

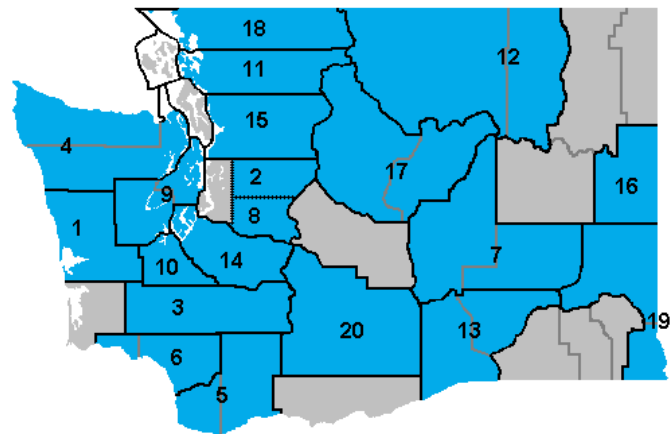


STATE OF WASHINGTON
DEPARTMENT OF COMMUNITY,
TRADE AND ECONOMIC DEVELOPMENT

Byrne Grant Narcotics Task Forces: Peer Review Project

Critical Elements of Successful Task Forces

August 2006



Peer Review Team Guide

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Critical Element 1:

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

- A. Is there a current interagency agreement, signed by all participants? (Periodic review of agreements ensures continued monitoring of executive relationships and responsibilities.)
- B. Do all participants adhere to the provisions of the agreement? (This assesses the level of cohesiveness and support of participants.)
- C. Is the agreement consistent with those of other Byrne task forces? (An agreement should incorporate "best practices" in addition to local issues.)
- D. Is there a strong statement of commitment to working together cooperatively, setting aside turf issues? (This is a fundamental requirement for multi-agency task forces and typically the most difficult to adhere to.)
- E. Is there a strong commitment to supporting the state and Federal strategies? (Effective drug enforcement requires that investigations be coordinated and directed to the highest level possible. This requires an acknowledgment that a task force is part of an organization of task forces and federal agencies with overlapping jurisdictions. There must be a commitment to work cooperatively with these partners.)
- F. How often does the Executive Board meet? (The best practice is monthly. The added benefit of regular and frequent board meetings is the opportunity to discuss the myriad of issues of mutual concern. For instance, one drug task force also has a multi-jurisdictional tactical team consisting of the same participants.)
- G. Do they give leadership, direction, and support to the task force? (The most direct evidence of leadership, direction, and support is found in the actions of the Board as recorded in meeting minutes. However, it should be manifest in policies, procedures, audits, evaluations, and awards.)
- H. Do they coordinate with external officials and other agencies? (This is not only an assessment of the Board's interaction with other law enforcement agencies, but of the degree to which individual executives reach out to garner support for the task force.)

Critical Element 2:

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

- A. Is the prosecutor a voting member of the Executive Board? (Is the prosecutor truly a participant in the decision making process as an equal partner?)

- B. Is the prosecutor full-time and co-located or readily available? (Best practice indicates the most successful task forces are those wherein the prosecutor is on site working closely with the investigative team. This typically occurs only in the larger task forces.)
- C. Does the prosecutor participate in the case development process on a regular basis? (Co-location, in and of itself, does not insure success. The prosecutor must agree with and support the mission of the task force.)
- D. Does the prosecutor improve the task force ability to process cases and evidence? (This is intended to understand the perception of the value of the support from the prosecutor.)
- E. Are there clear performance standards for the prosecutor? (Some prosecutors receive Byrne funding for support to the task forces. This is an opportunity for Executive Boards to resolve issues and formalize mutual expectations.)
- F. Does the criminal justice system work cooperatively with the task force? (Often policies and procedures of other entities may influence the performance of the task force. It may be the attitudes of local judges or juries, or the acquiescence of elected officials to the anti-drug enforcement elements in the community. This is an effort to understand the political climate in which the task force must operate.)

Critical Element 3:

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

- A. To what databases does the task force have direct and immediate access? (Task forces must have immediate access to essential information. These include a variety of on-line databases, from intelligence provided by Western States Information Network (WSIN), to the state's ACCESS portal to criminal records.)
- B. Does the TF maintain its own records system? Intelligence system? (An assessment of their sophistication.)
- C. Does the task force comply with 28 CFR, Part 23? (This concerns the maintenance of electronic intelligence databases. Do task force personnel know whether or not their system must comply with Federal law?)
- D. Are electronic communications used to deconflict cases and / or critical events? (The critical issue here is that task force personnel understand the significance of deconfliction and the tools available to them to accomplish it.)
- E. Does the TF make use of available technical resources? (Many investigative support services are available to task forces. These include financial investigative services, intelligence analysis, and electronic surveillance.)

