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TN Bureau of Investigation

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# Annual Report

Fiscal Year 2010-2011

Tennessee Bureau of Investigation

Mark Gwyn, Director



Internationally Accredited since 1994



***That Guilt Shall Not Escape Nor Innocence Suffer***





**Bill Haslam**  
Governor

**TENNESSEE BUREAU OF INVESTIGATION**

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**Mark Gwyn**  
Director

September 15, 2011

The Honorable Bill Haslam  
Governor of Tennessee  
and  
The Honorable Members of the  
Tennessee General Assembly

Dear Ladies and Gentlemen:

I am pleased to present the Fiscal Year 2010-2011 Annual Report for the Tennessee Bureau of Investigation. The year was rewarding as well as challenging as the Bureau worked to streamline operations to become a more efficient and effective agency during these difficult financial times. By reading this report, I believe you will gain a better understanding of the TBI as an organization, its accomplishments and the importance of the employees' daily work which makes the agency an essential part of Tennessee's judicial system.

The TBI remains committed to providing technically advanced investigative and forensic services, while simultaneously staying focused on the basics of fighting crime. As you will see in the Highlights section of this Annual Report, there is no shortage of law enforcement work across the state. Proudly, the Tennessee Fusion Center (TFC) was named Fusion Center of the Year by the U.S. Department of Homeland Security this past spring at the National Fusion Center Conference in Denver. The TFC was singled out among 72 fusion centers across the country for its progress in analyzing and sharing terrorism and criminal information among federal, state and local law enforcement agencies across Tennessee at both the tactical and strategic levels. TBI Headquarters houses the Fusion Center which takes an all-crimes approach to fighting crime by each agency that is represented within the Fusion Center.

The Bureau continues to place special emphasis on providing assistance to the District Attorneys General and local law enforcement agencies statewide with the resources provided, as well as working closely with state and federal law enforcement agencies. The employees of the Bureau are committed to excellence and professionalism in the manner in which they perform their jobs every day. For additional information about the Bureau, please visit our web site at [www.tbi.tn.gov](http://www.tbi.tn.gov).

When the Bureau was founded, it was charged by the citizens of Tennessee with a great responsibility. With your assistance and support, we at the Bureau continue to dedicate ourselves to ensuring "that guilt shall not escape, nor innocence suffer."

Sincerely,

Mark Gwyn  
Director





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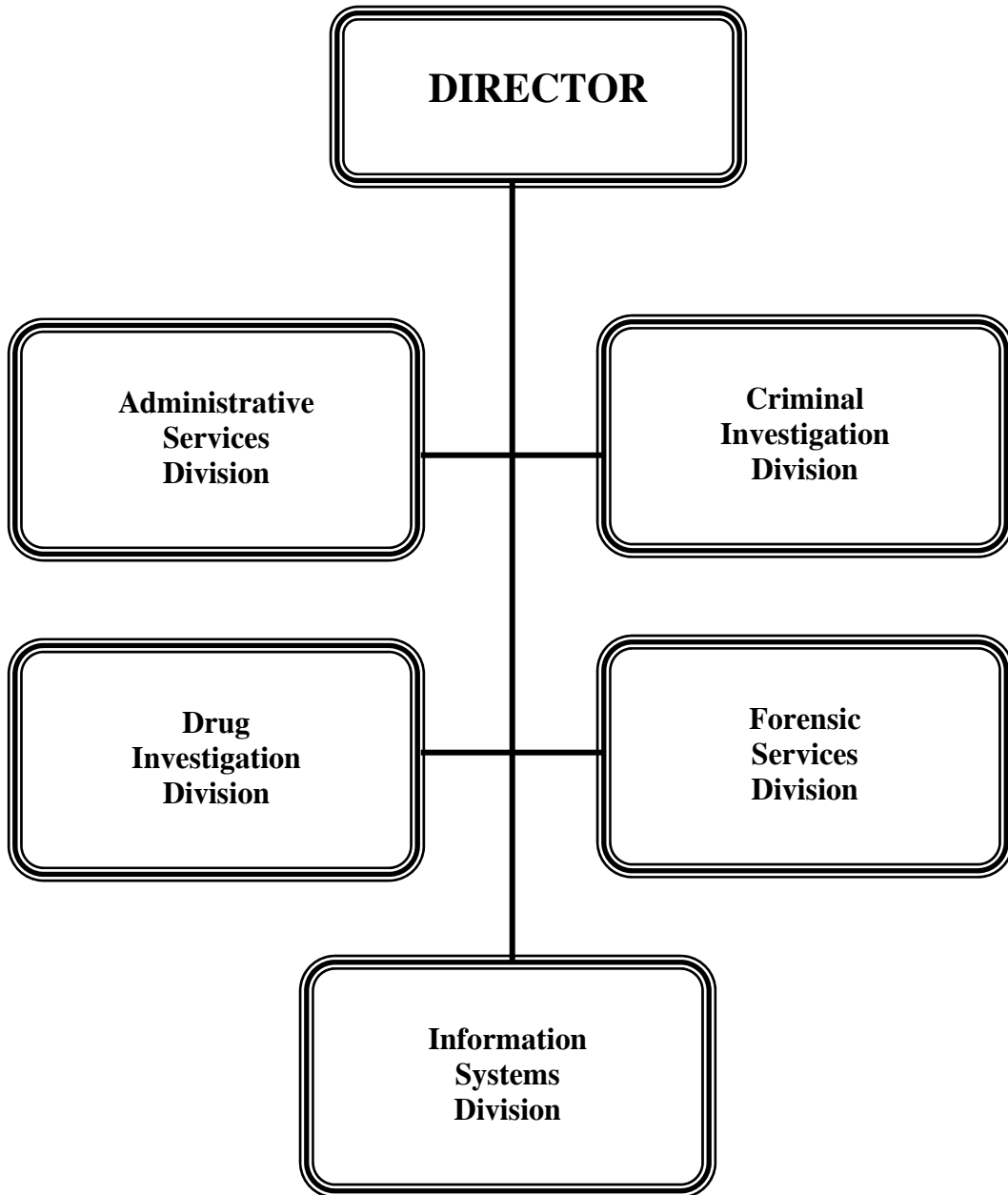
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# TENNESSEE BUREAU OF INVESTIGATION ORGANIZATIONAL CHART



Each Division's Organizational Chart is shown in its respective section of the annual report.





# INTRODUCTION

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In March of 1951, the Tennessee Bureau of Investigation was established as the Tennessee Bureau of Criminal Identification (TBCI) within the Department of Safety. In 1980, the organization was renamed the Tennessee Bureau of Investigation (TBI) and became an independent agency. The TBI is accountable to the District Attorneys General and to the Judiciary for its performance of services and to the Executive and Legislative branches for support functions. The TBI has the statutory authority to investigate any criminal violation upon the request of the District Attorney General for that judicial district. The TBI has original jurisdiction over violations of narcotics laws, fugitive investigations, organized crime, public corruption, official misconduct, Medicaid provider fraud and abuse, social security administration fraud, and domestic terrorism. The TBI assists local law enforcement agencies in joint investigations. TBI has been designated to coordinate the gathering, analysis and dissemination of state and local criminal justice statistics providing criminal justice data to the Governor, General Assembly and all law enforcement agencies. The TBI also maintains the computer information network for law enforcement in the state and conducts classes for users of the network.

The five major divisions of the TBI are the Criminal Investigation Division, the Drug Investigation Division, the Forensic Services Division, the Information Systems Division and the Administrative Services Division. The responsibilities, functions and accomplishments of each division are provided in more detail later in this report.

The TBI is at the forefront of the application of new technologies to criminal investigations, working to improve communication among other state and local law enforcement agencies, providing more sensitive and accurate scientific examinations of evidence and continuing the quest summed up by the TBI's Mission Statement: *"That guilt shall not escape, nor innocence suffer."*



## HIGHLIGHTS OF FISCAL YEAR 2010-2011

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- The Tennessee Fusion Center was named the Fusion Center of the Year by the U.S. Department of Homeland Security at the National Fusion Center Conference in Denver by Secretary Janet Napolitano. The TFC was singled out among 72 fusion centers across the country for its progress in analyzing and sharing terrorism and criminal information among federal, state and local law enforcement agencies. The state's Fusion Center is housed within TBI Headquarters in Nashville.
- The TBI completed the first ever study on human sex trafficking in the state of Tennessee. Entitled, *Tennessee Human Sex Trafficking: Its Impact on Children and Youth 2011*, the study shines a spotlight on the criminal enterprise surrounding the slavery of children and women who are forced to perform sex acts for money to make a profit for their captors. As a result of the research, new state laws were passed which included stricter penalties on those subjects profiting from sex trafficking as well as increased support for the victims who are enslaved.
- The TBI held its first Citizens' Academy in middle Tennessee which gave a dozen Tennessee residents a magnified view of the Bureau's mission and daily work. West Tennessee TBI employees held a second annual joint Citizens' Academy with the FBI.
- The TBI participated in the DEA's National Prescription Drug Take Back Days in April and September collecting a total of 422 pounds of unwanted or expired prescription medication. Collection points were set up in all three grand divisions of the state to help address the public health and safety issue of prescription drug diversion as well as the improper disposal of prescription drugs.
- The TBI's Medicaid Fraud Control Unit identified and/or assisted in the recovery of more than \$70 million for the state from fraud cases. MFCU is aggressive in assisting the Bureau of TennCare as well as federal and state prosecutors in collecting restitution for TennCare. Since MFCU was established in 1990, it has identified and/or helped recover more than \$397 million for the state and has spent \$45 million in operational expenses.
- The TBI continued the highly successful Top Ten Fugitive program during the Fiscal Year. News releases were issued and subsequent news stories describing the fugitives were broadcast by major market television stations across the state. Newspapers across the state also carried photographs and articles concerning the fugitives. As of June 30, 2011, a total of 269 fugitives have been captured since the program began in 1992 and 19 were apprehended during the Fiscal Year.
- The TBI Instant Check Unit (TICS) processed 319,616 firearm transactions during the Fiscal Year. The unit was able to identify 319 wanted persons and find 344 stolen firearms.

- The DNA Unit continued submitting samples to the national CODIS database. A total of 174,104 profiles have been accepted and 767 investigations throughout the state and nation were aided during the Fiscal Year.
- The Criminal Investigation Division had 1,818 active cases as of June 30, 2011. A total of 181 cases were closed with convictions and division staff arrested or assisted in the arrests of 247 fugitives and non-compliant sex offenders during the Fiscal Year.
- During the fall of 2010, a newly developed case file system was phased into the Criminal Investigation Division which replaced TBI's old case file system called AIM. ISIS was specifically developed for TBI to be a more user friendly, functional system in which to enter, update, maintain and review both open and closed TBI case files. In the future, ISIS will also contain a database that will connect laboratory evidence across the state.
- The Drug Investigation Division had 511 active cases as of June 30, 2011. The division arrested a total of 463 drug offenders and obtained 44 convictions on drug related charges. Cases in which the division investigated resulted in the seizure or purchase of 2,070.55 grams of crack cocaine; 39,893.92 grams of powder cocaine; 1,738.59 pounds of bulk marijuana; 2,308 marijuana plants; 4,902.09 grams of methamphetamine, and 30 methamphetamine labs. Also seized were 151 dosage units and 1 pound of ecstasy, 285 dosage units of LSD, 1 pound of mushrooms, and 121.36 grams of heroin.
- The TBI's share of currency seized totaled approximately \$651,529.73, all of which constituted either proceeds of drug trafficking or funds used to facilitate drug trafficking.
- The Forensic Services Division conducted a total of 315,602 laboratory tests on 79,588 pieces of evidence received in cases during the Fiscal Year.
- The Sex Offender Registry program continued operation. As of June 30, 2011 approximately 15,618 convicted sex offenders were registered with the TBI. This information is available to all law enforcement agencies through the statewide law enforcement network. Information on sex offenders is also available to the public through the TBI website and toll free number as well as email notifications.
- A digitization project is underway to convert the data in the TBI Sex Offender Registry to a digital format. The digital format will allow analysts to view an entire sex offender's file from a desktop computer and provide the capability to email the entire electronic file to law enforcement and prosecutors. The cost of the project was paid for by a grant from the U.S. Department of Justice. As of June 23, 2011, the digitization project was 80% complete, with 12,000 files scanned and indexed.
- A total of 7,803 law enforcement personnel either received training or were tested to fulfill certification requirements for NCIC during the Fiscal Year

- A total of 1,530 law enforcement personnel attended 53 TIBRS classes during the fiscal year. The annual TIBRS conference was held in August with almost 300 personnel in attendance.
- Bureau personnel conducted various classes providing training for 5,322 people from different law enforcement agencies with a total of 1,345 classroom hours during the Fiscal Year.
- The Information Systems Division received a total of 567,181 fingerprint cards during the Fiscal Year. A total of 297,981 dispositions were processed as well.
- The Tennessee Open Records Information Services (TORIS) processed 98,354 requests for name-based Tennessee criminal histories.
- To increase internal and external communications and enhance media relations, TBI launched into the social media realm with Facebook and Twitter accounts.

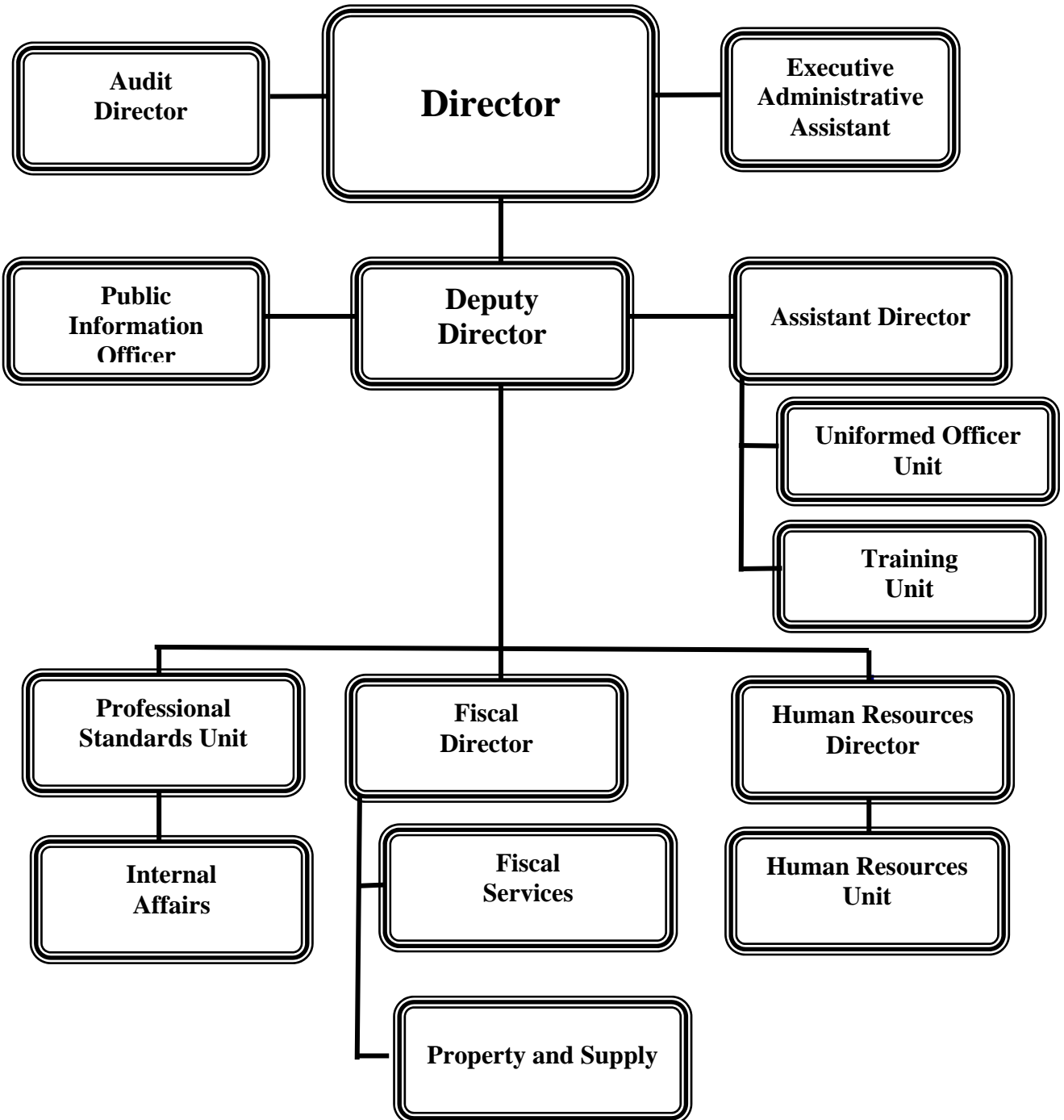




# ADMINISTRATIVE SERVICES DIVISION



## Chain-of-Command and Functional Organization







# ADMINISTRATIVE SERVICES DIVISION

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## **Internal Audit**

The mission of the internal auditing office is to provide independent, objective assurance and consulting services designed to add value and improve the Bureau's operations. It helps the TBI accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the integrity, efficiency, and effectiveness of financial and other management control systems.

