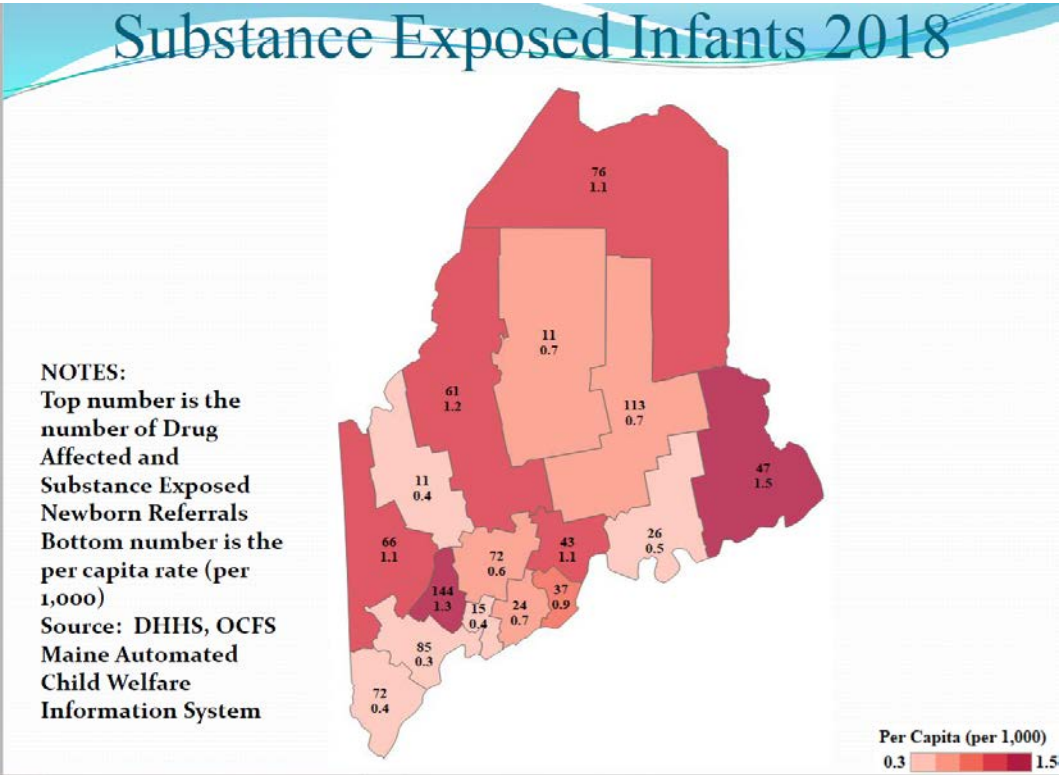
In 2017, there were **952** notifications regarding infants born exposed to substances, the first decline since 2011

In 2016 and 2017, approximately **eight percent** of the live births in Maine had substance exposed notifications.

*According to the CDC data on Neonatal Abstinence Syndrome, in 1999 Maine had an incident rate of 1.1 per 1,000 births and in 2012 that rate had climbed to 30.4 per 1,000. An estimated 80% of hospital charges for NAS are covered by state Medicaid programs.*



*Source: Office of Child and Family Services (OCFS), Maine Automated Child Welfare Information System (MACWIS).*



Maine Office of Chief Medical Examiner (OCME) report<sup>3</sup>:

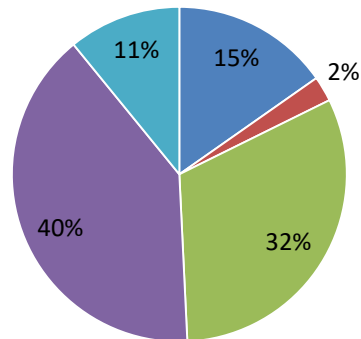
Accidents:

The mode of death here refers to the type of event within a given category of Manner that led to an individual’s death. Some common modes of death for Manner being Accident are motor vehicle collisions, drug overdoses, falls, and drownings. Over half of all cases the OCME investigates are accidents. Of all accident cases, the most common mode is unintentional drug overdoses, followed by falls, and then motor vehicle accidents.

<sup>3</sup> Office of Chief medical Examiner, *Annual Report 2018*, State of Maine, 2019

