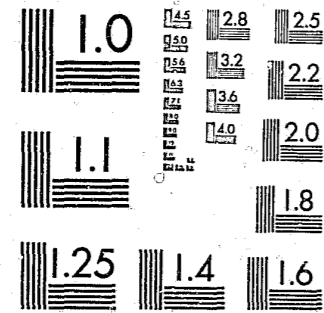


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A PERFORMANCE EVALUATION OF THE MISSISSIPPI BUREAU OF NARCOTICS

January 28, 1982

U.S. Department of Justice
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Joint Committee on Performance Evaluation and Expenditure Review

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At its meeting on January 28, 1982, the PEER Committee authorized release of its report entitled A Performance Evaluation of the Mississippi Bureau of Narcotics.

Charles Ray Nix
Senator Charles Ray Nix, Chairman

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JOINT LEGISLATIVE COMMITTEE
ON PERFORMANCE EVALUATION
AND EXPENDITURE REVIEW

A PERFORMANCE EVALUATION OF THE MISSISSIPPI BUREAU OF NARCOTICS

EXECUTIVE SUMMARY

The Mississippi Bureau of Narcotics (MBN) is the state-level agency charged with the responsibility of enforcing laws pertaining to illicit street traffic of drugs and narcotics. Although relatively small (eighty-two personnel, including fifty agents), MBN has demonstrated the capability of executing its drug law enforcement functions.

Drug law enforcement is an exacting task. The widespread use of drugs and narcotics coupled with the profitability of trafficking makes drug law enforcement an immense and difficult challenge. This report details PEER's evaluation of MBN's efforts at fulfilling its drug enforcement duties.

The major findings and recommendations of this performance evaluation are presented on the following pages.

Major Findings

1. The Mississippi Bureau of Narcotics (MBN) was created in 1971 by SB 1957 for the purpose of enforcing the provisions of the Uniform Controlled Substances Law of 1971 pertaining to illicit street traffic of narcotics or other illicit traffic of drugs. It was

initially called the Bureau of Drug Enforcement and was under the supervision of the State Board of Health. The name was changed to MBN in 1972. (See page 2.)

2. Although SB 1609 of the 1972 Session placed MBN under the supervision of the Department of Public Safety, over the years through custom, practice, and operation of law, MBN has in fact operated as an independent and autonomous state agency. The Director is appointed by the Governor, and the agency has a separate appropriation. The agency's independent status was confirmed in a federal district court opinion in 1976. (See pages 2 and 3.)
3. MBN's FY 1983 budget request for thirty-two additional agents should be closely reviewed by the appropriate legislative committees. The agency presently has a greater proportion of agents per 100,000 population than the neighboring states of Alabama, Arkansas, Louisiana, and Tennessee. In addition, it has access to three other sources for personnel: Highway Patrol (authorized in 1972 by SB 1609); agencies of other states and the federal government (authorized in 1972 by SB 1609); and special contract agents or investigators (authorized in 1974 by HB 1206). (See pages 9 and 10.)
4. MBN does not have an adequate career progression program for its agents. This is due directly to its small size (fifty agents) and organizational structure (two field supervisory levels - district and area). (See pages 11 and 12.)
5. MBN's retirement system is inferior to that of the Highway Safety Patrol although narcotic agents perform law enforcement duties which more than satisfy the test for early retirement as presently

applied to the Mississippi Highway Safety Patrol. The need for early retirement of narcotic agents is recognized and in effect in all neighboring states. In those states both narcotic agents and highway patrolmen are covered by a similar early retirement plan. (See pages 12 and 13.)

6. The Director of MBN may pay such amounts he deems necessary from appropriated funds to purchase information and evidence (PI/PE) concerning violations of the Uniform Controlled Substances Law. MBN has spent confidential funds each year varying from \$21,500 in FY 1972 to \$247,000 in FY 1979. During the latter year, MBN paid between \$80,000 and \$100,000 to informants for operating businesses in three locations as fronts to secure information and evidence. The payments included purchases of equipment, personal loans of informants, relocation costs, rental, repairs, and utility expenses. MBN has more agents and PI/PE funds than similar agencies in neighboring states. Controls over PI/PE funds were lax at times during the prior MBN administration, but they have been adequately strengthened by the current Director of MBN. (See pages 16, 30, 31, 32, and 35.)
7. MBN received special funds during FY 1980, FY 1981, and FY 1982. The budget requests for those years contained no reference to special funds. Therefore, the Legislature did not consider special funds in appropriation bills for MBN. Expenditures of special funds have been approved through budget escalations by the Commission of Budget and Accounting. The largest amount of special funds received (\$74,000) related to federal grants to reimburse MBN for losses and damages sustained during the Easter Flood of 1979.