The scope of work of the internal auditing office is to determine whether the organization's network of risk management, control, and governance processes, as designed and represented by management, is adequate and functioning in a manner to ensure:

- Risks are appropriately identified and managed.
- Significant financial, managerial, and operational information is accurate, reliable, and timely.
- Employees' actions are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Resources are acquired economically, used efficiently, and adequately protected.
- Programs, plans, and objectives are achieved.
- Quality and continuous improvement are fostered in the organization's control process.
- Significant legislative or regulatory issues affecting the organization are recognized and addressed appropriately.

## **Assistant Director**

The responsibility of the Assistant Director includes oversight of the Training Division and all training related activities for Bureau personnel. In addition, the Assistant Director oversees the Uniformed Officer Unit, which is comprised of commissioned uniformed law enforcement officers who are cross-trained as certified emergency medical technicians capable of providing aid and comfort to sick and injured persons on Bureau properties until additional medical help and emergency transportation arrives. The unit's primary role however is to provide security to TBI facilities, specifically the Nashville Consolidated Headquarters Facility.

The Assistant Director provides direction and ensures that the Bureau maintains compliance with Titles VI and IX. In addition, the Assistant Director also provides assistance to Human Resources Unit with recruitment efforts and hosting diversity career fairs at TBI facilities

## Training

TBI's training staff is responsible for ensuring the Bureau personnel receive the training that they require to perform their duties safely and effectively. In addition, TBI makes its personnel and facilities available for training to the law enforcement community whenever possible. Bureau personnel conducted various classes providing training for 5,322 people from law enforcement agencies with a total of 1,345 classroom hours during the Fiscal Year.

## **Professional Standards Unit**

The Professional Standards Unit (PSU) is responsible for the TBI's legal accreditation, internal affairs, and training functions. Its ultimate goal is to ensure that all Bureau policies, decisions, and adverse actions against employees are legally sound. It is made up of a General Counsel, two attorneys, and an Administrative Assistant 3, all of whom report to the Deputy Director.

## Legal

The primary responsibility of the attorneys and staff of the PSU is to provide legal counsel to all Divisions and units within the TBI on any legal issues that arise from TBI activities. In Fiscal Year 2010-2011, the PSU met its objectives by providing counsel to agents and employees in the field, working with the State Attorney General's office in representing the TBI and TBI employees in ongoing litigation, establishing and implementing contracts, responding to requests and demands for Bureau records, and advising on and processing employment decisions made by Bureau management.

The attorneys of the PSU are also responsible for the Bureau's legislative liaison function. They review and track legislation pending before the Tennessee General Assembly, and represent the Director before legislative committees on law enforcement issues when required. PSU attorneys also draft proposed legislation when TBI's input is required in furtherance of its role as the State's chief criminal investigative agency.

The PSU works closely with the Training Division in providing legal training both inside and outside the TBI. During Fiscal Year 2010-2011, PSU attorneys provided legal instruction on a wide range of topics for new Special Agents at the TBI BCIS and for TBI employees across the state, to include ongoing training on issues such as Workplace Harassment Prevention. Additionally, legal personnel conducted several classes for the benefit of outside agencies.

## Internal Affairs

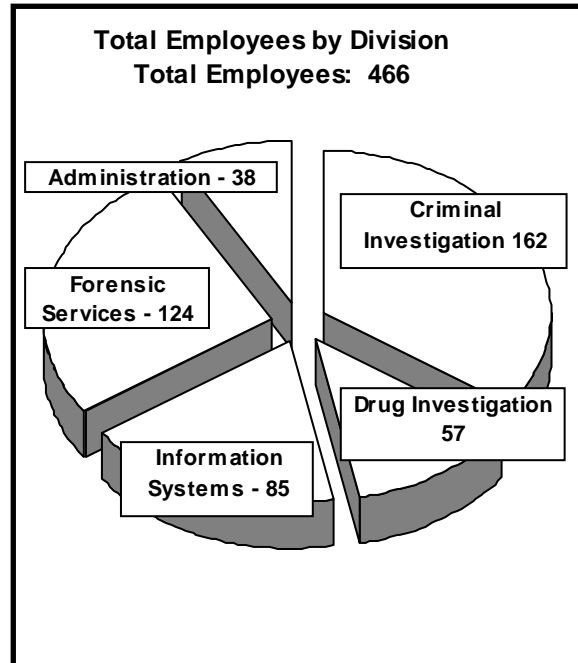
The Professional Standards Unit provides oversight and legal counsel to the Bureau employees who investigate allegations of misconduct by TBI employees. During Fiscal Year 2010-2011, the PSU oversaw three internal affairs investigations. These investigations resulted in one suspension, one counseling session and one termination.

### Accreditation

TBI has been internationally accredited through the Commission on Accreditation for Law Enforcement Agencies (CALEA) since November 19, 1994. The Accreditation Manager's responsibilities and support from the Administrative Services Division help to ensure that the Bureau maintains compliance with CALEA accreditation standards including representation of the Bureau during periodic re-accreditation inspections. The Bureau was successfully re-accredited in 1997, 2000, 2003, 2006, 2009 and is currently preparing for its next on-site inspection in August of 2012.

### **Human Resource Unit**

The Human Resource Unit assists the agency in the recruitment, hiring, and separation of employees. The unit administers insurance and benefits information, and ensures compliance with Civil Service rules and regulations and state and federal statutes. This unit develops, implements, and monitors the Affirmative Action Plan and makes recommendations on employee related issues. The Human Resource Unit processes and monitors leave under the Family Medical Leave Act and accommodations under the Americans with Disabilities Act. The unit monitors leave and attendance, manages the performance evaluation program, administers workers compensation benefits, and processes payroll.



The Human Resource Unit administers the TBI Internship Program. The TBI offers a ten-week non-paid internship to junior and senior college students or master's level students pursuing undergraduate degrees in criminal justice, forensic services, or related areas. In Fiscal Year 2010-2011 the TBI interned ten (10) college students at TBI Headquarters and its field offices.

A survey of the advanced education levels of TBI employees revealed that 6.8% had earned an Associate's Degree, 54% had a Bachelor's Degree, 16.8% had a Master's Degree, 2% had a Doctor of Jurisprudence and 1.2% had earned PhD's.

### **Public Information Officer**

The Public Information Office is the central point for communication between the Tennessee Bureau of Investigation and the general public. The function of this office is to keep the community informed about all criminal cases, programs and initiatives related

to the TBI. Some of the most high profile programs promoted by this office include Amber Alert, the Statewide Sex Offender Registry, TBI Most Wanted and the Tennessee Meth Task Force. The Public Information Officer also assists with website development, speech writing and the production of all outside promotional materials related to the Bureau.

### **Fiscal Services**

The Fiscal Services Unit is a support unit for the TBI. As such, it has a vast array of responsibilities all of which are designed to ensure that each division within the Bureau is provided the resources and support necessary to function. Specific examples of the services provided by this unit include the following:

- Preparing the Bureau's annual budget
- Monitoring expenditures and revenue collection
- Processing accounts receivable and payable transactions
- Processing of travel for all Bureau employees
- Purchasing of all goods and services necessary for the TBI to function
- Managing all TBI vehicles and transportation equipment
- Maintaining all federal and inter-departmental grants
- Reviewing the effect of proposed legislation to the Bureau
- Serving as a liaison to the legislature and other state and federal accounting units
- Conducting an annual inventory on all TBI state tagged equipment

**Tennessee Bureau of Investigation  
Expenditure by Object  
Fiscal Year 2010-2011**

	<b>Administration</b>	<b>Criminal Investigation</b>	<b>Drug Investigation</b>	<b>Forensic Services</b>	<b>Information Systems</b>	<b>Total</b>
Salaries	\$1,852,477	8,227,604	3,390,117	\$6,112,153	\$3,155,958	\$22,738,309
Longevity	43,500	240,400	91,600	146,100	112,300	633,900
Overtime	12,549	190,917	313,060	208,481	7,423	732,430
Benefits	756,442	3,751,511	1,542,966	2,775,056	1,437,604	10,263,579
<b>Sub-Total</b>	<b>\$2,664,968</b>	<b>\$12,410,432</b>	<b>\$5,337,742</b>	<b>\$9,241,791</b>	<b>\$4,713,285</b>	<b>\$34,368,218</b>
Travel	\$109,881	\$36,754	\$97,478	\$69,645	\$9,960	\$323,718
Printing	767	5,129	692	47	12	6,647
Utilities	715	5,802	1,007	5,036	0	12,560
Communication	177,685	38,623	41,303	8,379	39,912	305,903
Maintenance	23,861	8,889	1,256	311,590	2,112	347,709
Professional Non-State	89,923	155,771	102,396	558,704	3,363,887	4,270,681
Supplies	205,371	73,959	234,956	1,308,107	15,474	1,837,867
Rental	76,289	6,532	66,347	598	0	149,766
Motor Vehicle	30,332	6,787	15,131	35	0	52,286
Awards	504	100	0	0	0	604
Grants and Subs	79,042	6,683,245	1,640,390	0	0	8,402,677
Unclassified	660	10,402	68,689	11	0	79,762
Equipment	54,754	50,503	0	826,617	10,735	942,609
Training	31,272	7,558	1,734	28,423	278	69,265
Data Processing	9,072	849,033	163,990	184,774	1,145,378	2,352,247
Professional State	3,684,291	3,751,851	825,050	288,462	1,452,916	10,002,569
Indirect Costs	0	318,635	0	0	0	318,635
<b>Sub-Total</b>	<b>\$4,574,420</b>	<b>\$12,009,573</b>	<b>\$3,260,419</b>	<b>\$3,590,430</b>	<b>\$6,040,663</b>	<b>\$29,475,504</b>
<b>Grand Total</b>	<b>\$7,239,387</b>	<b>\$24,420,004</b>	<b>\$8,598,162</b>	<b>\$12,832,220</b>	<b>\$10,753,948</b>	<b>\$63,843,722</b>
<b>Funding sources</b>						
Appropriations	\$6,852,755	\$14,202,117	\$5,911,349	\$10,392,669	\$(4,322,767)	\$33,036,123
Federal Revenue	54,207	8,946,942	2,686,096	1,290,209	100,911	13,078,364
Current Services	98,423	183,464	0	537,155	14,069,156	14,888,198
Departmental Interest	0	0	0	0	0	0
Interdepartmental	234,003	1,087,482	717	612,187	906,648	2,841,037
<b>Total</b>	<b>\$7,239,387</b>	<b>\$24,420,004</b>	<b>\$8,598,162</b>	<b>\$12,832,220</b>	<b>\$10,753,948</b>	<b>\$63,843,722</b>

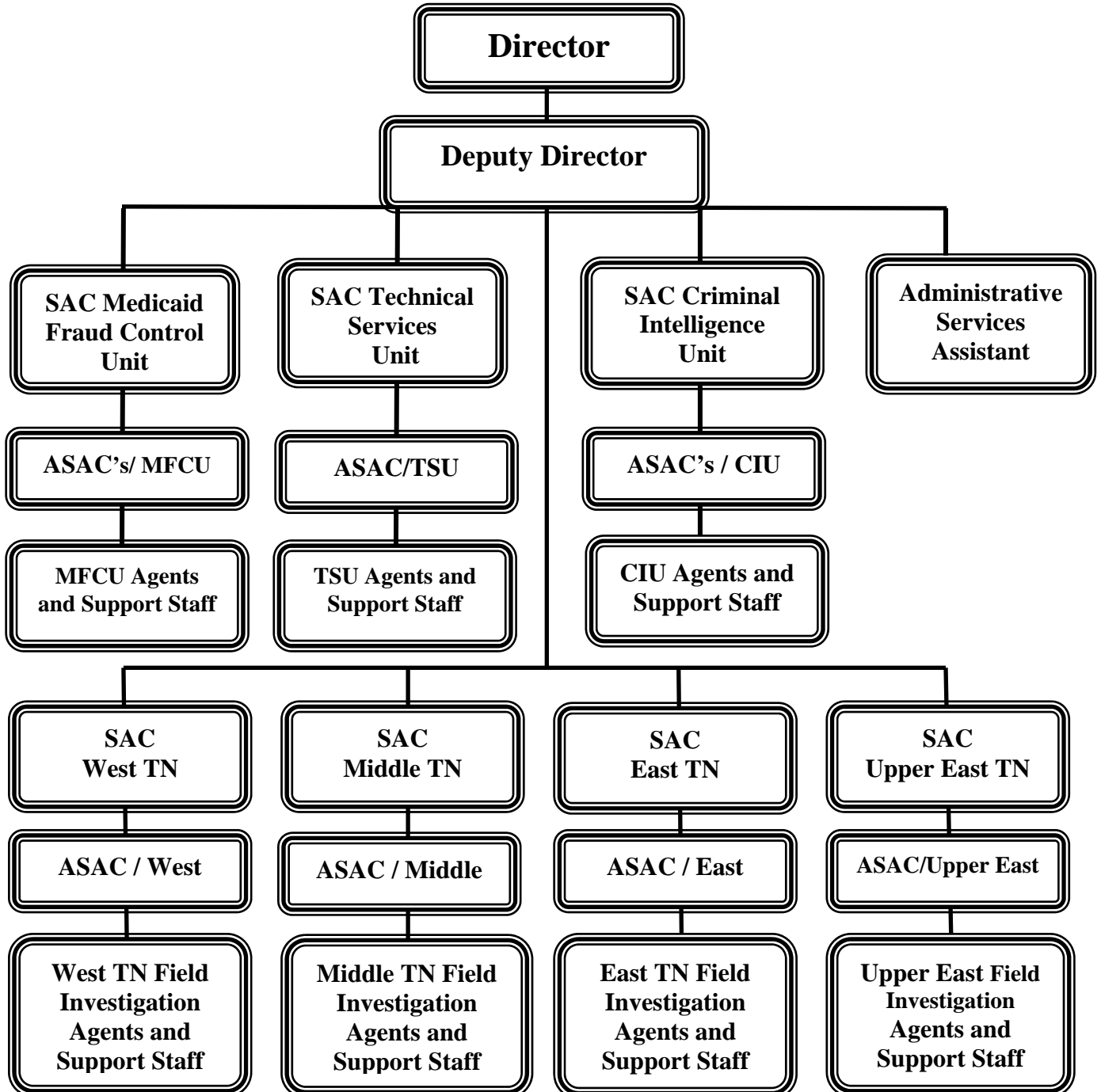




# CRIMINAL INVESTIGATION DIVISION



## Chain-of-Command and Functional Organization







# CRIMINAL INVESTIGATION DIVISION

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The Criminal Investigation Division is made up of four units: the Field Investigation Unit, the Criminal Intelligence Unit (CIU), the Medicaid Fraud Control Unit (MFCU), and the Technical Services Unit (TSU). The Field Investigation Unit is further subdivided into four geographical regions: West Tennessee, Middle Tennessee, East Tennessee and Upper East Tennessee. A Special Agent in Charge (SAC) who reports to the Deputy Director heads each regional Field Investigation Unit, the Medicaid Fraud Control Unit, the Technical Services Unit and the Criminal Intelligence Unit. Each regional Field and TSU Unit SAC is supported by an Assistant Special Agent in Charge (ASAC), while the CIU Unit has two ASAC's and the MFCU Unit has three ASAC's.