## Breakdown of Accidental Deaths by Mode

■ Motor Vehicle ■ Drowning ■ Overdose ■ Fall ■ Other

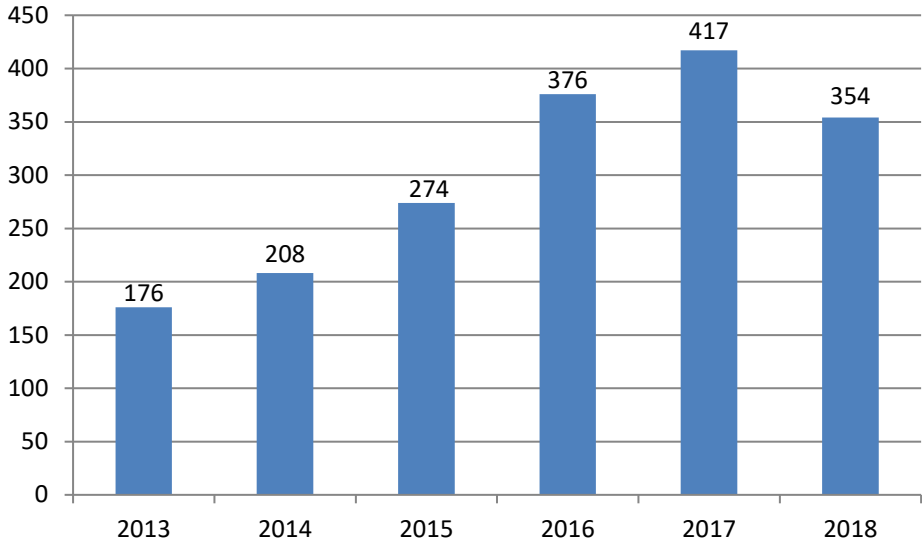


### Drug-Related Deaths:

When a case requires toxicologic testing, the OCME sends body fluid samples to NMS Labs in Pennsylvania (an accredited Forensic Toxicology reference laboratory). The OCME does not require toxicologic testing on every case; toxicology testing is performed primarily for suspected overdoses, individuals with little to no medical history, and drivers of motor vehicles. The OCME works closely with the Bureau of Highway Safety to report alcohol detected in drivers killed in motor vehicle accidents. As a part of this working relationship, the Bureau of Highway Safety pays for those implied consent alcohol screens. For the year 2018, the OCME sent samples for alcohol testing in 80 cases of drivers and pedestrians killed in motor vehicle accidents.

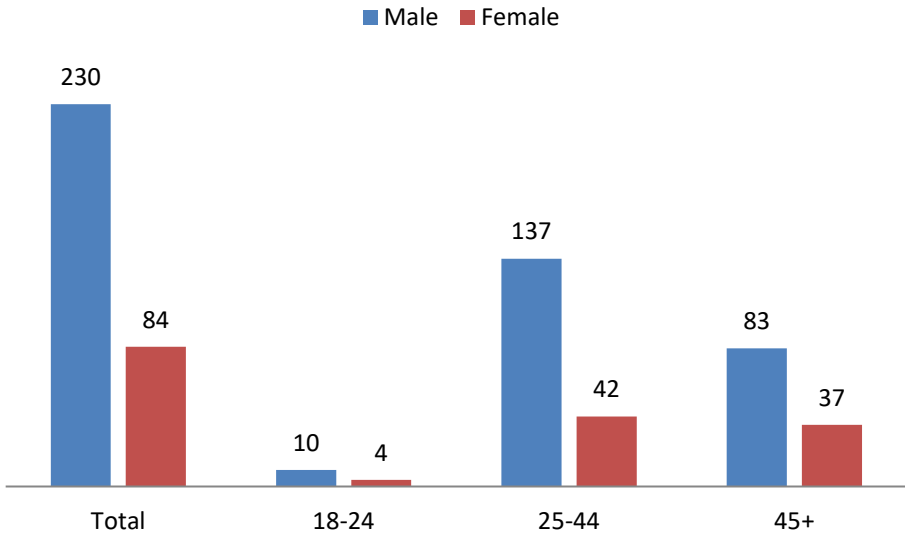
Maine has experienced a decline in the unintentional deaths caused by drug overdoses. The decline in overall drug-related deaths is the first decline since 2011. The drug epidemic is not unique to Maine. According to the National Institute on Drug Abuse, the United States has seen an increase of 22,568 drug deaths over five years (2012- 2016, most recent information), which is a 35% increase. Maine has had a 56% increase over this same five-year period.

### Drug Deaths 2013-2018



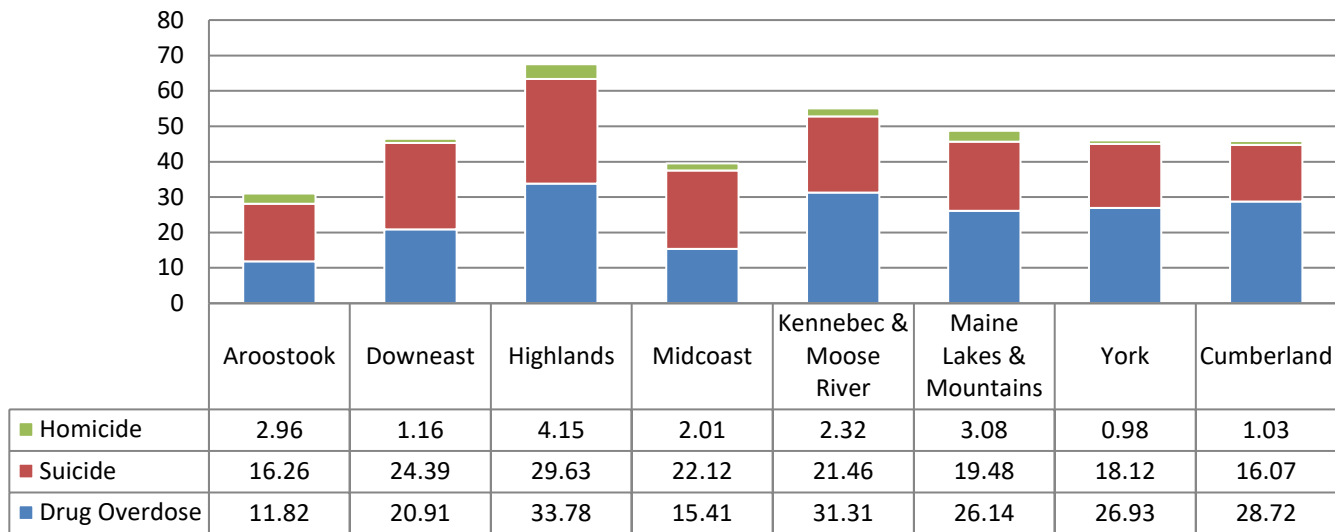
In 2018, the highest number of unintentional drug deaths occurred in men and women between the ages of 25 and 44 years.