MBN spent about \$120,000 (\$68,500 from general funds and \$51,500 from special funds) for new equipment. That amount included payments for the purchase of seven vehicles to replace seven older flooded cars which MBN had stored for disposition. Efforts to move some of the cars were unsuccessful. (See pages 20-23.)

8. MBN also receives court-ordered payments as restitution, and from seized personal funds and fines. Most of these payments have gone into the special fund account of MBN. Other payments are deposited to the general fund account. The statute only requires that confidential funds paid to purchase controlled substances and subsequently recovered be returned to the general fund. (See pages 20-23 and 29.)
9. The planning and coordination of enforcement operations and exchange of intelligence information between MBN and DPS need improvement. (See pages 41 and 42.)
10. MBN's effectiveness in enforcing drug laws cannot accurately be determined. Although the Bureau has looked at arrests, convictions, and seizures as indicators of progress and results, these statistics are deceptive and are not necessarily true measures of effectiveness. (See pages 42-47.)
11. MBN has demonstrated the capability of executing its statutory duties and functions. However, an analysis indicates three feasible organizational alternatives are available: retain the current system; institute administrative changes to the present system; or reorganize. There would be no increase or decrease in operational costs under alternative one. Operational costs would increase an estimated \$155,500 under alternative two. However, under a re-

organization or alternative three there would be a projected additional cost of \$199,700 during the first year if thirteen MBN civilian positions are eliminated and if additions are made to Highway Patrol substations to house MBN personnel; an estimated savings of \$200,300 would occur in the second year. If fewer civilian positions are eliminated, it would take four or five years before there would be a real savings. But if no positions are eliminated, it would increase the cost of operations for all years. (See pages 57-62.)

12. Consolidation of MBN with DPS would present real and serious problems which may very well negate anticipated results. Chief among these problems are difference in rank structure and compensation plans, a dissimilar retirement system, a fear of loss of identity by MBN, a need for specialized training and skills of narcotic agents, and MBN opposition. (See pages 62-63.)

Major Recommendations

1. The Legislature should consider the three available organizational alternatives so that the relationship between MBN and DPS would be clarified to preclude potential misunderstandings in the future.
2. The Legislature should address the need for early retirement for narcotic agents and consider placing the agents under the Mississippi Highway Safety Patrol's retirement system.
3. MBN's FY 1983 budget request for thirty-two additional agents should be closely reviewed by the appropriate legislative committees. The agency currently employs more agents per 100,000 population than its neighboring states and has statutory access to

three other personnel sources to supplement its authorized strength.

4. MBN should reflect in its budget request each year the estimated amounts and sources of special funds, so that the Legislature will have the information available for consideration in appropriation bills.
5. MBN should secure an opinion from the Attorney General concerning the deposit of fines, restitution payments, and seized personal funds which the courts order paid over to MBN. The Code currently requires MBN to deposit seized official state funds to the general fund, but it contains no reference to disposition of fines, restitution payments, and seized personal funds ordered paid over to MBN.
6. MBN and DPS should effect closer coordination and planning of enforcement activities, where applicable, and institute measures to insure exchange of criminal intelligence information.
7. MBN should develop better criteria for determining enforcement effectiveness.

* * * * *

For More Information or Clarification Contact:

Senator Charles Ray Nix, Chairman
PEER Committee

INTRODUCTION

Purpose and Authority for the Evaluation

This performance evaluation of the Mississippi Bureau of Narcotics (MBN) was conducted in accordance with Mississippi Code of 1972, Annotated, section 5-3-51. The PEER Committee formally authorized the evaluation during its regular monthly meeting on April 2, 1981.

Objectives of the Evaluation

The primary goal of this evaluation was to assess the quality, efficiency, and effectiveness of services delivered by the Mississippi Bureau of Narcotics to citizens of this state. The information in this report is designed to aid the Legislature in its review of the Bureau.