General investigative support is provided to the Criminal Investigation Division by the Forensic Services Division, the Information Systems Division and the Administrative Services Division.

The TBI Criminal Investigation Division was created both as a resource for the District Attorneys General across the state as well as state and local law enforcement agencies could call on for expertise in the area of criminal investigation. The Criminal Investigation Division is also the division responsible for investigating public corruption, fugitive apprehension and criminal official misconduct. The Bureau continues to be a professional and dedicated law enforcement agency capable of responding to complex and difficult investigations. Recognizing that the image and perception of the Bureau rests on each employee, TBI emphasizes the continuing training and professionalism of all employees.

As of June 30, 2011, the Criminal Investigation Division had 1,818 active cases. During the Fiscal Year, the Division's agents provided 308 investigative assists to local, state, and federal law enforcement agencies. During this same time period the Criminal Division opened 825 cases, closed 1,028 cases and convicted 181 defendants, and either arrested or assisted in the arrest of 247 fugitives and non-compliant sex offenders.

During the fall of 2010, a newly developed case file system was phased into the Criminal Investigation Division which replaced TBI's old case file system called AIM. ISIS was specifically developed for TBI to be a more user friendly, functional system in which to enter, update, maintain and review both open and closed TBI case files. In the future, ISIS will also contain a database that will connect laboratory evidence across the state. The software development and training on the new system was paid for through grants from the Amber Alert program and the Office of Criminal Justice Programs.

## **Statutory Responsibilities**

The Tennessee Bureau of Investigation has the authority to investigate any criminal violation upon the request of the District Attorney General for the judicial district where the offense occurred (Tennessee Code Annotated §38-6-102(b)). The TBI has statutory original jurisdiction to investigate without a District Attorney's request: fugitives from

justice, organized crime activities, employees or prospective employees of the bureau or department of safety, and investigations pertaining to domestic terrorism that the bureau receives under a government information security classification. The TBI, upon request of the Governor, State Attorney General, Commissioner of Correction or a District Attorney, may also investigate fraud or corruption in the area of paroles, release classification status and executive clemency (TCA §38-6-102). Executive Order Number 47 gave the Tennessee Bureau of Investigation responsibility in the area of Medicaid Fraud investigation. TCA §38-6-106 gives the TBI the responsibility of conducting background investigations on potential appointees to sensitive state positions upon the request of the Governor or the Tennessee Supreme Court Chief Justice. The presiding judge of the court of the Judiciary was given the authority to request TBI investigation into judicial misconduct (TCA §17-5-301). Under TCA §38-6-112, the State Attorney General may also request that the TBI conduct investigations into matters regarding the removal of public officials, unlawful restraint of trade and discrimination, securities fraud, and violations of the Consumer Protection Act. On July 1, 2001, TBI was given the responsibility of investigating Social Security Fraud under the same statute. Effective May 28, 2008, TBI was given the authority to make traffic stops, without a request from a district attorney, in emergency situations in which the safety of the public is in jeopardy, (Public Chapter 1039). Under Public Chapter 988, effective May 21, 2008, TBI investigators were given the authority, without a request from a district attorney general, to open investigations pertaining to victimization of children by means of computer or other electronic communications devices.

The Criminal Investigation Division's primary goal is to provide the most professional and all-inclusive investigations possible by employing state-of-the-art equipment and methods in each of the areas previously outlined. Currently, to accomplish each of the statutory responsibilities outlined, the Criminal Investigation Division is staffed with one hundred and fifty-nine employees statewide, including all supervisors, criminal investigators, and support staff.

### **Field Investigation Unit**

The Field Investigation Unit is divided geographically into four regions. Each region is headed by a Special Agent in Charge (SAC) who supervises an Assistant Special Agent in Charge (ASAC), fourteen to nineteen agents, two administrative secretaries, and at least one Law Enforcement Information Coordinator. Each judicial district has one to three field investigators assigned to that district. From July 1, 2010 to June 30, 2011, the Field Investigation Unit opened 740 cases, closed 713 cases and had 890 active cases at the close of the Fiscal Year. During that same period, the unit convicted 140 defendants and performed 417 polygraph examinations, with the vast majority of these exams being performed at the request of local law enforcement officials.

Violent and white collar crimes make up a large percentage of cases worked by the Field Investigation Unit. District attorneys general across the state issue written requests asking a special agent be tasked with investigating a particular crime or allegation of a crime, especially those which need an independent examination such as an officer involved in a shooting. Last year, the Field Unit opened 89 homicide cases and closed 98. Many times

the homicide cases involve missing persons, are considered cold cases or are cases where human remains are found, but are unidentified. Other cases worked include the embezzlement or theft of large sums of money from public entities or private business, bribery, violent sex crimes, child abuse, officer misconduct and the death of jail inmates.

In addition to investigating cases at the district attorneys' requests, field agents are responsible for investigations predicated upon TBI's original jurisdiction including public corruption, official misconduct, organized crime, illegal gambling, and domestic terrorism. The unit also worked on a number of cases last Fiscal Year which resulted in the indictment of several public officials. Additionally, field agents, assist other law enforcement agencies and gather intelligence to be reported to the Criminal Intelligence Unit

### **Upper East Tennessee**

The Upper East Tennessee Field Unit is responsible for twenty-one counties and eight judicial districts. One Special Agent in Charge and one Assistant Special Agent in Charge supervise seventeen people, including two administrative secretaries, one Special Agent polygraph examiner, one Law Enforcement Information Coordinator and thirteen Special Agents. The office is located in Knoxville with a satellite office in Johnson City.

### **East Tennessee**

The East Tennessee Field Unit office is located in Chattanooga. A field satellite office was opened in Cookeville in April 1998. One Special Agent in Charge and one Assistant Special Agent in Charge supervise a unit consisting of eighteen people, including one Special Agent polygraph examiner, two administrative secretaries, one Law Enforcement Information Coordinator and fourteen Special Agents. The East Tennessee region is made up of twenty-five counties and seven judicial districts.

### **Middle Tennessee**

The Middle Tennessee Field Unit, which is headquartered in Nashville, covers twenty-eight counties and nine judicial districts. The unit, which is supervised by one Special Agent in Charge and one Assistant Special Agent in Charge, consists of twenty-two people, including one Special Agent polygraph examiner, two administrative secretaries, one Law Enforcement Information Coordinator and eighteen Special Agents. Two of the agents are totally dedicated to social security fraud investigations and their salaries and expenses are paid 100% by the federal government.

### **West Tennessee**

The West Tennessee Field Unit consists of eighteen people, including one Special Agent polygraph examiner, two administrative secretaries, one Law Enforcement Information Coordinator and fourteen Special Agents. The unit is supervised by one Special Agent in Charge and one Assistant Special Agent in Charge. The regional office is located in Memphis with a satellite office in Jackson. The West Tennessee region is made up of twenty-one counties and seven judicial districts.

## **Medicaid Fraud Control Unit**

The Medicaid Fraud Control Unit (MFCU), located within the Criminal Investigation Division of the Tennessee Bureau of Investigation (TBI), was created in 1984 with a staff of twelve and has grown to a staff of thirty-five employees in Nashville and regional offices in Johnson City, Knoxville, Chattanooga, Columbia, Jackson, and Memphis.

While the MFCU continues to work a wide variety of cases, one area of investigations that continues to grow involves patient abuse. During this reporting period, the MFCU received 139 abuse, neglect, and patient fund theft reports or referrals. All incoming referrals undergo preliminary inquiry and of the 139 referrals, 24 viable cases were opened for further investigation. During this time period the MFCU also referred 34 abuse cases to other agencies. Many referrals were made to the Tennessee Department of Health, which is responsible for the Abuse Registry. During the past twelve months, the MFCU obtained 12 convictions and 9 indictments on abuse related cases.

Representatives of the MFCU comprise an integral part of the Nursing Home Abuse and Neglect Working Group, a group made up of state and federal agencies patterned after U.S. Department of Justice initiatives. The Working Group has set goals to create a better and more consistent referral system and a method for all representative agencies to better communicate and cooperate.

One of the priorities of the MFCU continues to be in the area of training. The Unit continues to operate with a structured training plan, sending as many unit members to the National Association of Medicaid Fraud Control Units (NAMFCU) Introductory and Advanced training programs as possible. Unit members throughout the year attended other training classes, and information from these classes was shared with other unit members.

During the past year, representatives of the MFCU were active in providing training to other agencies, such as the Department of Human Services, Adult Protective Services, private insurers, the Department of Intellectual and Developmental Disabilities and drug diversion training. The MFCU has continued to play a role in the three Federal Health Care Fraud Task Forces throughout the state as the majority of the MFCU's fraud cases are prosecuted federally.

During the past twelve months, the MFCU opened 44 fraud cases and closed 28. Fraud investigations typically focus on healthcare providers who obtain improper payments for services rendered, or supposedly rendered, to TennCare recipients. Various fraudulent schemes commonly encountered include billing for services not performed; billing for more expensive services than actually performed; and billing twice for the same service; among others. During the past year the MFCU had 14 indictments and 22 convictions in various fraud cases.

Global settlements are the most productive (in terms of monetary recoveries) cases for violations of state and/or federal law in which the MFCU is the lead State agency. Global

settlements are the resolution of cases that often originate in other states, and are based on allegations that often are not yet the subject of investigation in Tennessee. Because of the pervasiveness of the inappropriate practice, the defendant companies often repay double to triple damage settlement figures, based on a percentage of business conducted in each state. The MFCU is responsible for identifying the amount billed and paid by these companies in Tennessee, and coordinates the legal ramifications involved with potential settlements, which must have final approval by the State Attorney General. Qui Tam suits, out of which most global settlements arise, are being filed with increasing regularity, resulting in a number of pending global settlements currently being worked by the MFCU. Additionally, Tennessee has its own false claims statute, which results in some cases filed only in Tennessee. The MFCU works closely with the State Attorney General's Office in the investigation of these matters.

Since Federal Fiscal Year 1990, the MFCU has consistently identified more fraud dollars than the Unit has spent. During this time period, the MFCU has identified and/or helped recover over \$397.9 million in fraud and has spent approximately \$45.4 million. Tennessee's MFCU is aggressive in assisting the single state agency (Bureau of TennCare) and federal and state prosecutors in collecting restitution for TennCare. In the past year the MFCU has identified and/or assisted in the recovery of \$71.4 million for TennCare and other victims.

While the amount of fraud that the MFCU has identified continues to grow, the cost for the unit has remained fairly constant. MFCU expenditures in 1990 were approximately \$666,000.00 and by 1995 had grown to only \$758,000.00. Expenditures actually grew very little and even declined in some years with the only significant growths occurring in 1996 and 2001 when the MFCU experienced significant increases in staffing. The total state and federal budget for the MFCU for Federal Fiscal Year 2010 was approximately \$4.15 million with the state share being approximately \$1.04 million.

### **Criminal Intelligence Unit/Tennessee Fusion Center**

The Criminal Intelligence Unit (CIU/TFC) is responsible for the compilation, analysis, and sharing of criminal intelligence. The Criminal Intelligence Unit concentrates in the areas of organized crime, major offenders, fugitive apprehension, Domestic and International Terrorism (Homeland Security), the registration of sexual offenders, traditional and emerging gangs, the Violent Criminal Apprehension Program, organized drug trafficking operations throughout Tennessee, the statewide Amber Alert program, human trafficking and missing and exploited children as well as providing aviation support to all law enforcement agencies in Tennessee.

The unit is currently comprised of six Special Agents, one Administrative Secretary, and eighteen Law Enforcement Information Coordinators (LEIC), and is supervised by one Special Agent in Charge and two Assistant Special Agents in Charge. The Tennessee Highway Patrol, Tennessee Department of Correction, the Governor's Office of Homeland Security, ROCIC, ATF, Probation and Parole, Metro Nashville Police Department, Federal Homeland Security, and the FBI each furnish liaisons and/or

analysts that work in close association with the TBI Criminal Intelligence Unit/Fusion Center.

In spring of 2011, the Tennessee Fusion Center was named Fusion Center of the Year by the U.S. Department of Homeland Security. DHS Secretary Janet Napolitano presented the award at the National Fusion Center Conference in Denver. The TFC was singled out among 72 fusion centers across the country for its progress in analyzing and sharing terrorism and criminal information among federal, state and local law enforcement agencies in Tennessee at both the tactical and strategic levels. In September 2010, Secretary Napolitano visited the TFC to acknowledge Tennessee for its participation in a nation initiative around Suspicious Activity Reporting (SARS).

### Fugitives

CIU continued the very successful TBI Most Wanted Program of Top Ten Fugitives. The total number of dangerous fugitives captured on the program thus far is 269. There were 19 Top Ten fugitives apprehended during the 2010 – 2011 Fiscal Year. Newspapers and television stations across the state carried photographs and stories about this fugitive apprehension program. Bulletins prepared by the TBI were distributed to law enforcement agencies and personnel across the state. The TBI CIU also investigates Fugitive/Wanted Persons cases throughout the state. The Unit assists the Tennessee Department of Correction, the Board of Probation and Parole, and local, state, and federal law enforcement agencies in these matters.

### Task Forces

Most of the special agents assigned to CIU are members of various task forces. The TBI CIU has three special agents assigned to the FBI Joint Terrorism Task Forces (JTTF) across the state. These special agents are assigned fulltime to the JTTFs in Memphis, Nashville, and Knoxville. These agents hold a top-secret security clearance and are involved in both domestic and international terrorism related investigations pertaining to state and national security. There is also one special agent assigned to the U.S. Marshal's task force in Nashville.