### 2018 Unintentional Drug Overdose by Age and Sex



**N.B.:** There was one unintentional drug death of a female under the age of 18.

## Analysis of Violent Deaths by Region



N.B.: Numbers are Rate per 100,000

### Expanded Maine Drug Death Report for 2018<sup>4</sup>:

This report, funded by the Maine Office of Attorney General, provides a summary of statistics regarding drug fatalities in Maine during 2018. Data for the report were collected at the Office of Chief Medical Examiner. A “drug death” is identified when one or more drugs are mentioned on the death certificate as a cause or significant contributing factor for the death. Analysis of these deaths reveals a 15% decrease over 2017 in the total number of fatalities due to drugs, driven by a 12% decrease in overdoses due to non-pharmaceutical fentanyl and fentanyl analogs, and a 16% decrease in heroin deaths. In addition, there has been an increase in methamphetamine deaths and a decrease in deaths caused by benzodiazepines.

#### Overview:

- **Total:** In 2018 there were 354 drug-induced deaths statewide, 42 (15%) less than in 2017.

This is the first decrease in drug-induced deaths since 2011.

<sup>4</sup> Marcella H. Sorg, Ph.D., *Expanded Maine Drug Death Report for 2018* (Margaret Chase Smith Policy Center University of Maine, 2018, Revised April 19, 2019)

- **Manners of death:** Of these 354, 313 (89%) were accidental overdoses, 30 (8%) were suicides, and 10 (3%) undetermined manner.
- **Overall patterns of note in 2018:**
  - Most (80%) drug deaths were caused by two or more drugs. The average cause of death involved 3 drugs.
  - The vast majority of overdoses (85%) were caused by at least one opioid, including pharmaceutical and illicit (non-pharmaceutical) opioid drugs, similar to the 2016 proportion (84%).
  - Fentanyl (or its analogs) caused 77% of deaths, up from 58% in 2017.
  - Heroin caused 26% of deaths, up from 21% in 2017.
  - Cocaine-involved deaths, 25% of 2018 deaths, have increased from 16% since 2016.
  - Pharmaceutical opioid deaths, 28% of 2018 deaths, have decreased slightly from 37%. Most were not prescribed to the decedent.
  - The percent of overdoses with naloxone (Narcan) found in toxicology has decreased from 31% in 2017 to 27%.
- **Demographic patterns:** Males outnumber females 2.5 to 1, the proportion decreasing from 72% in 2017 to 71% in 2018. The average age is 42, up from 41 in 2017.

	<b>Total</b>	<b>Average Age</b>	<b>Age Range</b>	<b>Percent Male</b>
<b>All drug deaths</b>	354	42	0-90	253 (71%)
<b>Accidents</b>	314	41	0-73	230 (73%)
<b>Suicides</b>	30	50	18-90	17 (57%)

## Involvement of specific drug categories:

Specific drug or drug category causing the death (alone or in combination with other drugs and/or alcohol)	Number	Percent of 354 drug deaths
Number of deaths caused by more than one drug	284	80%
Any pharmaceutical drug	198	56%
Any opioid (pharmaceutical or non-pharmaceutical)	283	80%
Naloxone present in the toxicology report*	97	27%
Any illicitly manufactured drug (includes heroin/morphine, non-pharmaceutical fentanyl, fentanyl analogs, other illicitly-manufactured opioids, cocaine, methamphetamine, and MDMA)	257	73%
Any non-pharmaceutical opioid drugs (heroin/morphine, fentanyl, fentanyl analogs, U-47700, mitragynine).	231	65%
Heroin/morphine and/or fentanyl or fentanyl analogs	230	65%
Fentanyl and/or fentanyl analogs (known pharmaceutical fentanyl removed)	217	61%
Heroin/morphine (known pharmaceutical morphine removed)	74	21%
Any pharmaceutical opioid (most were <u>not</u> prescribed to the decedent)	78	22%
Any benzodiazepine	78	22%
Cocaine	90	25%
Methamphetamine	26	7%

\*Excludes cases with buprenorphine in toxicology.

## Non-Pharmaceutical (“Illicit”) Fentanyl and/or Fentanyl Analog Deaths:

This category includes deaths caused by non-pharmaceutical (illicitly manufactured) fentanyl or fentanyl analogs. We removed all cases that involved known pharmaceutical fentanyl from these totals. There were 217 overdoses due to non-pharmaceutical fentanyl and/or fentanyl analogs in 2018. This is a 12% decrease from 247 deaths in 2017.

- 169 (78%) are male and 48 (22%) are female.
- The average age in illicit fentanyl/fentanyl analog deaths is 38 (age range 1-69).
- A smaller proportion of fentanyl/fentanyl analog deaths had heroin also listed as a cause of death: 28% in 2018, up from 22% in 2017.
- Cocaine is identified as a cause of death in 32% of the fentanyl/fentanyl analog deaths in 2018, up from 27% in 2017.
- The proportion of deaths caused by fentanyl analogs (alone or in combination) has declined from 43% in 2017 to 30% in 2018. A new fentanyl analog has appeared in 2018, para-Fluorobutyryl fentanyl (n=10).