Critical Element 4:

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

- A. Is a formal threat assessment developed periodically? (All task forces are required to respond to the annual HIDTA and National Drug Intelligence Center drug surveys. This is an opportunity for the task force to identify local organizations and develop strategies to disrupt or dismantle them.)
- B. Do policy makers review it? (This is an opportunity for the Executive Board to provide direction and focus to the task force.)
- C. Are investigative priorities established based upon the threat assessment? (Targeting is not simply a matter of determining which organization is peddling the most dope. A threat assessment involves understanding the impact of particular drugs on the community. The goal is to urge task forces to base targeting decisions on data or some other logic. Law enforcement's application of asset seizure laws is under intense scrutiny by courts, legislative bodies, trial lawyers, and civil rights groups. So, while asset removal is a valid and effective tool to disrupt trafficking organizations, it cannot be the guiding force.)
- D. Is it shared with stakeholders? (All agencies in the area served by the task force should understand and support the mission and focus of the task force.)
- E. Does case planning incorporate use of appropriate investigative techniques and tactics? (The task force should use those techniques that enable them to obtain the best evidence and to identify as many members of an organization as possible. This requires significant training and experience, but, more importantly, it requires patience and a commitment to resist cutting short an investigation merely to capture a quick statistic. As important is the support and understanding of the Executive Board.)
- F. Does the TF function as a team? (This is a measure of the interpersonal skills and expertise of task force personnel in as much as drug task forces are typically comprised of "case-makers" and "support-players". However, the most successful task forces have a blend of people who enthusiastically carry the responsibility for leading a case with the support of others, then, in turn, unselfishly provide support to others with their cases.)
- G. Are investigations coordinated with other agencies and task forces as appropriate? (Drug cases will traverse jurisdictional boundaries both in terms of geography and magnitude. Task forces should demonstrate they are working cooperatively with other task forces and with Federal agencies for those cases that are more appropriately prosecuted in Federal court.)

Critical Element 5:

Communication among task force participants and their sponsoring agencies, other responsible officials and other components of the criminal justice system is critical to the sustenance of the task force. Task forces should never become isolated or outside the reach and

direction of their home agencies. Continually open channels for communication are critical to MJTF acceptance and support externally and meeting objectives internally. Many states are using the framework of statewide cluster meetings for all task forces to share information on improvements and modifications that produce more effective results. **Frequent, regular meetings** help keep task force officers focused on overall direction and program goals and objectives. By building relationships among agencies, the meetings minimize organizational problems. They also promote improvements through feedback to the group and reinforce the roles of various participants. Occurring weekly or more frequently, these meetings provide a venue in which to review current cases, planned arrests or surveillance projects, or other developments. An unanticipated result of communication concerning task force activities is better overall communication among agencies.

- A. Is there regular communication between TF personnel and participating agencies? (Assesses the level of coordination and oversight)
- B. Does the TF meet with elements within participating agencies? (Task forces should have a solid relationship with investigative units from parent agencies, particular street-level enforcement teams.)
- C. What is the level of support by elements within participating agencies? (The Executive Board and task force personnel should foster a relationship between the task force and other units.)
- D. Are there regular TF meetings? (The task force should exchange intelligence and solicit case referrals.)
- E. Are cases being referred from / to other agencies or task forces? (This is the most reliable indication of the task force relationship with other investigative units.)

Critical Element 6:

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

- A. Are there regular meetings with neighboring task forces, Federal, or state and local agencies operating within the task force area? (The task force should exchange intelligence and develop relationships.)
- B. Are cases being deconflicted early on in their development with HIDTA or WSIN? (Case deconfliction is intended to bring together agencies that may be investigating the same target. This may simply result in a well-coordinated, joint investigation, or at the extreme, it may prevent one task force unknowingly investigating another.)
- C. Is the task force conducting cooperative investigations with others when appropriate? (A similar question is asked in Element 5, but its value warrants repeating.)