### Regional Organized Crime Information Center (ROCIC)

The TBI CIU continued as the grantee agency for the Regional Organized Crime Information Center (ROCIC). The SAC for the CIU is also the proxy board member to ROCIC. ROCIC is the Regional Information Sharing System (RISS) project agency for this geographic area of the United States and serves more than 1,500 member agencies in fourteen states. The objective of the RISS projects in general, and ROCIC in particular, is "to enhance the ability of state and local criminal justice agencies to identify, target and remove criminal conspiracies and activities spanning jurisdictional boundaries." The primary objectives of the program are to encourage and facilitate the rapid exchange and sharing of information pertaining to known or suspected criminals or criminal activity among federal, state, and local law enforcement agencies, and to enhance coordination and communication among those agencies in pursuit of criminal conspiracies determined to be multi-jurisdictional in nature. The funding for ROCIC is a pass-through grant in the amount of \$6,687,390 that is automatically included in TBI's annual budget for

regulatory and auditing purposes only. The entire amount is forwarded to ROCIC for expenditures. TBI does not use any of this money in its regular budget for TBI operational expenses. The Criminal Intelligence Unit shares and communicates information daily to ROCIC for distribution to law enforcement agencies across the state of Tennessee and the southeastern United States.

The Criminal Intelligence Unit continues to coordinate the submission of intelligence on criminal street gangs and their members to the (ROCIC) gang database. ROCIC's gang database is accessible on the Internet through the use of security system access provided to authorized personnel.

#### *TBI Sex Offender Registry*

The TBI Sex Offender Registry was implemented in January 1995, as mandated by T.C.A. §40-39-101, which is now §40-39-201, et. seq. The Tennessee Bureau of Investigation is responsible for maintaining and making available a connection to the Sex Offender Registration, Verification, and Tracking System to all criminal justice agencies with TIES capabilities so that these agencies are able to register sex offenders throughout the State of Tennessee. TBI also provides viewing and limited write access to registering agencies so that they may enter and update data concerning sex offenders. The Bureau is the central repository for original sex offender registration documents, along with any other forms required by the Sex Offender law. TBI is responsible for the construction, amendment and printing of these forms and other pertinent paperwork used by local law enforcement. TBI is permitted to receive credible information as to sex offenders and to notify law enforcement of this information. District Attorneys and local law enforcement may request lists of non-compliant offenders for the purpose of location and prosecution. On the agency's website, TBI maintains an internet homepage. As of June 30, 2011, there were 15,618 sex offenders registered in Tennessee. All offenders, required to register under T.C.A. §40-39-201, et. seq., are listed on the public access sex offender web-site. The Tennessee Bureau of Investigation has provided law enforcement with approximately 377 certified copies of files for the purpose of prosecution of sex offenders during the Fiscal Year.

The purpose of the TBI Sex Offender Registry File Digitization Project is to employ the use of current electronic and cyber technology to seamlessly track sex offenders who move from one jurisdiction to another and to ensure that information concerning registrants is immediately made available to all interested jurisdictions and entities, including, local, state, and federal law enforcement officials and prosecutors. This project is funded through a grant from the U.S. Department of Justice and the concept is mandated by the Federal Sex Offender Registration and Notification Act (SORNA). Once these files are converted to digital format, analysts will be able to view an offender's entire file from their desktop computer, and will have the ability to immediately send the entire file electronically via e-mail to law enforcement and prosecutors. The Digitization Project is approximately 80% complete with over 12,000 files scanned and digitized.

#### *Financial Crimes Enforcement Network (FinCen)*

The TBI CIU continues to serve as the coordinator for the Financial Crimes Enforcement Network (FinCen) for the State of Tennessee. FinCen is an organization established by



the U.S. Department of Treasury to collect, analyze, and disseminate intelligence on financial crimes. CIU processed 70 FinCen requests during the Fiscal Year.

#### *El Paso Intelligence Center (EPIC)*

TBI CIU continued as the Tennessee coordinator for the El Paso Intelligence Center (EPIC). One of the primary goals of EPIC is to coordinate intelligence data for narcotic violations and fugitives between law enforcement of federal and non-federal agencies. All Tennessee agency inquiries made to EPIC are submitted through TBI, with the exception of the Tennessee Highway Patrol. TBI also receives a copy of all the information that is sent from EPIC to the requesting agency for intelligence purposes.

#### *International Criminal Police Organization (INTERPOL)*

TBI CIU continued as the contact agency for the state for the International Criminal Police Organization (INTERPOL). This organization promotes mutual assistance and cooperation between police agencies in different countries throughout the world. All inquiries made to Tennessee through INTERPOL are submitted through TBI. These inquiries are either forwarded to the appropriate agency or checked by TBI.

#### *National Center for the Analysis of Violent Crimes (NCAVC)*

TBI continued to work with the Federal Bureau of Investigation's National Center for the Analysis of Violent Crimes (NCAVC). All law enforcement agencies in the state wishing to submit reports of violent crimes may do so through the TBI. TBI maintains a copy of all of the reports that are submitted for intelligence purposes and then submits the reports to the Violent Criminal Apprehension Program (VICAP) for analysis. TBI is the designated state liaison of violent crime information between the various law enforcement agencies and VICAP.

#### *Human Trafficking*

At the request of the legislature, the TBI published the groundbreaking study entitled, "Human Sex Trafficking and Its Impact on Children and Youth" in May 2011. The report finds that 78 of the 95 counties in Tennessee experienced at least one case of Human Sex Trafficking in the past 24 months. Seventy Nine percent of respondents also reported they didn't think their department or agency was adequately trained to identify or investigate Human Sex Trafficking cases. In response to the report, TBI has sought and been awarded grant funding to conduct training classes across the state in the next 24 months to improve law enforcement and social services knowledge and abilities to successfully identify Human Trafficking victims and prosecute their perpetrators.

#### *National Center for Missing and Exploited Children*

TBI is mandated by law to act as the clearinghouse for missing children for the State of Tennessee and the National Center for Missing and Exploited Children. TBI is responsible for distributing a uniform missing child report to all law enforcement agencies. By virtue of TCA §38-6-116(b)(3) and §38-6-117, the TBI is also responsible for establishing, maintaining and managing a file of "Missing Children", for collecting any available relevant data concerning the missing children, and for disseminating the information to the appropriate law enforcement agencies.

The TBI CIU continued its coordination of the State of Tennessee's statewide Child Abduction Amber Alert Plan. The Amber Alert Plan is a partnership between media and law enforcement to disseminate information concerning child abductions, endangered and missing children throughout Tennessee and other states as necessary. Since the inception of the Amber Alert program in Tennessee, there have been 71 activations performed by the TBI. During the 2010 – 2011 Fiscal Year, there were 8 activations.

#### School Violence Hotline

The TBI, with the assistance of the Department of Education, established a toll free School Violence Hotline for the receipt of information relating to potential violent acts. The School Violence Hotline is answered 24 hours a day, 7 days a week. Information received over the hotline relating to potential violent acts that are in violation of state law will be forwarded immediately to the appropriate law enforcement agency and designated school contact person.

#### Aircraft

In February 1999, the TBI purchased, with Asset Forfeiture funds, a Cessna 182S Skylane aircraft. The aircraft is equipped with a Forward Looking Infrared System (FLIR), spotlight and law enforcement radio system. This single engine aircraft provides the TBI with enhanced abilities to perform its missions, such as crime scene searches, surveillance, undercover officer protection and cover, searches for fugitives, search and rescue, reconnaissance flights for search planning, search for contraband (including marijuana), aerial photographs of crime scenes and transport of evidence in time sensitive cases. Two special agents of the CIU serve as the pilots for the Aviation Assets Section. A total of 23 missions were flown during Fiscal Year 2010 - 2011. These missions were all related to law enforcement, including homeland security, as well as training, maintenance, administrative and public service flights.

#### Mobile Command Post

The TBI CIU also has thirteen LEIC's and two supervisors trained to operate and staff the Mobile Command Post. A functional mobile command center allows the TBI to respond to situations state wide with resources that permit communication and the sharing of intelligence information within the TBI and with other law enforcement agencies.

#### Criminal Intelligence Unit/Tennessee Fusion Center

The Tennessee Fusion Center's (TFC) mission is to provide an avenue of communication to enhance information sharing between Federal, State and Local law enforcement agencies. The TFC also acts as a clearinghouse for intelligence information with an "all crimes" approach to combating terrorism. TFC also serves as an education hub providing briefings and in-service training to local law enforcement as well as the general public. Among the means used to transmit information are the TFC monthly bulletins. During the 2010 – 2011 Fiscal Year the TFC has generated 71 open source bulletins. Additionally, the unit has produced six gang intelligence bulletins and one comprehensive statewide gang report. The TFC has also written 69 special interest bulletins. Primary monthly circulation of the publications goes to 1,426 open source contacts and 867 law enforcement agencies across the spectrum. TFC also performed 476 requests for

information (RFIs) during the Fiscal Year. TFC employs eight LEIC's assigned from TBI as well as four liaisons supplied by the Governors Office of Homeland Security, one Probation and Parole liaison, two National Guard liaisons, one State Trooper, one ROCIC liaison, one ATF analyst, one Metro Nashville PD analyst, one FBI Analyst liaison, and one Federal Homeland Security analyst.

The Consolidated Records Management System (CRMS) is the foundation of the Fusion System as it is a vast and diverse source of information of interest to detectives, investigators and analysts alike. The information, over 47 million records, is collected in realtime from over 532 law enforcement agencies across the state of Tennessee. The CRMS receives around 12,000 records daily. The CRMS allows local law enforcement to see subjects and activities in and around their individual jurisdictions giving them a richer picture of subjects and their related activities. The CRMS supplies information to various analytical tools used by the Fusion Center analysts to assist in connecting relationships between people, places and activities. The CRMS is also a sharing solution allowing states in the South East to see Suspicious Activity Reports with points of interest common to their investigations. As a sharing system, the CRMS provides statistical information to the Tennessee Incident Based Reporting System and the new FBI National Data Exchange or N-DEx system located in West Virginia. Future sources of information to be included are drivers license, citation, probation and parole information, corrections information making the CRMS the most comprehensive source of investigatory information available to Tennessee law enforcement.

#### Pre-employment Background Investigations

The TBI CIU is responsible for performing pre-employment background investigations for certain positions in state government. These background investigations include; Governor's Cabinet appointees; Governor's Staff appointees; Tennessee Education Lottery; Tennessee Supreme Court appointees; Governor's Office of Homeland Security employees, other judicial positions as required by the Chief Justice, as well as other positions within the TBI. These investigations are performed primarily by CIU LEICs. During the 2010 – 2011 Fiscal Year the Criminal Intelligence Unit completed 77 pre-employment background investigations.

#### **Technical Services Unit**

The Technical Services Unit (TSU) was created within the Criminal Investigation Division on December 1, 2004, and tasked with deploying advanced technologies in support of TBI and the Tennessee law enforcement community. TSU operated during FY 2010-2011 at full strength, with a Special Agent in Charge, an Assistant Special Agent in Charge, eleven Special Agents, and a Law Enforcement Information Coordinator.

#### Cyber-Investigations

TBI has come to recognize that internet child exploitation and other computer-based crimes are a growing threat to Tennessee's citizens. In response, during Fiscal Year 2007, Director Gwyn authorized TSU to stand up a Joint Cyber-Crime Task Force with the FBI housed at TBI Headquarters in Nashville, and to form an Internet Crimes Against Children Task Force with statewide jurisdiction. These task forces are now up and

running, with four TSU Special Agents assigned full-time. During the last fiscal year, these agents processed a wide variety of leads. The majority of cases opened involved the online victimization of children, but the agents also worked cases on matters ranging from online threats to complex computer intrusions.

#### Digital Forensics

TBI's digital forensics function is housed within TSU. The six Special Agents assigned to digital forensics are responsible for preserving and analyzing digital evidence from computer systems and mobile devices seized during investigations. They also perform enhancements of audio and video files. During Fiscal Year 2010-2011, TSU personnel analyzed 622 individual pieces of evidence from 225 cases, totaling 65 terabytes of processed data. 81 of these cases (36%) were TBI cases; the other 144 (64%) were worked for other federal, state, and local agencies. Of the 225 cases, 62% were computers or related media, 20% were mobile devices such as cell phones, 5% were audio enhancements, and 13% were video enhancements. 40% of the cases involved some form of child exploitation, 17% were death investigations, 7% were fraud investigations, 5% were public corruption investigations, 4% were drug investigations, 4% were burglary investigations, and 3% each of assault and adult sex offense investigations, with the remainder varying widely among other offenses.

#### Electronic Surveillance

Tennessee Code Annotated §40-6-303(12) gives TBI the responsibility to support electronic surveillance statewide by establishing certification standards administered by TBI and requiring that application for communications intercepts be made by a TBI agent in all but the four largest counties in the State. The TSU administers this capability, providing training and guidance for any law enforcement agency wishing to pursue electronic surveillance investigations.

#### Technical Surveillance

TSU agents are responsible for selecting and servicing TBI's inventory of technical surveillance equipment, ensuring that criminal and drug investigators are able to gather and preserve evidence covertly and effectively during undercover operations. TSU is also responsible for maintenance of TBI's radio and emergency communications systems, working with other local, state, and federal agencies to ensure secure and stable communications and communications interoperability in support of Tennessee Homeland Security preparedness. One TSU Special Agent is currently assigned to technical and electronic surveillance support.

TSU personnel continue to work to help define their own mission by pursuing any avenues where advanced electronic and information technologies can be leveraged to make law enforcement's investigative performance more effective, efficient, and responsible throughout Tennessee.