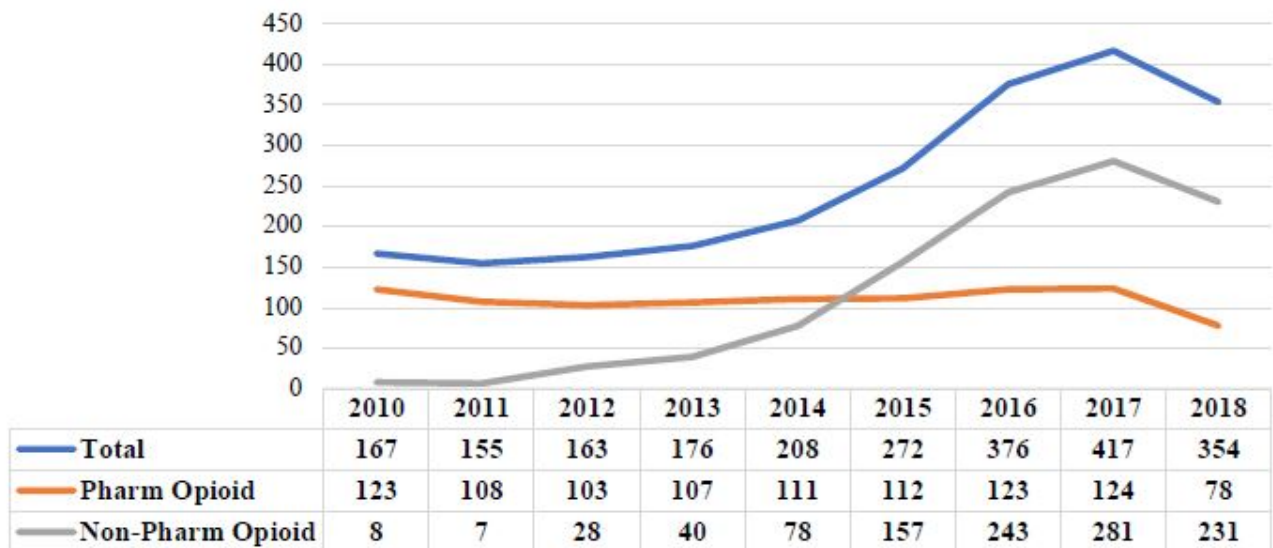


## Involvement of co-intoxicant drugs in non-pharmaceutical fentanyl deaths:

Specific co-intoxicants in addition to fentanyl and/or fentanyl analogs identified as a cause of death	Number	Percent of Fentanyl/Fentanyl Analog Deaths N=217
<b>FENTANYL and FENTANYL ANALOG COMBINATIONS</b>		
• Fentanyl (with or without fentanyl analogs)	207	95%
• Fentanyl analogs (with or without fentanyl)	65	30%
• <u>Both</u> non-pharmaceutical fentanyl and at least one fentanyl analog	55	25%
<b>CO-INTOXICANTS IDENTIFIED IN FENTANYL and/or FENTANYL ANALOG DEATHS</b>		
• One or more drugs (or alcohol) in addition to fentanyl and/or fentanyl analogs	169	78%
• One or more pharmaceutical opioids in addition to fentanyl and/or fentanyl analogs	21	10%
• Heroin/morphine in addition to fentanyl and/or fentanyl analogs	61	28%
• Alcohol in addition to fentanyl and/or fentanyl analogs	59	27%
• One or more benzodiazepines in addition to fentanyl and/or fentanyl analogs	35	16%
• Cocaine in addition to fentanyl and/or fentanyl analogs	69	32%