Critical Element 7:

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

- A. Has the task force institutionalized itself within the community by leveraging Byrne resources? (Few task forces have grown significantly since their inception. Byrne was intended to be seed money, but economic conditions and other priorities prevented most rural and small-urban task forces to flourish.)
- B. Does the task force strive to adhere to Federal funding contract requirements? (Significant requirements are meeting the minimum staffing model, submitting accurate and timely reports, and working mid- to upper-level organizations.)
- C. Has the task force demonstrated a commitment to training and advanced technology? (Task forces must ensure personnel receive formal training upon assignment to the task force. Best practice requires basic drug investigation training, training for new officers similar to FTO training for uniformed officers, and periodic in-service training while assigned to the task force. The task force should also retain training records.)

Critical Element 8:

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

- A. Has the task force established specific things to be accomplished that address the drug threat assessment? (Similar to a previous question with greater emphasis on accountability for performance.)
- B. Are goals measurable, observable, and realistic? (Task for personnel should be familiar with performance expectations. Ideally, a portion of each member's evaluation will be based on specific performance measures.)
- C. Has the task force attained previously stated goals and objectives? If not, why? (There should be evidence that the dialogue about goals and objectives is an ongoing process.)
- D. Does the task force adequately document its efforts and submit timely and accurate

reports in compliance with grant contracts? (Performance measure reporting has been problematic for all task forces due to changes in the Byrne Reporting System program. Most task forces maintain redundant data collection programs to ensure accurate reporting. Reimbursement documents should be accurate and well supported.)

Critical Element 9:

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

- A. Do the advisory board and task force manager have in place processes whereby efforts are continually monitored and evaluated to ensure goals, targets, procedures, etc., are revised as needed? (The Executive Board should scrutinize task force activity reports regularly and hold task force commanders accountable for performance.)
- B. Are task force business records and processes audited frequently? (Strong management practices are demonstrated most clearly in efforts taken to manage risk - and drug enforcement is rife with risk – physical, psychological, and professional. No other facet of law enforcement will test the core values of its officers like an assignment to the narcotics unit. Managers should enact and enforce good, best-practice policies, supported by regular and unannounced audits of evidence, files, and funds.)

Critical Element 10:

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

- A. Is there a standardized process in place to ensure the selection of qualified personnel for assignment to multi-jurisdictional task forces? (Some task forces are used as a dumping ground for problem personnel. The same consideration should be given to the selection of personnel to a task force as would be given to S.W.A.T or Homicide, that is identifying the required skill set, then staffing appropriately.)
- B. Do participating agencies recognize and adjust to changing personnel needs, ensuring an adequate number of seasoned personnel? (Task force expertise, and thus, performance, can be negatively impacted by inflexible rotation policies.)
- C. Are staffing, conduct, and performance issues regularly and freely discussed by the EB? (Enacting a policy requiring open discussion may reduce the strain these issues can cause on the relationships of task force executives. Failing to discuss them will surely strain those relationships and will result in disengagement from the task force. If enough people become disengaged, the task force will fail.)

Critical Element 11:

“**Effective asset seizure and forfeiture** activities are not critical for all task forces because of the differences in constraints and applicability in individual jurisdictions. In general, however, offenders' forfeiture of assets seized in drug arrests benefit task forces both as a practical enforcement tactic and as a means of ensuring financial viability of the task force.”

- A. Is asset seizure used effectively as a tool to dismantle or disrupt drug trafficking organizations? (Task force performance records should reflect a 90% success rate of all forfeiture outcomes.)
- B. Does the TF use financial investigative resources or technical support when appropriate? (This is a reflection of the sophistication of the task force.)
- C. Are best practices utilized in the handling, storage, and disposal of seized property? (Best practice requires that the same or similar procedures for the safeguarding of evidence should apply to seized property.)
- D. Are defendants afforded an impartial appeal process? (Task force policy and procedure should comply with state law.)
- E. Does the advisory board ensure that forfeitures are used to enhance the financial viability of the task force? (The most effective use of forfeitures is reinvestment in the task force.)

Critical Element 12:

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

- A. Is there executive commitment to making task force training a priority as reflected in budgeting, policy, or other directives? (This is a reiteration from a previously discussed element. It underscores the importance of trained personnel.)
- B. Does the task force train regularly as a unit? (This is essentially an officer safety issue. Most task forces conduct tactical operations such as search warrant service, buy/busts (purchasing narcotics from a trafficker and immediately arresting him or her), mobile surveillance, etc. This are team-skills that should be practiced as a team.)
- C. Do TF personnel provide training to others when appropriate? (This may or may not be a mission for the task force. However, it should be encouraged as a means of developing cooperative relationships and support for the task force.)