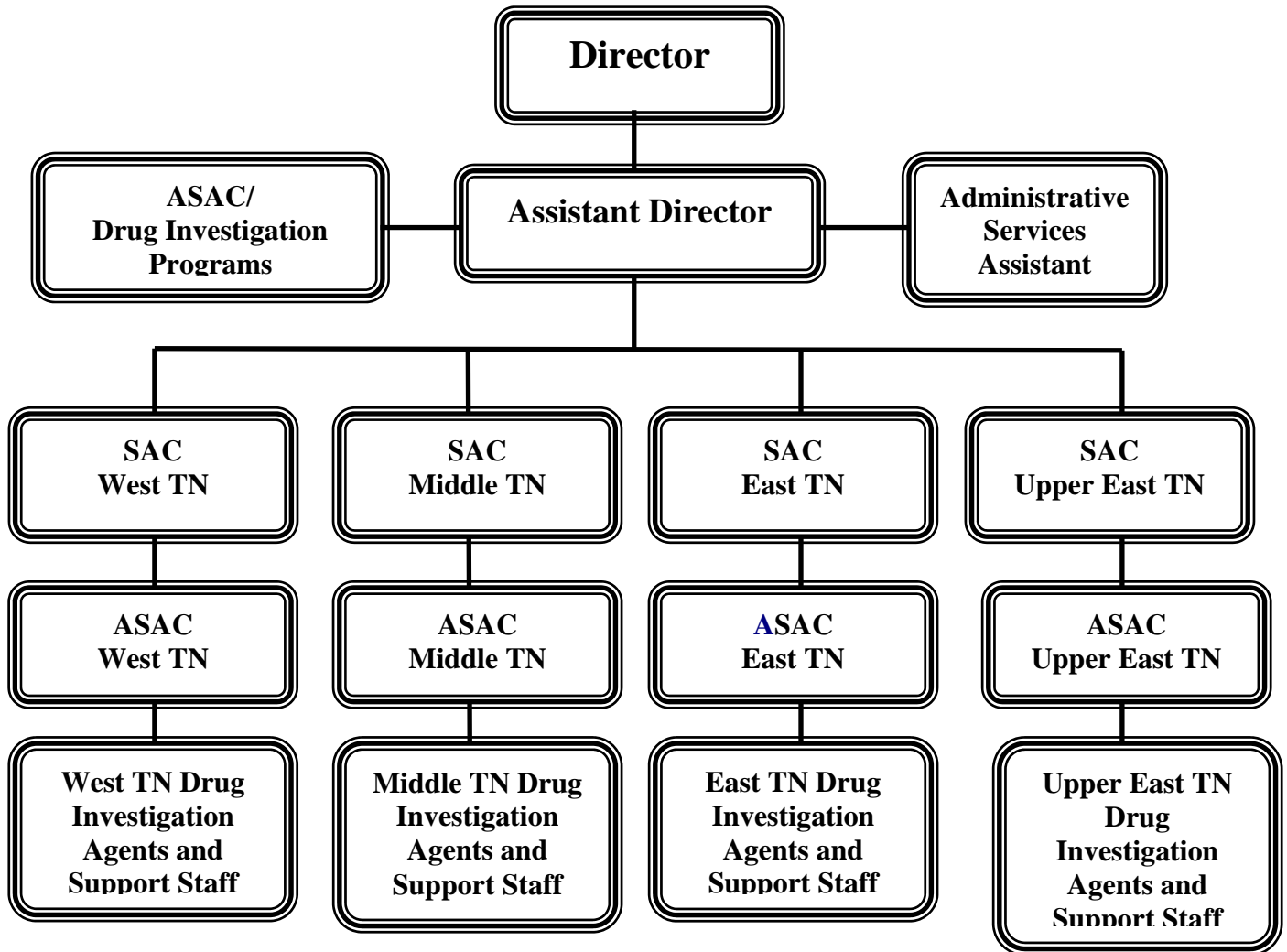




# DRUG INVESTIGATION DIVISION



## Chain-of-Command and Functional Organization





# **DRUG INVESTIGATION DIVISION**

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The Tennessee Bureau of Investigation (TBI) Drug Investigation Division was created by Public Chapter 1069 during the 1998 session of the Tennessee General Assembly. The Division was created in response to legislative findings that approximately eighty percent of crime in Tennessee was drug related; that due to limitations of money and work force then-current investigation efforts against illegal drugs in Tennessee were ineffective; and that no single agency, bureau, or division in Tennessee focused primarily on illegal drugs. Based upon these findings, the Drug Investigation Division was created with the sole mandate to investigating illegal drugs. The Drug Investigation Division has been operating as a separate and coequal division of the TBI since September 1, 1998.

## **Statutory Responsibilities**

Tennessee Code Annotated §38-6-202 states that the mission of the TBI Drug Investigation Division is to “investigate, gather evidence and assist in the prosecution of criminal offenses involving controlled substances, narcotics, and other drugs”, and that in order to fulfill this mission the Division “shall have original jurisdiction over the investigation of all drugs.”

The TBI Drug Investigation Division, like the TBI as a whole, plays many parts in the law enforcement community. First, TBI Special Agents assigned to the Division initiate and investigate their own cases, targeting significant violators, drug distribution organizations, and lower-level violators where local conditions require external investigative support. In addition, the Division’s agents provide support to the drug enforcement community, including technical assistance, legal assistance, and personnel support to other agencies from the local to the federal level. Finally, recognizing that effective utilization of law enforcement resources requires cooperation, the Drug Investigation Division strives to maintain the Bureau’s close relationship with the various police departments, Sheriff’s offices, and judicial district drug task forces throughout the state. The Division continues to emphasize strengthening ties between its investigative efforts and those of federal agencies with drug enforcement responsibilities, including the Drug Enforcement Administration, the Federal Bureau of Investigation, and Tennessee’s United States Attorney’s offices.

The Division’s commitment to the TBI’s leadership in the Tennessee law enforcement community is evidenced by its ongoing efforts to stay at the forefront of investigative and policy trends, including ongoing efforts to combat clandestine methamphetamine manufacture and trafficking through enforcement and policy initiatives. The commitment is also evident in the progress in the Division’s effort to address illegal diversion of prescription drugs such as oxycodone, hydrocodone, and benzodiazepines and ensuring that traditional drug enforcement programs like the Appalachia High Intensity Drug Trafficking Areas (AHIDTA) and the Governor’s Task Force on Marijuana Eradication (GTFME) stay current and viable.



## Organization and Caseload

The Drug Investigation Division is headed by an Assistant Director who reports to the Director of the TBI. Four regional Special Agents in Charge (SAC) report to the Assistant Director and are stationed in the four regional offices of the TBI in Knoxville, Chattanooga, Nashville, and Memphis. Four regional Assistant Special Agents in Charge are also stationed in these regions and provide another necessary layer of management within the DID. Each SAC/ASAC supervises all Special Agents assigned to the Drug Investigation Division within their geographical region. In addition, TBI serves as the grantee agency for the federally funded comprehensive statewide Tennessee Methamphetamine Task Force initiative (TMTF). The Task Force Director is employed by TBI and serves as an Assistant Special Agent in Charge (ASAC). The Task Force Director is responsible for the day-to-day operations which include coordinating with other agencies to provide drug awareness training, clandestine laboratory certification training for state and local law enforcement, and operation of the Tennessee Meth Intelligence System (TMIS) which serves as the statewide clearinghouse for all lab seizures, meth offenders, and precursor/chemical monitoring. The TMTF also oversees the 24/7 emergency assistance to law enforcement by 13 fully equipped and staffed vehicles, meth overtime reimbursement program, and providing necessary lab safety, evidence collection and personal protective equipment to law enforcement across the state. The TMTF also provides a 24/7 hotline for citizens and pharmacies to report suspicious activities using either an internet based reporting system, or by calling the TBI call center. The TMTF has begun the process of training, equipping, and assisting law enforcement officers across the state in processing hazardous material found at clandestine meth lab seizure locations.

The Drug Investigation Division had 511 active cases as of June 30, 2011. The Division opened approximately 127 cases and closed 207. From July 1, 2010 to June 30, 2011, TBI Special Agents assigned to the Drug Investigation Division arrested a total of 463 drug offenders and obtained 441 convictions on drug-related charges. Agents of the Division seized or purchased 2,070.55 grams of crack cocaine; 39,893.92 grams of powder cocaine; 1,738.59 pounds of bulk marijuana; 2,308 marijuana plants; 4,902.09 grams of methamphetamine, and 30 methamphetamine labs. Also seized were 151 dosage units and 1 pound of ecstasy, 285 dosage units of LSD, 1 pound of mushrooms, and 121.36 grams of heroin. TBI's share of currency seized totaled approximately \$651,529.73, all of which constituted either proceeds of drug trafficking or funds used to facilitate drug trafficking. TBI also shared in the seizures of 57 vehicles, three tractor-trailers, one recreational vehicle (RV), three boats, three waverunners, 21 real properties, five motorcycles, and four seizures of assorted jewelry.

These statistics demonstrate the Division's increasing focus on conspiracy investigations. Strategic emphasis continues to shift from street-level enforcement to higher levels of organization within the drug trafficking world. Investigators must follow varying investigative paths based upon available resources, informants, and other drug intelligence. As a result, ratios of drugs seized may shift from year to year along with investigative trends.

## **Methamphetamine<sup>1</sup>**

The Tennessee Bureau of Investigation is the grantee agency for the Tennessee Methamphetamine Task Force (TMTF). The TMTF is a partnership of federal, state and local agencies working to combat the illegal manufacture, distribution and use of methamphetamine. Started in 1999 and having grown steadily since, the Task Force now operates in all 95 counties and serves all citizens of the state. This innovative Task Force has received national recognition and provides not only leadership in the ongoing efforts to combat the meth epidemic, but also offers at no cost an open-source, state-of-the-art meth intelligence system. The Task Force has an Executive Board and a statewide Director (TBI ASAC) that coordinates the efforts of regional Task Forces operating in the East, Middle and Western Federal Judicial Districts of the state. The State Executive Board is comprised of members of local sheriffs, police chiefs, judicial drug task force directors, district attorney generals, Tennessee Bureau of Investigation, Tennessee Highway Patrol, Tennessee National Guard, DEA, Department of Homeland Defense and the U.S. Attorneys' offices for the Eastern, Middle and Western Federal Districts of Tennessee. In turn, the three District Task Forces have their own board of directors, project directors and intelligence analysts who focus on the specific needs of their district while working in concert with the statewide mission.

During the reporting period, law enforcement members responded and processed more than 1,699 meth seizure incidents. This was an increase of approximately 16.8% over the same period the previous year, which resulted in more than 1,383 arrests. The TMTF also assisted local, state, and federal agencies in seizing 191 weapons found at meth labs, and 1,026 quarantines of meth lab locations. TMIS was accessed 69,434 times by law enforcement officers. This is also the third year since the Meth-Free Tennessee Act of 2005 that law enforcement reported a significant increase in the number of clandestine meth lab seizures. The one pot manufacturing method – commonly referred to as “Shake and Bake” along with “Smurfing” has fueled and increased the amount of meth addicts manufacturing their own meth and continues to be a major contributing factor to the rise in meth lab seizure incidents. This relatively new and simple method of production currently accounts for approximately 60% of all meth lab seizures across the state. The unfortunate benefits to this clandestine method of production are that the formula allows for smaller amounts of the meth precursor (pseudoephedrine/ephedrine), faster cook time, less chemicals and equipment required, and greater mobility of the lab. In addition, the risk of sudden fire and/or explosion is also greatly increased. It should also be noted that the potential yield or lab size of other methods of production such as the Red-Phosphorus and Anhydrous – Nazi methods are up as well.

To continue comprehensive efforts to educate the public, and train law enforcement and first responders, the statewide Task Force conducted five regional and four statewide meetings to share information, foster partnerships, dispense personal protective equipment, and discuss statewide efforts. The TMTF sponsored specialized training for 169 officers receiving clan lab certification; 1,280 received Tennessee Methamphetamine Intelligence System/Precursor training; 444 law enforcement officers were re-certified; 48 attended the Tactical Clan Lab Entry School; 667 first responders received *More About Meth* Training; and 9 people received ion scanning certification. In addition, the

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<sup>1</sup> Source: Tennessee Methamphetamine Task Force

TMTF supplied Indiana with the TMIS software to create a similar system in their state and provide information sharing with Tennessee. Training was provided to the Indiana Meth Suppression Unit on how to manage the system. All applicable participants in the various trainings offered are issued personal protective equipment (PPE), training & job aids, as well as equipment used in the collection of evidence. The TMTF Co-sponsored the National Clandestine Laboratory Investigators Association (CLIA) and covered registration fees for 57 officers. To help address the increase in poly-drug activity, the TMTF hosted the National Narcotics Officers Association Annual Conference in Nashville and co-sponsored a Tennessee Narcotics Officers Conference where more than 200 law enforcement officers received specialized training on ways to enhance the detection, investigation, and prosecution of organized drug and violent gang members. In addition, The TMTF partnered with DEA, State of Indiana Meth Suppression Section and Network Environmental Services with a pilot program designed for Federal and State Prosecutors. In conjunction with the Tennessee National Guard-Counter Drug Task Force, the TMTF conducted 966 public education/awareness missions, reaching over 72,600 people; educating them on the ills of meth use, violence, distribution, and production.

The TMTF continues to use and enhance the 13 specially equipped Meth Response vehicles that are utilized for meth lab seizures, store purchase log collection, law enforcement operational support and assistance with selected educational missions. All vehicles possess tracking capabilities, and password protected mobile wireless internet hotspots, which enables investigators direct access to the secure Internet-Based TMIS database. The TMTF was able to significantly increase the number of national chain pharmacy retailers submitting precursor purchase information electronically; greatly improving the availability and efficiency of the information which has significantly increased notifications to law enforcement of suspicious precursor purchases at the time of sale.

Numerous secure on-line services and/or reports continue to be added to TMIS including the capability to create, save, and automatically update searches for manufacturing and distribution groups. TMIS remains to be the sole means for law enforcement to report meth lab seizures to El Paso Intelligence Center (EPIC), and monitor store purchase logs. As previously reported, with this system, Tennessee was the first state to report suspicious pseudoephedrine sales to EPIC. This enables information sharing across the country. The merger and enhancement of the Tennessee MethWatch Database into TMIS has resulted in 350 tips/leads along with more than seven thousand (7,300) deconflictions between law enforcement agencies. This increase of records makes TMIS a more comprehensive source of meth related information for law enforcement to use. The TMTF has successfully installed and has begun using the new geographic information system (GIS) software mapping tool in the TMTF office for analysis of information. This tool will further enhance law enforcement's ability to identify criminal activity hotspots, officer-training needs, and assist in strategic intelligence analysis.

The TMTF assists the Tennessee Department of Children Services (DCS) in identifying children who are in drug endangered environments. The TMTF is a member of the Tennessee Alliance for Drug Endangered Children (TADEC) and provides staffing support to its objective to train and encourage communities across the state to enact TADEC protocols. The TMTF hopes to expand its partnership with DCS by tracking

endangered children for notification anytime there is information or incidents involving meth. The TMTF continues to enhance and expand the use of technologies such as mobile fingerprint identification units, ion scanners, laptops, and GPS units for law enforcement. This effort is to better protect children, law enforcement, and the communities as well as enhance the prosecution of meth offenders. The need for community outreach, drug awareness training, and advanced technologies such as the ion scanners is most evident in the area of drug endangered children. The TMTF recorded 403 children affected in homes where hazardous meth labs were encountered by law enforcement. The TMTF is a positive and viable resource, relied upon by not only law enforcement, but other multi-discipline services statewide.

On February 22, 2011, DEA funding for cleanup of meth labs was depleted. The average cost to clean up the hazardous materials associated with a clan meth lab is \$2,500 per lab, a cost which becomes the responsibility of state and local law enforcement. At the time, there were no provisions to assist state and local law enforcement in Tennessee with the costs of lab cleanup which is required in accordance with EPA, OSHA, DOT and TDEC regulations. This crisis was further complicated because DEA stopped issuing appropriation numbers nationwide for state and local cleanup of clan meth lab sites through the COPS Program. Because of the ever limited budgets of many law enforcement agencies in Tennessee, the burden that this lack of financial assistance places on the “generator” is overwhelming to the departments in areas experiencing problems with meth labs. As federal law mandates that it is the responsibility of law enforcement to deal with clan labs, law enforcement must move forward with a cautious stance and not take the position that law enforcement will no longer work labs because of the challenging cost of cleanup.

Further, a slowdown in lab seizures in Tennessee could have a profound effect on those children who might be unwittingly trapped in drug endangered environments and whose only way out is through action by the law enforcement officers who are sworn to protect them. Faced with this potentially devastating situation, the TMTF worked diligently with DEA, Indiana, TDEC, TDOT and partnering law enforcement agencies across the state to develop a statewide Authorized Container Storage (ACS) Program in Tennessee. The initial cost estimates for the proposed twelve container ACS program was \$500,000. Based on other states, full deployment would take more than a year. Effective July 1, 2011 the Tennessee ACS Program, a mechanism to provide law enforcement with resources needed to affect the cleanup of hazardous waste in a safe and cost efficient manner becomes operational. The swift implementation of this program will be possible at a significantly lower cost and faster timeframe because the TMTF is able to draw on innovation and existing resources such as drivers, partners, vehicles, database, etc.) to help offset the costs. The objective is to ensure public safety and provide law enforcement in Tennessee with relief from the enormous funding burden incurred for the cleanup of clan meth labs seized within their respective jurisdictions.

During the past Fiscal Year, the TMTF provided the following training:

- Three (3) Basic Methamphetamine Certification classes: A total of one hundred and sixty-nine (169) students from departments across the state received basic clandestine methamphetamine laboratory certification.