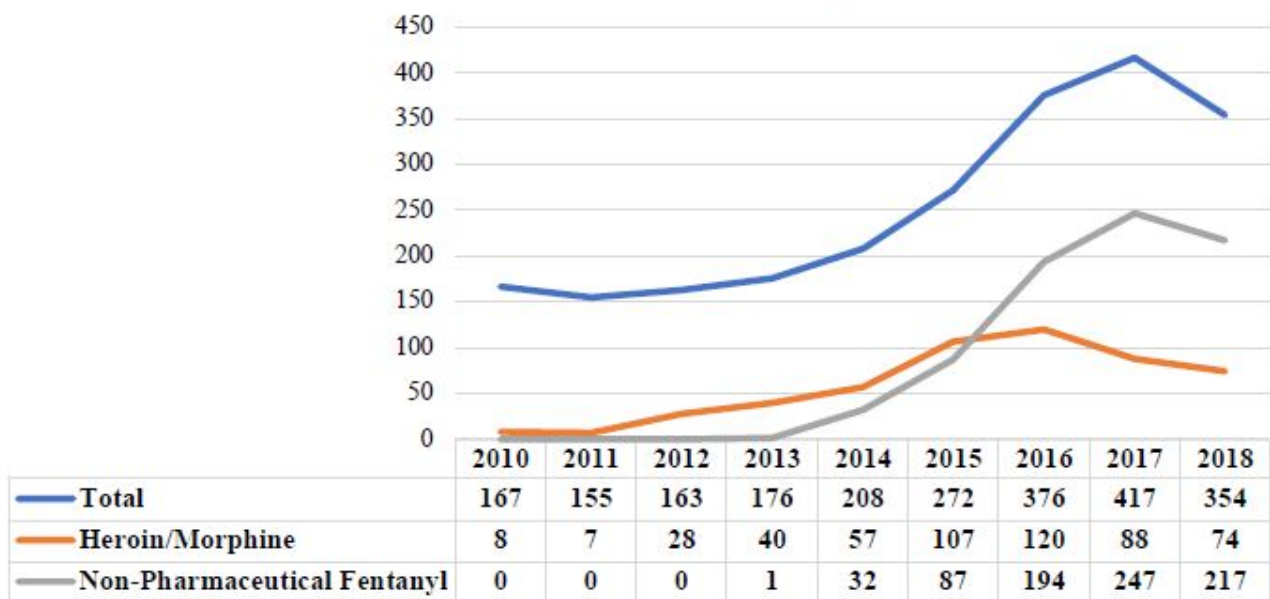


### Total Deaths due to Pharmaceutical Opioids Compared to Non-Pharmaceutical (Illicit) Opioids, Alone or in Combination



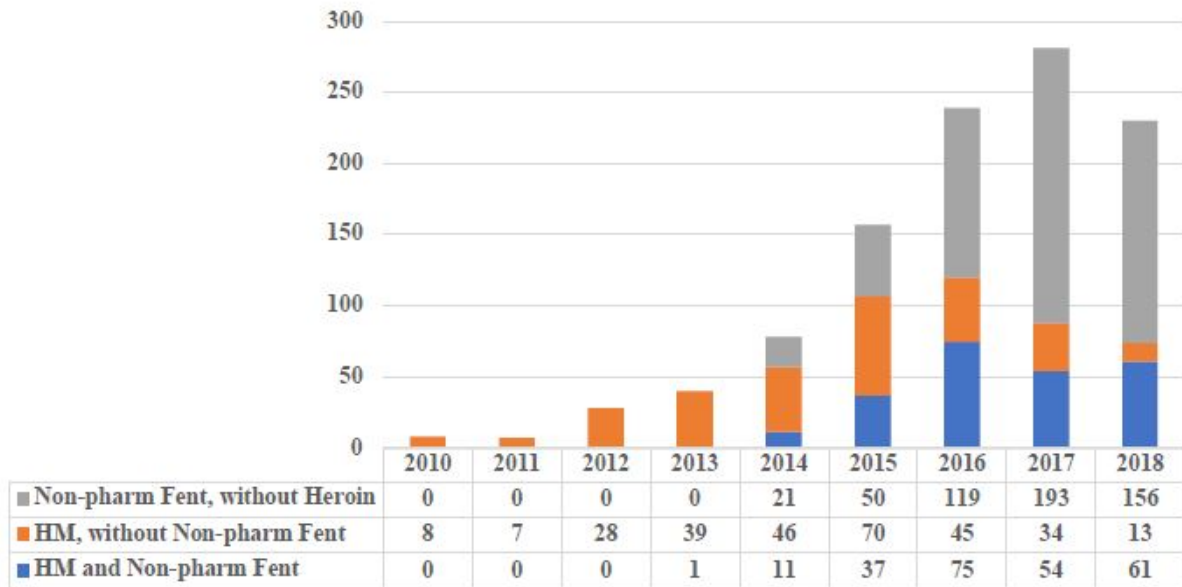
Comparison of the number of deaths due to pharmaceutical versus non-pharmaceutical opioids, alone or in combination with other drugs or alcohol.

### Deaths due to Heroin/Morphine and Non-Pharmaceutical Fentanyl and/or its Analogs



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

**Deaths Due to Heroin/Morphine (HM) and Non-Pharmaceutical Fentanyl and/or its Analogs, Alone or in Combination with Each Other**



*Total deaths due to heroin/morphine (“HM”) with non-pharmaceutical fentanyl (Non-pharm Fent”) and/or its analogs, alone or in combination with each other*

**Maine Drug Enforcement Agency:**

The overall drug threat to Maine continues to be of significant concern. As of late 2018, the top drug threats to Maine and New England were heroin, fentanyl, controlled prescription drugs, cocaine hydrochloride (HCL), cocaine base, methamphetamine, and marijuana.

The threats associated with heroin and fentanyl, and increasingly cocaine and fentanyl, continue to be more interrelated. Samples of purported heroin and cocaine now routinely contain fentanyl, making them difficult to distinguish absent laboratory analysis. Heroin, fentanyl, and cocaine all contribute to the drug-related fatalities across New England.

The Maine Drug Enforcement Agency through its regional multi-jurisdictional task forces is the lead state agency in confronting drug trafficking crime. Maine Drug Enforcement, as a cornerstone of the State’s enforcement strategy to address drug trafficking, provides the administrative platform for the effective and efficient use of limited resources through

partnerships with federal, state, tribal and local law enforcement agencies. It is through Maine Drug Enforcement that the skills, expertise, and experience of officers assigned to its task force groups are brought together as a statewide drug task force. Maine Drug Enforcement has applied its investigative resources to the ongoing heroin, fentanyl, other opiates, cocaine, and methamphetamine threat.

Highlights of 2018 activity, productivity, and cost-effectiveness by Maine Drug Enforcement District Task Forces include coordinating information sharing and assisting numerous departments, participated in awareness and prevention efforts, conducted 760 drug offense investigations, the participation of 47 law enforcement agencies and 74 federal, state, and local public safety members comprise the Maine Drug Enforcement Agency, participated in awareness and prevention efforts, removed 77 firearms connected to illegal activity, made 554 drug offense arrests, recovered over \$559,000 in illegally gained cash and assets from drug traffickers, and removed over illicit drugs with \$1.2 million wholesale value from the marketplace.

The overall crime rate in Maine decreased by 1.52% between 2016 and 2017. A total of 21,803 Index Offenses reported by police during 2017. During 2017, violent crime totaled 1,591, down 4.7% from 2016 and represents a crime of 1.19 per 1,000 population. Domestic violence offenses of assault showed a decrease of 10.6% from 4,907 in 2016 to 4,178 in 2017. 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. Burglaries exhibited a decrease of 16.9% from 3,991 in 2016 to 3,316 in 2017. Other crimes in Maine that decreased in 2017 include:

- Larceny-thefts, down 6.6%.
- Aggravated assaults, down 12.7%.
- Robbery, down 7.1%.

Dominican criminal drug trafficking organizations remain the primary mid-level 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.

Although overall levels of trafficking remained low compared to other illicit drugs, methamphetamine production occurs primarily in Maine as compared to the other New England states in the form of “one-pot” laboratories. In 2018, Maine experienced a small reduction in lab incidents, down from an all-time high of 126 in 2016. Of the 51 lab-related incidents this year, 28 were active labs, 5 involved at least one child present at the crime scene and have occurred in half of Maine’s counties from Aroostook to York with the largest number discovered in Penobscot County (24) for the second year running.

A high-profit margin is encouraging out-of-state drug distributors and their organizations to establish distribution networks in Maine. Previously, these organizations would travel to Maine with a modest amount of drug, rent a motel room and sell their product for a day or two then either leave the state to return another day or receive multi-ounce quantities of drugs every few days from out of state. That trend has been replaced with the distributors traveling to Maine with kilogram quantities. The distributors then supply local distributors who are often addicts themselves. These dealers collect their money and re-supply the local distributor. This activity decreases the risk to the out-of-state distributors encountering law enforcement in undercover capacities. It also alleviates single location seizures of the drugs and cash in instances of law enforcement intervention. Absent the presence of out-of-state based and supplied traffickers in their communities, area drug dealers are still able to get in their car and drive to southern New England source cities to obtain drugs for transportation into Maine.

Drug-related violence continues. Debriefings of defendants and intelligence information continue to indicate the propensity for violence in drug trafficking networks. This is especially true in cases involving robbery of drugs and cash, and the collection of outstanding drug debts.

The violent collection of drug debts through intimidation, weapons display, and severe beatings appear to be quite prevalent, especially relating to cocaine and crack distribution. The possession and use of firearms and sometimes their exchange for drugs is a reminder of the threat these groups pose to Maine.

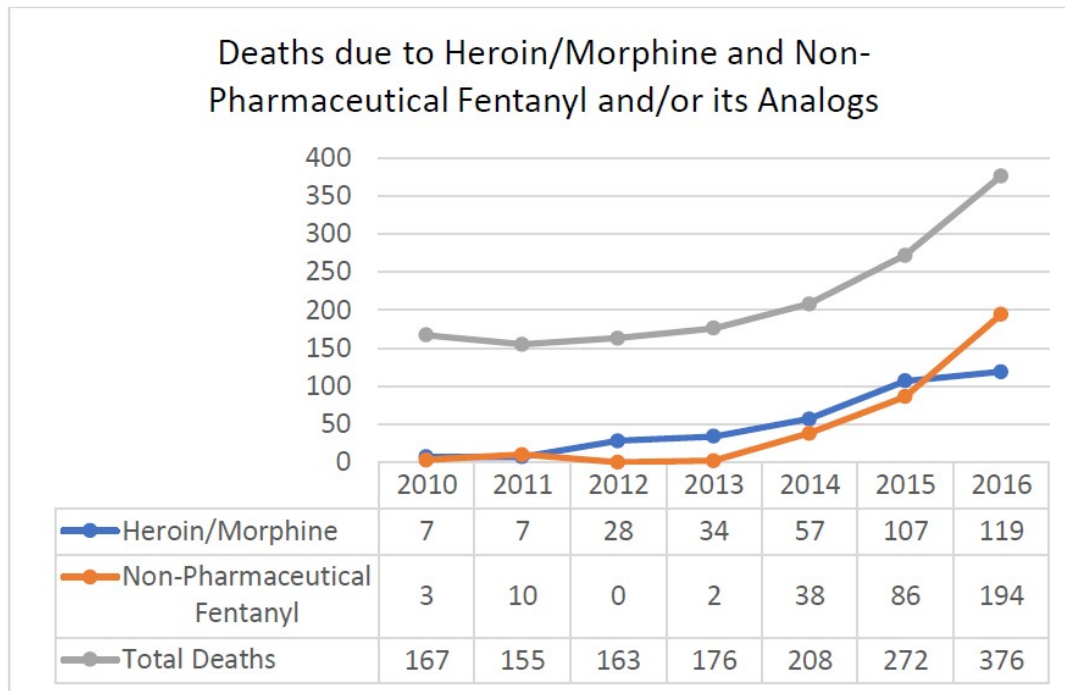


Figure 3. Total drug deaths with subtotals for the number of deaths due to heroin/morphine and non-pharmaceutical fentanyl and/or its analogs. Although separate totals are provided for heroin/morphine and fentanyl/fentanyl analog fatalities, many deaths include both drug categories.

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.

### Accomplishments & Challenges:

Operating in a task force environment has its accomplishments while also having distinct challenges. Personnel constantly rotate in and out of the task force groups creating training

challenges and impacting abilities to further long-term more complex investigations. Advances in technology and adaptations by the drug trafficking groups present another set of distinct challenges. At the same time, equipment necessary to fulfill Maine Drug Enforcement's mission has been obtained and some of the most significant drug seizures have taken place. Investigative successes have also resulted from a more focused "targeting" approach by the task force groups have led to significant cases and removal of drugs from Maine's communities.

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. As a strategy, MDEA is also proactively pursuing those cases having the greatest impact on supply and the sources of drugs that result in overdose or death.

In 2018, the MDEA documented 2,565 calls for service: initiating 760 drug offense investigations; 30 other criminal investigations; and 529 investigative assists to other law enforcement agencies. MDEA investigations resulted in charging 599 individuals. Of these, 554 of those charged were for drug offenses including possession (90) and sale/manufacturing (464).