- Fourteen (14) Meth lab re-certification courses were held with a total of four hundred and forty four (444) officers from departments across the state.
- Two (2) Tactical Clan Lab Entry training: A total of forty-eight (48) students from various agencies across the state attended the course.
- Nine hundred and sixty-six (966) Methamphetamine awareness briefings were provided to seventy two thousand six hundred and eight (72,608) people at various locations across the state.
- Co-sponsored the TN Narcotics Officers Conference: Over two hundred (200) law enforcement officers from across the state were able to attend the conference.
- Co-sponsored Clandestine Laboratory Investigators Association Conference: Over one hundred and forty (140) law enforcement officers from across the country were able to attend the conference.
- Hosted the National Narcotics Officers Association Annual Conference in Nashville
- In partnership with DEA, State of Indiana Meth Suppression Section and Network Environmental Services, participated in a pilot program designed for Federal and State Prosecutors.

### **Prescription Drugs**

Seizures of prescription drugs continue as a result of aggressive pursuit of drug diversion leads by Division investigators. This trend will continue as the Division directs its resources to meet both the new and the old components of this drug threat.

The TBI Drug Investigation Division was actively involved in the creation of a Statewide Drug Diversion Task Force. The TBI continues to be an integral part of this Task Force in the perpetuation of its mission. The abuse of prescription controlled substances in Tennessee has become a major concern for local, state, and federal agencies. The criminal diversion of these drugs encompasses everything from prescription fraud by individual addicts to profit motivated traffickers. The spectrum of violators is broad and can include healthcare practitioners and patients, pain management clinics, traditional pharmacies, and Internet pharmacies.

The Tennessee Statewide Drug Diversion Task Force is compiled of several individuals from various agencies. This task force has gained considerable momentum and has accomplished several goals. These accomplishments have allowed the task force to develop strategies and policies that will assist law enforcement to combat the problem. Currently, the statewide task force has developed four regional task forces across the state. The efforts of these task forces will be to investigate and curtail this ever growing problem.

During the fiscal year, 25,281.50 dosage units of prescription drugs were seized, which included 2,053 dosage units of illegally diverted prescription pharmaceuticals, 300 dosage units of steroids, 164.5 dosage units of ephedrine, 544 dosage units of alprazolam, 44 dosage units of dilaudid, 7,625 dosage units of hydrocodone, 20 dosage units of loritab, 10 dosage units of methadone, 196 dosage units of morphine, 10 dosage units of other drugs, 6,775.50 dosage units of oxycodone, 22,553 dosage units of oxycontin, 1,240 dosage units of soma and 245 dosage units of valium were also seized.

## **Drug Endangered Children**

In 2005, the Tennessee Alliance for Drug Endangered Children (TADEC) was created. TADEC is comprised of federal, local and state (including TBI) agencies whose purpose is to "prevent drug related harm to children and rescue, defend, shelter and support Tennessee's children who suffer physical and psychological harm caused by the manufacture, distribution, sale and use of illegal drugs, and abuse of prescription drugs and alcohol."

During this fiscal year, two "protocol seminars" were hosted by the TADEC. The first was held in Union City on November 4, 2010 and the second was held in Huntington on November 5, 2010. The purpose of these seminars, which were the sixth and seventh such seminars hosted by TADEC since 2007, provided awareness training to relevant stakeholders in the twenty-fourth, twenty-seventh, and twenty-ninth judicial districts encompassing a total of nine counties. The purpose of these seminars has been to help counties:

1. Promote information sharing strategies that support comprehensive, proactive partnerships between juvenile court, law enforcement, schools, government agencies, and social service providers.
2. Share information for planning and research purposes in a manner that is legal and appropriate.
3. Establish an interagency working group to identify and address the victimization of children as related to illegal drug activities.

To date, the TADEC has been involved in protocol seminars that have involved stakeholders in almost eighty counties. These stakeholders included representatives from law enforcement, education, social services, fire departments, medical and behavioral health, child advocacy centers, and other government agencies.

## **Drug Investigation Programs**

In addition to its general enforcement responsibilities, the Division has a leadership role in several programs that are integral to Tennessee's drug enforcement community.

### *Appalachia High Intensity Drug Trafficking Areas (HIDTA)<sup>2</sup>*

In April 1998, the U.S. Office of National Drug Control Policy (ONDCP) officially designated areas within Tennessee, Kentucky and West Virginia as the Appalachia High Intensity Drug Trafficking Areas (HIDTA). This designation was the result of a threat assessment by ONDCP that identified this tri-state area as one particularly vulnerable to certain types of illegal drug activity. The federally funded HIDTA program enhances and coordinates drug control efforts among local, State, and Federal law enforcement agencies. The program provides agencies with coordination, equipment, technology, and additional resources to combat drug trafficking and its harmful consequences in critical regions of the United States.

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<sup>2</sup> Source: Appalachia High Intensity Drug Trafficking Areas

The Appalachia HIDTA is comprised of sixty-five counties located within the states of Kentucky, Tennessee, and West Virginia; thirty of these counties are in Tennessee. The designated region is located within easy reach of several large major population areas of the United States. At the same time, the area consists of predominately rural and rugged terrain with soil, temperature, and other climate conditions ideally suited for marijuana production. Demographic conditions of the Appalachia HIDTA, including relatively high unemployment and low median family income, create an environment where illegal activities and corruption can flourish.

During the fiscal year, the Appalachia HIDTA task forces in Tennessee opened 99 cases and made 586 arrests. These task forces were responsible for the seizure of 854.5 pounds of processed marijuana. Additionally, 90 firearms and 78 vehicles, valued at a total of \$500,383.00 were seized. Totals of \$150,924.00 in real property and \$6,204,640.14 in currency were also seized. Investigations in which these agents were involved resulted in the seizure of 20,911 grams of cocaine, 3,960 grams of crack cocaine, 113 grams of heroin, 14,174 prescription pills, 1,605 grams of methamphetamine and 3081 grams of methamphetamine ICE. These agents assisted in the execution of 90 search warrants in conducting 39 Title III telephone intercepts and 57 pen registers.

#### Middle Tennessee HIDTA Task Force

At the direction of ONDCP, the Appalachia HIDTA was required to form regional task forces in the states of the Appalachia HIDTA. As a result of this requirement, the TBI was designated as the lead agency in forming a Middle Tennessee Task Force (MTTF). This task force is in the counties of Middle Tennessee as identified by the Appalachia HIDTA. These counties take in three Tennessee Judicial Districts. These districts include Fentress County in the 8th Judicial District; Clay, Overton, Pickett, White, Putnam and Cumberland Counties in the 13th Judicial District. At the present time the MTTF is made up of one HIDTA funded TBI Special Agent (as well as other agents assigned to the task force), and officers from local law enforcement agencies. The official start date for the MTTF was on June 1, 2003, and it is targeting large drug dealers in the MTTF area.

During the year, the Middle Tennessee Task Force opened 31 investigations and closed 31, disrupting three drug trafficking organizations and dismantling two. A total of 141 people were arrested, 30 vehicles and over \$417,300.00 in currency and other assets were seized by the task force. Additionally, 53 firearms were seized.

#### Gulf Coast High Intensity Drug Trafficking Areas (GCHIDTA)

In August 2010, the Office of National Drug Control Policy (ONDCP) designated Shelby County to be included in the Gulf Coast HIDTA. The Gulf Coast HIDTA, prior to Shelby County's designation, had approximately twenty-five task forces located in Louisiana, Mississippi, Alabama, and Arkansas and is headquartered in Metairie, Louisiana. TBI's DID is also a contributing member of the Gulf Coast HIDTA and looks forward to future successes from this task force.

#### Governor's Task Force on Marijuana Eradication

The Governor's Task Force on Marijuana Eradication (GTFME) was created by Executive Order No. 51 in 1983. The Tennessee Bureau of Investigation is an integral member of this task force. The primary objectives of the GTFME are as follows:

- Seek out and eradicate marijuana found growing in the State of Tennessee;
- Arrest and prosecute individuals and groups who knowingly participate in this illegal activity;
- Collect and utilize intelligence data;
- Maintain accurate records of results and expenditures connected with this program; and
- Continually seek to eliminate or disrupt illegal acts against the citizens of Tennessee related to marijuana cultivation through new methods and technology.

Four state agencies, including TBI, the Tennessee Alcoholic Beverage Commission, the Tennessee Highway Patrol (THP), and the Tennessee National Guard (TNG), provide the bulk of the personnel and equipment for this program. The commitment by these agencies is substantial, since the operation runs from May until October of each year. Other activities such as planning, procurement, training, indoor grow investigations, case prosecution, and intelligence-gathering go on year-round.

The GTFME is an example of the benefits of cooperative law enforcement. A large number of other agencies participate in the program in addition to the state agencies noted above. These agencies include sheriff's offices, municipal police departments, judicial district drug task forces, the federal Drug Enforcement Administration, and a number of other federal and state agencies. This cooperative effort also extends to the military support role to the law enforcement effort.

During Fiscal Year 2010–2011, the GTFME investigative personnel were instrumental, with the assistance of local and federal agencies, in eradicating 254,160 outdoor marijuana plants found in 2,187 plots. There were 472 plants eradicated from indoor grow operations. These law enforcement personnel also seized 55 pounds of processed marijuana that was ready for sale on the streets. They made 26 arrests, seized 39 firearms, and encountered 76 booby traps.

## **Initiatives and Goals of the Drug Investigation Division**

### *Personnel Allocation*

It is not presently possible to assign a TBI drug agent to each county in the State. As of June 30, 2011, there were only 43 agents (plus supervisors) statewide. Likewise, individual agents cannot be assigned to each of the Judicial Districts and DEA Task Forces operating in Tennessee. Instead, each TBI drug agent is assigned an area of responsibility generally encompassing several counties, or an entire Judicial District. This arrangement makes the most of current staffing levels. Each of the ninety-five counties in the state has a specific and identified contact within the Drug Investigation Division.

The type of cases currently being pursued is labor intensive. Methamphetamine labs typically are time-consuming requiring as many as four certified agents or officers due to safety regulations. Electronic surveillance requires monitoring and ground teams. Prescription drug cases usually involve paper trails that cannot be concluded in a single day or week. In addition, eight agents are designated High Intensity Drug Trafficking Area (HIDTA) agents with their investigative initiatives being controlled by HIDTA.



This is separate from the responsibilities on the Governor's Task Force for Marijuana Eradication.

*Continuing Emphasis on Conspiracy Investigations*

One strategy that has been used to increase the effectiveness of the present number of TBI drug agents has been to direct more operations towards mid-level and major criminal organizations that are involved in multi-jurisdictional drug trafficking activities. These investigations, while time-consuming and complex, generally maximize returns of high-level convictions and assets seized per agent/hour.

Conspiracy investigations allow an organization to be dismantled from top to bottom, preventing the organization from growing again. In addition, long-term documentation of drug dealing activity for a conspiracy charge allows the ultimate criminal penalties to reflect the full culpability of the members of the organization, not simply the amount of drugs they had with them when arrested.

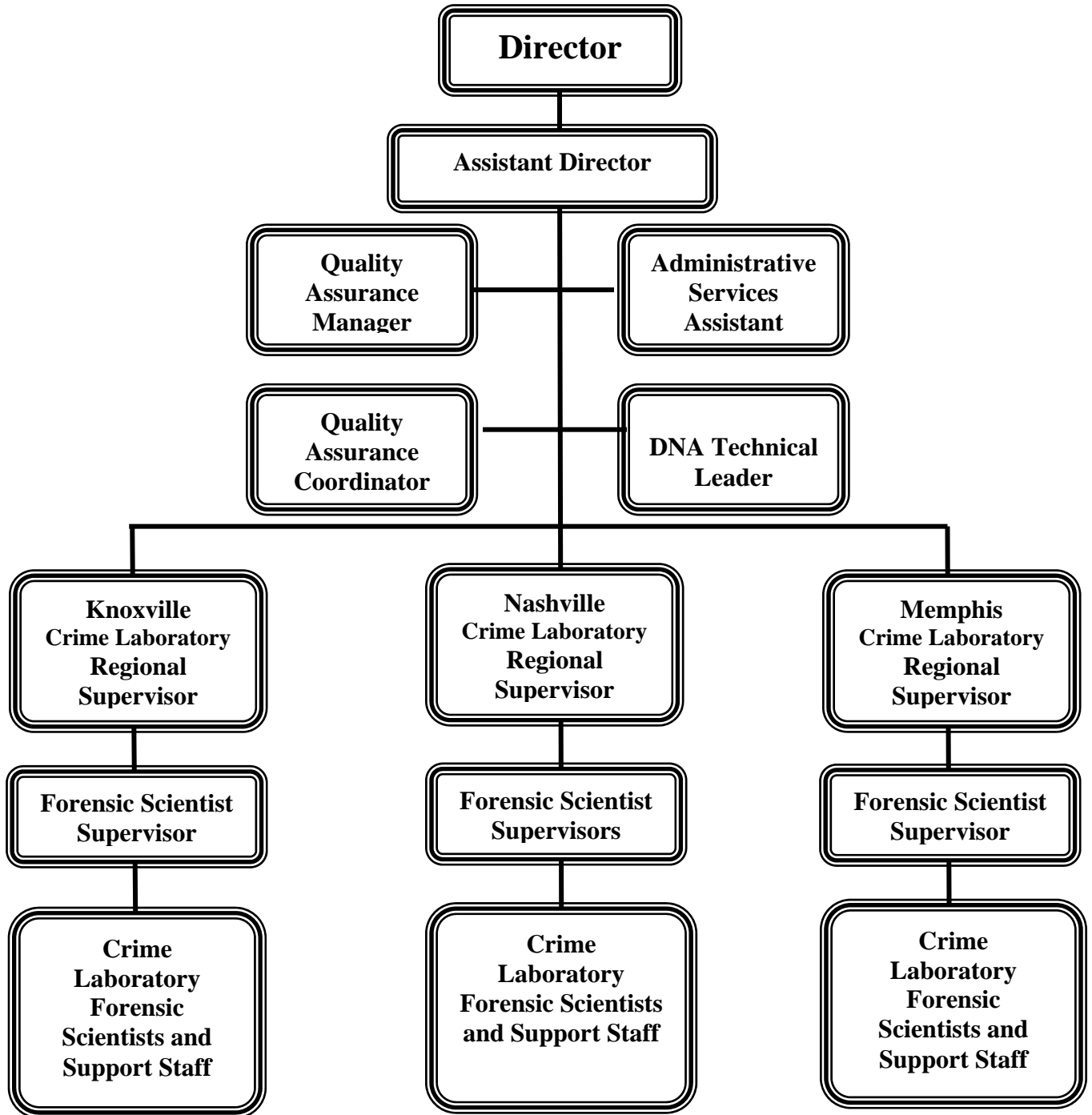
It should be noted that while conspiracy investigations are the growing trend in the Drug Investigation Division, the Division continues to render assistance to sister law enforcement agencies in whatever form the needs of those agencies take.



# FORENSIC SERVICES DIVISION



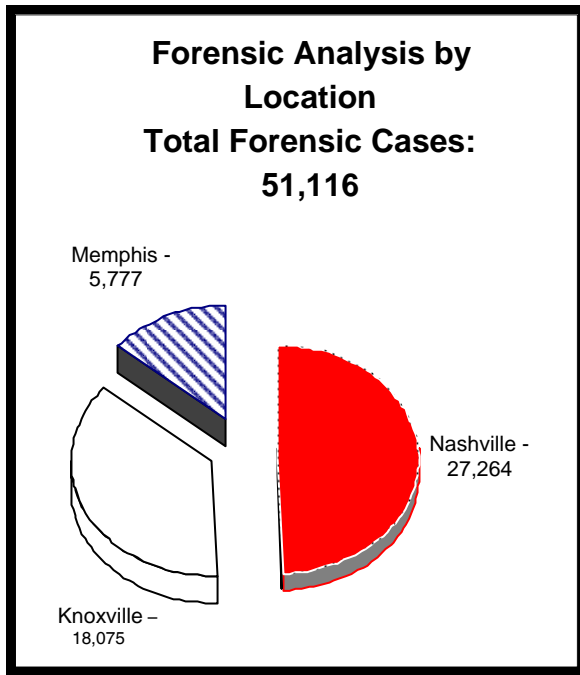
## Chain-of-Command and Functional Organization





# FORENSIC SERVICES DIVISION

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Forensic Science, the application of science to the law, has emerged as a major force in the attempts of the criminal justice system to control crime and to ensure a high quality of justice. The TBI Forensic Scientists possess a wide array of analytical skills and they direct their expertise to problems of reconstructing criminal acts, identifying and comparing physical and biological evidence, linking offenders with their victims and exonerating falsely accused persons. The TBI's Forensic Services Division (Crime Laboratory System) provides forensic science services to any law enforcement agency or medical examiner in our state (T.C.A. §8-6-103, 38-7-110, 5510-410).

A Forensic Scientist must be skilled in applying the principles and techniques of the physical and natural sciences to the analysis of the many types of evidence that may be recovered during criminal investigations. However, in doing this, the scientist must also be aware of the demands and constraints that are imposed by the judicial system. The procedures and techniques that are utilized in the crime laboratory must rest on a firm scientific foundation and satisfy the criteria of admissibility established by the courts. Because of this range of requirements, all TBI Forensic Scientists are commissioned by the Director as Special Agents, have earned a minimum of a baccalaureate degree in chemistry or a closely related scientific field, and have completed extensive training related to forensic science and crime scene investigation. During the Fiscal Year, the Forensic Services Division conducted tests in 51,116 cases received from law enforcement agencies and medical examiners across the state.

The TBI Forensic Services Division is comprised of a central laboratory in Nashville and two regional laboratories in Memphis and Knoxville. Specialized units of these laboratories provide forensic analysis of biological, chemical, and physical evidence.

## **National Laboratory Accreditation**

The TBI's Forensic Services Division has achieved re-accreditation through the American Society of Crime Laboratory Directors Laboratory Accreditation Board (ASCLD/LAB).

The ASCLD Laboratory Accreditation program is a voluntary program in which any crime laboratory may participate to demonstrate that its management, operations, personnel, procedures, equipment, physical plant, security and personnel safety

procedures meet certain national standards. Accreditation is part of a laboratory's quality assurance program which, when combined with proficiency testing, continuing education, and other efforts, helps TBI's crime laboratories to provide better overall service to Tennessee's law enforcement agencies and the criminal justice system.

One objective of TBI in obtaining accreditation of its crime laboratories was to offer to the citizens of Tennessee and the users of TBI's laboratory services a form of proof that the TBI's forensic laboratories meet established national standards.

### **Nashville Laboratory**

The Nashville Laboratory serves all ninety-five (95) counties in Tennessee and performs a wide range of analyses within the following units:

- *Evidence Receiving Unit*

The Evidence Receiving Unit receives, inventories, distributes, and stores all evidence submitted to the laboratory.

- *Drug Chemistry Unit*

The Drug Chemistry Unit analyzes any substance seized in violation of laws regulating the sale, manufacture, distribution and use of abusive type drugs.

- *Toxicology Unit*

The Toxicology Unit conducts analysis of blood and other body fluids for alcohol, drug, or poisons, in conjunction with persons arrested for traffic charges (DUI) or to assist medical examiners in death investigations.

- *Breath Alcohol Unit*

The Breath Alcohol Unit administers and maintains Tennessee's breath alcohol testing program. Scientists assigned to this unit certify and calibrate evidentiary breath alcohol instruments throughout the state. The staff is responsible for training law enforcement personnel as operators on the instruments.

- *Latent Print Examination Unit*

The Latent Print Examination Unit provides analysis of physical evidence for invisible fingerprints and/or palm prints and comparison of latent prints developed with the inked impressions of suspects. A workstation of TBI's Automated Fingerprint Identification System (AFIS) is located in this unit, allowing latent lifts of unidentified latent fingerprints obtained from crime scenes or developed on evidence submitted to the laboratory to be searched against the database of fingerprint records maintained by TBI. In addition, the latent print unit has the capability of submitting unidentified latent prints from major crime scenes to the FBI for a fingerprint database search.

- *Firearms Identification Unit*

The Firearms Identification Unit's principal function is to determine if a bullet, cartridge case, or other ammunition component was fired from a particular weapon. The science of firearms identification extends beyond the comparison of bullets to include knowledge of the operation of all types of weapons, the restoration of obliterated serial numbers on

weapons and other evidence, the detection and characterization of gunpowder residues on garments and around wounds, the estimation of muzzle-to-garment distance, and the detection of powder residues. In October 2002, a National Integrated Ballistic Information System for confirming bullets and cartridge cases became an integral part of the Firearms Unit.

- *Microanalysis Unit* - The Microanalysis Unit examines and compares the following types of evidence:
  - ✓ Fire Debris Analysis – Debris from fire scenes and other evidence related to a suspected arson are submitted to the laboratory to determine the presence of an ignitable liquid. This includes the products of refined oil and other flammable products such as alcohol.
  - ✓ Gunshot Residue Analysis – The presence of gunshot primer residue from a fired weapon can be determined on subject and victim hand swabs and on crime related objects such as the subject's clothing and vehicle(s).
  - ✓ Impression Evidence Comparisons – Shoe and tire impressions recovered from crime scenes can be compared to subject shoes and tires. In addition, a tire tread and shoe database can be used to determine tire and shoe make and models from impressions left at a crime scene.
  - ✓ Paint Analysis and Comparisons – Paint evidence recovered from any object on which a paint transfer has occurred during the commission of a crime can be compared to known paint samples. A vehicle paint database is also available to provide a list of possible vehicle makes and models from paint evidence left at the scene of hit and run accidents.
  - ✓ Glass Analysis and Comparisons – Glass recovered from a crime scene can be compared to glass recovered from objects associated with a subject such as clothing and tools. Order of breakage and glass fracture analysis is also performed.
  - ✓ Fiber Comparisons – Individual fibers as well as fabric and carpet are characterized and compared to corresponding materials recovered from a subject or his/her environment.
  - ✓ Explosives – High and low explosives, rendered safe by Tennessee Bomb and Arson, can be identified.

Other services provided by the Microanalysis Unit include indented impression analysis (writing and shoe), physical comparisons, fracture match analysis, heavy metal analysis, unknown substance determinations and tape comparisons.

- *Serology Unit*

The Serology Unit performs identification and characterization of blood and other body fluids – liquid or dried, animal or human – present in a form to suggest a relation to the

offense or persons involved in a crime. This Unit also performs STR-DNA Profiling, the capability to identify specific individuals by comparing biological samples left at a crime scene or from the body of a victim.

- *DNA Profiling*

Advances in DNA technology represent one of the most significant forensic breakthroughs of the century by allowing the identification of a murderer or rapist based on trace amounts of biological evidence left at the crime scene. T.C.A. §40-35-321 requires the TBI to establish a DNA database for convicted offenders that now includes individuals on the sexual offender registry. In 2007, an amendment added a DNA database for individuals arrested for violent felonies. These databases were established nationally by the Federal Bureau of Investigation to enable crime laboratories to exchange DNA profiles for unknown forensic samples, convicted offender and arrestees.

- *CODIS*

The national index assists agencies in developing investigative leads since evidentiary DNA profiles can be searched against the file of convicted offenders and arrestees. The TBI currently has 158,048 convicted offender samples and 43,874 arrestee samples on file. In February 2002, the TBI DNA Unit began submitting samples to the national database; 131,351 profiles and 41,015 arrestee profiles have been accepted. This year 196 investigations throughout the state and nation have been aided through the use of this database. During this Fiscal Year, a total of 13,778 specimens from convicted offenders and 14,586 specimens from arrestees were received by the DNA/Serology Unit for submission to the CODIS database.

### **Knoxville Laboratory**

The Knoxville Laboratory relocated to a new facility in January 2009. Drug Chemistry analysis of any substance seized in violation of laws regulating the sale, manufacture, distribution and use of readily abused drugs is performed. Toxicology analysis of blood and other body fluids for alcohol, drugs, or poisons, in conjunction with persons arrested for traffic charges or assisting medical examiners in death investigations is conducted. Breath Alcohol testing, which includes calibration and training of local law enforcement personnel relative to the operation of breath alcohol instruments, is also provided. In addition, Serology/DNA analysis is performed in order to identify and characterize blood or other body fluids present on evidence and to compare those stains to known standards using STR-DNA profiling.

### **Memphis Laboratory**

The Memphis Laboratory opened in January 2002. Drug Chemistry analysis is performed on any substance seized in violation of laws regulating the sale, manufacture, distribution, and use of abusive type drugs. Toxicology analysis of blood and other body fluids for alcohol, drugs or poisons, in conjunction with persons arrested for traffic charges or assisting medical examiners in death investigations is conducted. Breath Alcohol testing, which includes calibration and training of local law enforcement personnel relative to the operation of breath alcohol instruments, is also provided. Firearms Identification determines if a bullet, cartridge case, or other ammunition component was fired from a

particular weapon. The restoration of obliterated serial numbers on weapons and other evidence, the comparison of tool marks, the detection and characterization of gunpowder residues on garments and around wounds, the estimation of muzzle-to-garment distance and the detection of powder residues are also performed by the Firearms Identification Section. In addition, Serology/DNA analysis is performed in order to identify and characterize blood or other body fluids present on evidence and to compare those stains to known standards using STR-DNA profiling.

### **Violent Crime Response Teams**

The TBI's Forensic Services Division has become increasingly involved in the investigation of violent crimes. The value of physical evidence is recognized to be of paramount importance in crimes against persons. Toward that end, TBI has three specially designed crime scene vehicles equipped with the most advanced forensic equipment and materials available. These crime scene vehicles are regionally located in Memphis, Nashville, and Knoxville and are being used by the TBI to assist in processing homicide crime scenes.



**Forensic Analysis by Case  
Fiscal Year 2010–2011  
Total Number of Cases Completed – 51,116**

<b>Nashville Laboratory</b>	<b>27,264</b>	<b>Memphis Laboratory</b>	<b>5,777</b>
Drug Identification	10,377	Drug Identification	2,173
Alcohol	7,192	Alcohol	1,673
Toxicology	3,237	Toxicology	650
Serology	1,554	Serology	838
DNA	565	DNA	270
Firearms Identification	961	Firearms	173
Microanalysis	807		
Latent Prints	2,571		
 <b>Knoxville Laboratory</b>	 <b>18,075</b>		
Drug Identification	9,177		
Alcohol	5,332		
Toxicology	2,738		
Serology	607		
DNA	221		

**Forensic Analysis by Test  
Fiscal Year 2010—2011  
Total Number of Exhibits Tested – 79,588  
Total Number of Tests Conducted – 315,602**

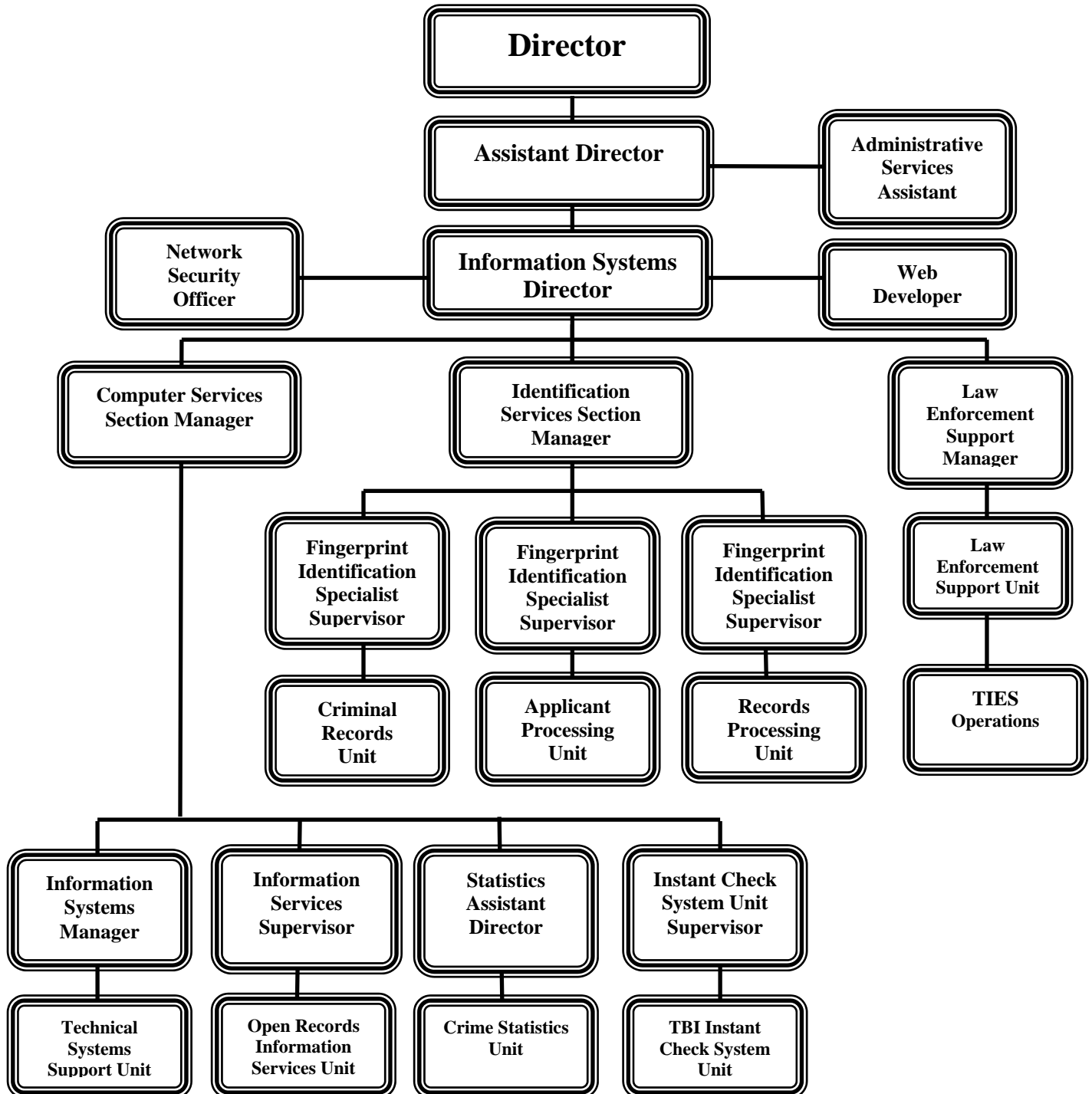
<u>Laboratory</u>	<u>Exhibits</u>	<u>Tests</u>
<b>Nashville</b>	<b>45,140</b>	<b>195,009</b>
Drug Identification	15,601	49,002
Alcohol	7,226	15,762
Toxicology	3,334	22,907
Serology/DNA	5,692	35,212
Firearms Identification	5,920	14,481
Microanalysis	1,891	17,727
Latent Prints	5,476	39,918
 <b>Knoxville</b>	 <b>24,622</b>	 <b>89,932</b>
Drug Identification	13,869	42,004
Alcohol	5,610	11,675
Toxicology	3,396	13,370
Serology/DNA	1,747	22,523
 <b>Memphis</b>	 <b>9,826</b>	 <b>30,661</b>
Drug Identification	3,330	9,549
Alcohol	1,673	2,692
Toxicology	674	3,013
Serology/DNA	2,769	12,073
Firearms Identification	1,380	3,334



# INFORMATION SYSTEMS DIVISION



## Chain-of-Command and Functional Organization





# INFORMATION SYSTEMS DIVISION

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The Information Systems Division encompasses a wide variety of complex systems serving the Bureau, local, state and federal criminal justice agencies, and the public. From housing the state repository of criminal history records and maintaining the sex offender registry, to supporting criminal justice information traffic to conducting background checks for gun purchasers, the Information Systems Division staff is committed to providing the most professional, up-to-date services available.