Representative examples of the cases that MDEA pursued during 2018 include, but are not limited to:

MDEA's Aroostook Task Force opened an investigation into a drug trafficking organization responsible for the smuggling and retail distribution of methamphetamine into Northern Maine. While the investigation remains active, to date agents have recovered five pounds of crystal methamphetamine with a conservative retail value of nearly \$350,000.

A drug trafficking organization identified as distributing in Hancock and Washington counties was dismantled with the arrest of seven individuals including a Florida and a Rhode Island source of supply. MDEA's Downeast Task Force recovered heroin, cocaine and diverted oxycodone valued at \$30,000.

Having received credible information that a local man and one from Florida were

distributing quantities of methamphetamine, MDEA North Central Task Force launched an investigation. During a weeklong series of search warrants and arrests, agents had recovered nearly three pounds of methamphetamine valued at \$170,000, eleven firearms, some of them stolen, and had arrested several suspects. The investigation revealed that several kilograms of methamphetamine had been smuggled to Maine from Florida by this organization.

Working with a tip that an Augusta area drug trafficker and several others were in a local hotel distributing drugs, MDEA's South Central Task Force gathered information and applied for a search warrant. The law enforcement operation result was the recovery of heroin and cocaine base valued at more than \$110,000 and \$43,852 cash that was the proceeds of drug sales. Five individuals were charged with drug trafficking.

Pursuing information obtained by a local police department and forwarded to MDEA, MDEA's Western Maine Task Force identified a suspected drug distribution location in Jay. Following a brief investigation, agents executed a search warrant on the residence recovering 1,200 dosage units of heroin and 82 grams of cocaine base with a street value in excess of \$45,000. The investigation revealed that one of the traffickers arrested was from New York City and had made several trips to New York to re-supply the operation. The recovered drugs were to be sold in the greater Jay, Wilton, and Farmington area.

MDEA's Cumberland Task Force launched an investigation after developing information that an individual was distributing thousands of "Xanax" pills throughout Southern Maine having purchased a pill press, molds, and chemicals through the "Dark Web". The distributor was arrested when they sold 1,000 "Xanax" pills to an undercover agent. Further investigation led to the recovery of an additional 20,000 "Xanax" pills, \$5,000 in drug proceeds and a 9mm handgun. Analysis proved the "Xanax" pills to be counterfeit and in fact, contained Oxycodone. US Homeland Security Investigation agents were contacted to assist in the investigation. Over 40 pounds of chemicals used in the production of the counterfeit pills has since been seized as part of

the investigation.

MDEA's York County Task Force has had successful outcomes identifying the sources of supply in many drug-related overdose deaths. With the implementation of the OD Hotline, investigators have been successful in assisting law enforcement agencies throughout York County with their investigations at suspected overdose death scenes. By quickly exploiting the evidence recovered at the death scenes and conducting on-scene interviews, sources of supply have been identified and are being successfully prosecuted in both the state and federal courts.

### **New Technology:**

MDEA obtained: money counters with the ability to record serial numbers; a new generation of covert audio devices; a new records management system; a new generation of GPS tracking devices; and, additional TruNarc™ handheld narcotics ID analyzers.

### **Challenges:**

Training and implementation of the new records management system; creating partnerships and stronger working relationships with state and local law enforcement agencies in source cities of drugs to enhance Maine Drug Enforcement's ability to dismantle drug trafficking groups operating in Maine; develop special agents with the desire and skills necessary to pursue long-term and more complex investigations to have a greater impact on drug availability in Maine; lack the analytical support staff to maximize investigative capacity.



Outputs:

<i>Category</i>	<i>2018</i>
<b>Criminal Offense Investigations Initiated – Total #</b>	760
<b>Judicial Search Warrants</b>	210
<b>Information/Education Presentations</b>	32
<b>Clan Lab-related Incidents</b>	51
<b>Organized Crime Narcotic (OCN) Cases Initiated</b>	40
<b>Organized Crime Drug Enforcement Task Force (OCDETF) Cases Initiated</b>	3
<b>Firearms Recovered – Total #</b>	77
<b>Assets Recovered – Total #</b>	8
<b>Value of Assets Recovered – Total</b>	\$98,600
<b>Currency Recovered – Total #</b>	170
<b>Value Currency Recovered – Total</b>	\$460,527

Drug seizures 2018:

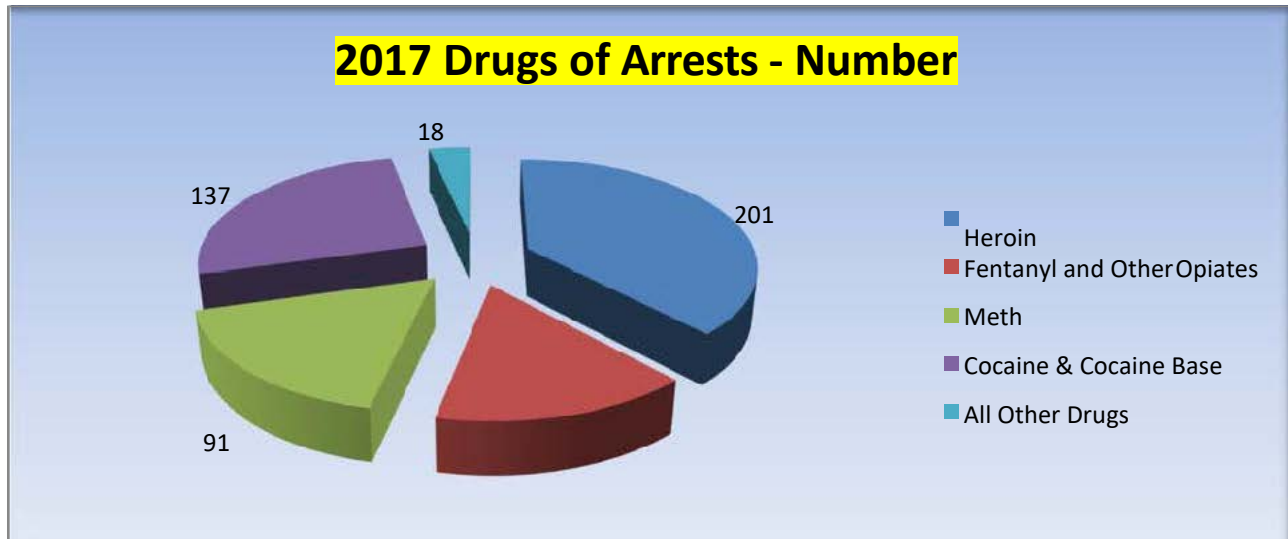
- 1.2KG Fentanyl – largest single recovery was 9305GM
- 3.3KG Heroin –largest single recovery was 366GM
- 3.7KG Cocaine HCl and Cocaine Base – largest single recovery was 623GM
- 4.5KG Methamphetamine – largest single recovery was 2,080GM
- 23,124 pharmaceutical narcotics dosage units
- Other illicit drugs recovered included 3.4KG Marijuana; and 159GM of LSD, MDMA, and Psilocybin

Drug Offense Investigations Initiated:

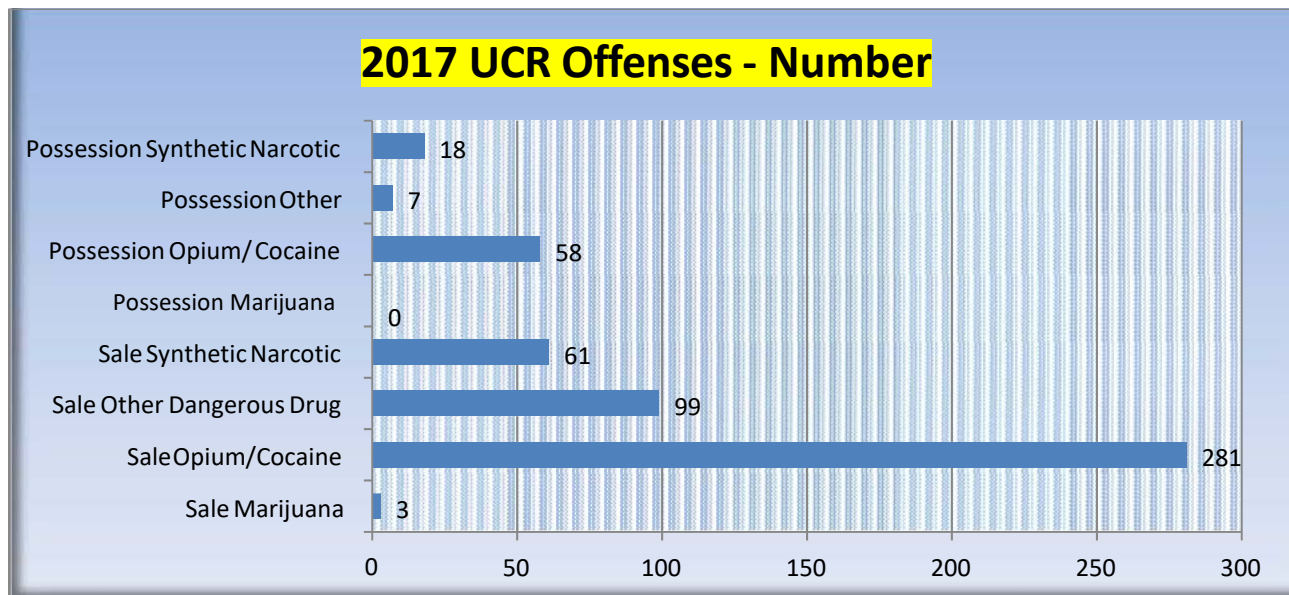
<i>DRUG OFFENSE CATEGORY</i>	<i>2018</i>
<b>Hallucinogen</b>	2
<b>Heroin</b>	248
<b>Cocaine</b>	297
<b>Synthetic Narcotic</b>	102
<b>Marijuana</b>	2
<b>Amphetamine</b>	105

<b>Barbiturate</b>	2
<b>Fraud Obtaining Prescription</b>	1
<b>Other Crime Offense</b>	23
<b>Criminal Arrest Warrant</b>	11
<b>Assist Other LEA Investigation</b>	529
<b>TOTAL</b>	<b>1,322</b>

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



*Heroin, fentanyl, and all other opiate drugs represent 53% of all drug offenses, followed by cocaine and cocaine base at 26%, methamphetamine at 17% and all other drugs (marijuana, tranquilizers and so-called bath salts) the remaining 3%.*



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.

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

Statewide criminal justice strategic planning effort will continue 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 Seat 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 drug quantity 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 seventeenth National Prescription Drug Take-Back Day on April 27, 2018. Departments collected 27,680 pounds of medication dropped off by residents at their local police station or other collection sites. These drugs were incinerated.

## ***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 containing the information needed 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.

## ***EXECUTIVE SUMMARY***

Maine continues to experience substantial and increasing problems with substance abuse, diversion, and trafficking of drugs. 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.

The support provided by the Byrne Jag funding to Ineligible local government agencies is substantial. Many local governments are unable to provide all the funding required to support all the needs of the local agencies, especially in this age of increased threats to officers and civilians.