Within the Bureau, the Information Systems Division (ISD) is responsible for delivery of services that augment the Forensic Services Division, the Criminal Investigation Division, the Drug Investigation Division and the Administrative Services Division as well as the Tennessee Fusion Center (Homeland Security). In addition, ISD provides services to local, state, and federal agency members of the Tennessee Information Enforcement System (TIES) through the National Crime Information Center (NCIC) and the International Justice and Public Safety Network (Nlets).

## INFORMATION TECHNOLOGY

The Information Technology Strategy for the Tennessee Bureau of Investigation is to increase the use of technology in a manner that provides the best services available to the public and law enforcement consistent with the TBI/FBI official rules. Laws governing the operations of the Tennessee Bureau of Investigation require the development, maintenance, and distribution of certain information relating to crime, criminals, and criminal activities for the benefit of all state and local criminal justice agencies in Tennessee. Additionally, our agency also is mandated to perform fingerprint based background checks for several areas of employment and licensing and name based background checks for the approval of sales and pawn redemptions for all firearms transactions in Tennessee pursuant to the federal Brady Act as well as name-based records queries submitted by the general population. The Bureau, in order to fulfill the mandate set forth in these laws, has created and implemented several applications that fall under the operations of the Tennessee Crime Information Center (TCIC), which is an integral part of TBI and its operations. Controls, which apply to the state/federal privacy and restriction laws governing the possession, exposure, use and dissemination of various kinds of crime information, are imposed on the automated systems by the TBI official rules.

The Information Systems Division (ISD) is divided into three sections. Identification Services is made up of the Criminal Records Unit (CRU), Applicant Processing Unit (APU), and the Records Processing Unit (RPU). Computer Services is made up of the TN Instant Check System Unit (TICS), the Crime Statistics Unit (CSU), the Tennessee Open Records Information Services Unit (TORIS), and the Technical Systems Support Unit (TSSU). Law Enforcement Support Services is made up of the Law Enforcement Support Unit (LESU), the Fingerprint Training Unit (FTU) and the Tennessee Information Enforcement System (TIES) Operations staff. The ISD also provides technical support, systems analysis, project management, application development of small systems,

hardware and software procurement, and information technology planning for all TBI Divisions.

## **IDENTIFICATION SERVICES**

The TBI is the agency identified as the state repository of fingerprint based criminal records information for the state of Tennessee. The Information Systems Division is responsible for the processing and maintenance of all information related to the repository as well as for several associated legislatively mandated duties. These duties include processing all criminal, law enforcement applicant, and civil applicant fingerprint information, and other associated records functions including processing of final court dispositions, applications for pre-trial diversions, court orders for expungement of criminal records, and other matters of clerical maintenance of information in the records repository. The Information Systems Division utilizes the Automated Fingerprint Information System (AFIS) to process each submission of fingerprint information to determine the identification of the individual to provide positive identification in order to build the criminal records in the repository.

The Information Systems Division received 567,181 fingerprint submissions during Fiscal Year 2010 – 2011. Less than one percent of fingerprints received were rejected and returned to the contributors because of missing, inaccurate or incomplete descriptor or arrest data, or because of unclassifiable fingerprints. Criminal arrest fingerprints made up 65% (370,585) of the submissions received. Applicant fingerprints accounted for the remaining 35% (196,596) of the fingerprint submissions received.

Expungement orders come from criminal courts to the TBI ordering removal of specific information from an individual's criminal record. These orders are processed and forwarded to the FBI for removal from the federal criminal history records maintained there. The Information Systems Division processed 33,944 expungement orders in Fiscal Year 2010 – 2011.

Criminal history background checks are performed at the request of the court system for persons being considered for pre-trial or judicial diversions. These checks are performed in order to provide information to the court to determine whether the individuals are qualified to receive, and have not previously received, pre-trial or judicial diversion. The Information Systems Division processed 24,866 applications for pre-trial or judicial diversion during the Fiscal Year as legislatively mandated.

The Information Systems Division also enters final court disposition information into the Tennessee Criminal History Repository. Disposition information is supplied to the TBI by law enforcement agencies and the court clerks. Each disposition provides information relative to the outcome of the judicial process for each arrest. The Information Systems Division processed 297,981 dispositions during the Fiscal Year.

## COMPUTER SERVICES

### TBI Instant Check System

The TBI Instant Check System (TICS) began operation on November 1, 1998. The requirements of the Brady Handgun Violence Prevention Act [18 U.S.C. 922 (t)] were incorporated into the Tennessee gun transfer statute with an amendment to T.C.A. §39-17-1316. This amendment requires that TBI establish and maintain a background check system that meets or exceeds the requirements established by the Brady Act for continuing recipient background checks on all firearm transactions except those specifically excluded by law. To meet these requirements, TICS accesses the following databases:

Database	Description
<b>TCHR (Tennessee Criminal History Repository)</b>	This file is maintained by the TBI and is supported by arrest fingerprint cards. Persons who are convicted felons cannot legally possess a firearm.
<b>STOP (State of Tennessee Orders of Protection)</b>	Data is entered, maintained and deleted by Tennessee law enforcement agencies (generally Sheriffs' departments) on persons against whom a restraining order has been issued by a judge. Active protection orders, which meet state or federal laws, will disqualify an individual from obtaining a firearm.
<b>NCIC (National Crime Information Center)</b>	This database maintains files on wanted persons, protection orders, deported felons, U.S. Secret Service Protective (persons who may pose a threat to the President and/or others afforded protection by the U.S. Secret Service), foreign fugitives, SENTRY File (persons currently under supervision of the Federal Bureau of Prisons), Convicted Person on Supervised Release File and the Convicted Sexual Offender Registry.
<b>III (Interstate Identification Index)</b>	This is the national repository for criminal history record information.
<b>NICS (National Instant Check System)</b>	The federal instant background check system maintained by the FBI. It houses databases on Denied Persons, Illegal/Unlawful Aliens, Controlled Substance Abusers, Dishonorable Discharges, Citizenship renunciants and Mental Defectives/Commitments.

All of the above files are checked during the required TICS/NICS background check of any person seeking to purchase a firearm from a licensed firearm dealer or to redeem a firearm from pawn from a licensed firearm dealer.

During Fiscal Year 2010 – 2011, TICS processed 319,616 total firearm transactions. Of those, 306,756 (96%) were approved and 12,860 (4%) were denied for one or more reasons, and 95% of all transactions were processed in 15 minutes or less. TICS

identified 319 wanted persons and 344 stolen firearms in fiscal year 2011, reporting them to the appropriate law enforcement agency. The majority of the wanted persons were apprehended at the scene and most of the stolen firearms were verified by law enforcement officials and seized for return to the owners.

### **Tennessee Open Records Information Services (TORIS)**

The Tennessee Bureau of Investigation began offering criminal background information to the public, upon receipt of a proper request and the associated fee, in June of 2004 following the passage of new legislation that made it legal for the Bureau to release Tennessee criminal information from its database. TORIS background checks are 'name based' checks only and do not involve the submission of fingerprints. The information provided to the requestor is Tennessee criminal history information only. During Fiscal Year 2010 – 2011, the TORIS unit processed 98,354 requests for criminal background information.

### **Crime Statistics Unit**

The Crime Statistics Unit (CSU), made up of the Statistics Assistant Director, Law Enforcement Information Coordinators and Statistical Analysts, continued operation of the statewide Uniform Crime Reporting (UCR) Program known as the Tennessee Incident Based Reporting System (TIBRS) Program. As of June 30, 2011, all law enforcement agencies were submitting and all but three agencies were certified. All colleges/universities were in compliance with the exception of one.

The unit worked on several projects during the year. The unit released the annual crime statistics reports in the spring of 2011. These reports included 2010 Crime in Tennessee, 2010 Crime on Campus, 2010 Hate Crime, 2010 Law Enforcement Officers Killed or Assaulted, and the 2010 School Crimes Study. The unit also released a report on crime trends for the last ten years.

The unit continued to support the development, installation and training for the software deployment of the web-based RMS known as the Tennessee Crime Online Portal (TnCOP) which replaced the desktop version of the free TIBRS software developed by TBI staff years ago. The unit provided training to agencies in the use of the software as well as the query portion of the Consolidated Records Management System (CRMS). Both of these products are part of the Tennessee Fusion System being implemented by TBI and the Tennessee Department of Homeland Security.

The TNCrimeonline system continued to be utilized by a wide range of users. Requests were submitted for enhancements to the system that will be completed in September.

The TBI conducted 195 audits of local law enforcement agencies' TIBRS data. The unit is on schedule to audit all agencies, colleges and universities for the three-year cycle which will end December 2011.

A total of 1,530 persons attended 53 TIBRS classes during the fiscal year. The annual TIBRS conference occurred during August with almost 300 personnel in attendance. The TBI continues to provide training on general data collection practices and use of the TnCOP software.

The unit submitted data to the FBI’s Law Enforcement National Data Exchange (N-DEx) program and should begin submitting new data on a weekly basis. The unit also facilitated instruction provided by the FBI on the N-DEx system for law enforcement personnel.

The unit handled several data requests including providing information from the Tennessee Criminal History Repository (TCHR) to research groups.

The TBI received the results from the last audit conducted by the FBI on the TIBRS program. All aspects of the program were found in compliance and no recommendations were made.

**LAW ENFORCEMENT SUPPORT SERVICES**

The Information Systems Division is responsible for providing criminal justice and law enforcement agencies within the State of Tennessee access to the Tennessee Criminal History Repository and the FBI’s National Crime Information Center (NCIC). This is communicated using the Tennessee Information Enforcement System (TIES) network. Interstate access at the local, state and federal level is communicated using the International Justice and Public Safety Network (Nlets).

Information Systems Division personnel provide the administrative, managerial, and technical liaison service for over 350 agencies that comprise the TIES network. Currently, over 12,000 terminals, mobile units, and hand-held devices in the state access the TIES network. This unit is responsible for conducting triennial compliance audits and quality assurance checks of crime record data as required by applicable laws, rules, regulations and policies. During Fiscal Year 2010–2011, in accordance with the FBI Criminal Justice Information System (CJIS) Division mandates, 55 compliance audits were completed. Training classes were conducted as detailed in the chart below.

<b>Training Attendance and Certification Fiscal Year 2010-2011</b>	
Basic Certification .....	409
TLETA Recruit Training .....	216
In-Service Training .....	55
Terminal Agency Coordinator (TAC) Orientation.....	108
TAC Recertification Classes.....	373
TIES User Group Conferences .....	744
TIES Testing .....	5004
New Agency Meeting.....	8
Miscellaneous Training.....	166
<b>Total .....</b>	<b>7,083</b>



The TIES Network Operations Center is a part of the Information Systems Division. Seven employees work 12 ½ -hour shifts to monitor performance of the TIES network. These individuals provide technical support for local, state and federal agencies for connectivity via the state WAN backbone. They access NCIC, Nlets and the various Tennessee databases via the TIES. These personnel provide system maintenance and backup functions of all computer information systems housed at the Tennessee Crime Information Center (TCIC). The employees also assume the emergency communications responsibilities within the TBI after hours and on weekends.

## Glossary of Acronyms

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ACIST	Automated Criminal Intelligence System of Tennessee
ADA	Americans with Disabilities Act
AFIS	Automated Fingerprint Identification System
AIMS	Automated Information Management System
APU	Applicant Processing Unit
ASAC	Assistant Special Agent in Charge
ASCLD	American Society of Crime Laboratory Directories
CALEA	Commission on Accreditation for Law Enforcement Agencies, Inc.
CCH	Tennessee Criminal History File
CID	Criminal Investigation Division
CIU	Criminal Intelligence Unit
CJIS	Criminal Justice Information System
CRU	Criminal Records Unit
CSU	Crime Statistics Unit
DEA	Drug Enforcement Administration
DID	Drug Investigation Division
DUI	Driving Under the Influence
EEO	Equal Employment Opportunity
EPIC	El Paso Intelligence Center
FBI	Federal Bureau of Investigation
FinCEN	Financial Crimes Enforcement Network
FLIR	Forward Looking Infrared System
GTFME	Governor's Task Force on Marijuana Eradication
HCFA	Health Care Finance Administration
HIDTA	High Intensity Drug Trafficking Area
IASIU	Internal Association of Special Investigation Units
INTERPOL	International Criminal Police Organization
LAN	Local Area Network
LEIC	Law Enforcement Information Coordinator
LESU	Law Enforcement Support Unit
LIMS	Laboratory Information Management System
MFCU	Medicaid Fraud Control Unit
NAMFCU	National Association of Medicaid Fraud Control Units
NCAVC	National Center for the Analysis of Violent Crimes
NCIC	National Crime Information Center
N-DEX	Law Enforcement National Data Exchange
NHCAA	National Health Care Anti-Fraud Association
NIBRS	National Incident Based Reporting System
NICS	National Instant Check System
NLETS	National Law Enforcement Telecommunications Systems
OIR	Office of Information Resources
ONDCP	Office of National Drug Control Policy
POC	Point of Contact
POS	Point of Sale

RISS ..... Regional Information Sharing System  
 ROCIC ..... Regional Organized Crime Information Center  
 RPU ..... Records Processing Unit  
 SAC ..... Special Agent in Charge  
 STOP ..... Tennessee Orders of Protection File  
 TABC ..... Tennessee Alcoholic Beverage Commission  
 TAPS ..... Tennessee Applicant Processing Services  
 TBCI ..... Tennessee Bureau of Criminal Identification  
 TBI ..... Tennessee Bureau of Investigation  
 TCA ..... Tennessee Code Annotated  
 TCIC ..... Tennessee Crime Information Center  
 TCIS ..... Tennessee Crime Information System  
 THP ..... Tennessee Highway Patrol  
 THUMP ..... Tennessee Homicide, Unidentified Bodies and Missing Persons File  
 TIBRS ..... Tennessee Incident Based Reporting System  
 TICS ..... Tennessee Instant Check System  
 TIES ..... Tennessee Information Enforcement System  
 TnCOP ..... Tennessee Crime Online Portal  
 TNG ..... Tennessee National Guard  
 TORIS ..... Tennessee Open Records Information Services  
 TRAP ..... Tennessee Repository for the Apprehension of Persons  
 UCR ..... Uniform Crime Reporting  
 VICAP ..... Violent Criminal Apprehension Program



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