The primary objectives of this evaluation were as follows:

1. To determine whether the organizational structure and management of the agency permit it to execute its drug law enforcement functions as efficiently and effectively as possible
2. To determine the efficiency and effectiveness of the Bureau in enforcing the provisions of the Uniform Controlled Substances Law pertaining to illicit narcotics and drug traffic
3. To review the Bureau's use of special funds for the purchase of evidence and information
4. To compare its operations with similar agencies in neighboring states and see how it cooperates with federal agencies and MHSP

Scope and Methodology

The review of operations and activities of the Mississippi Bureau of Narcotics focused on FY 1978 through FY 1981, although some data

refer to earlier periods, and some operations are followed through budget hearings for FY 1983. The evaluation includes:

1. Review of applicable legislation and court cases, and national reports relating to drug enforcement and drug use
2. Detailed examination and analysis of Bureau files, records, and documents, including a detailed review of confidential funds covering the period of FY 1972 through FY 1982
3. Interviews with drug enforcement personnel in other applicable state and federal agencies
4. Interviews with present and former agents of MBN, and selected personnel in applicable state agencies
5. Field visits with Bureau agents throughout the state and observation of a "buy" operation and a "raid"
6. Review of records of the Department of Audit, Department of Public Accounts, and Commission of Budget and Accounting

Historical Development

The Mississippi Bureau of Drug Enforcement (forerunner of the Mississippi Bureau of Narcotics) was created by legislative enactment in 1971 (SB 1957). Initially, the agency was placed under the supervision and control of the Mississippi State Board of Health.

The Bureau of Drug Enforcement was charged with enforcing the provisions of the Uniform Controlled Substances Law of 1971 pertaining to illicit street traffic of narcotics or other illicit traffic of drugs. The authority for regulation of legitimate traffic was the province of the State Board of Pharmacy (SBP) and the State Board of Health (SBH). The Director was appointed by the Governor with the advice and consent of the Senate. The Director had authority to employ twenty-four agents.

The Bureau of Drug Enforcement underwent a major change in 1972, one year after its creation. Senate Bill 1609 of the 1972 Legislative Session -

1. changed the name of the agency to the Mississippi Bureau of Narcotics;
2. transferred the agency to the Department of Public Safety;
3. increased the number of authorized agents from twenty-four to fifty;
4. clarified the duties and powers of the Director;
5. provided the agents with full police powers;
6. authorized payments to confidential informers;
7. authorized that vehicles could be used for undercover purposes;
8. gave the new agency virtually autonomous and independent status by -
 - a. authorizing it a separate appropriation from the Department of Public Safety;
 - b. designating that the Bureau's Director be appointed by the Governor with the advice and consent of the Senate;
 - c. delegating to the Director authority to hire and dismiss agency personnel; and
9. authorized temporary transfer of highway patrolmen to MBN for use as agents.

Other significant changes affecting MBN occurred in 1974 and 1976. In 1974 HB 1206 was passed; this bill increased the flexibility of MBN's Director in terms of personnel hired by providing authority to hire special contract agents up to a period not to exceed one year. In a 1976 federal district court case involving the Department of Public Safety and the Mississippi Highway Patrol, a federal judge held that "although the Bureau [MBN] is attached to the DPS, it is an independent agency of the state; and the Commissioner of Public Safety has no authority over it..." (See Morrow v. Dillard, Civil Action No. 4716-N [SD Miss., April 1, 1976, Post-Remand Memorandum Opinion].)

ORGANIZATION AND MANAGEMENT

Responsibility and Lines of Authority

The Mississippi Bureau of Narcotics is charged with the primary responsibility of enforcing the provisions of the Uniform Controlled Substances Law, as Amended, pertaining to illicit street traffic or other illicit traffic of drugs. Mississippi Code of 1972, Annotated, section 41-29-159, delegates the responsibility of regulating and checking legitimate drug traffic in the state by pharmacies, hospitals, nursing homes, drug manufacturers, and practitioners to the State Board of Pharmacy and the State Board of Medical Licensure.

In practice, MBN is a separate agency. Notwithstanding the fact that Chapter 520 (SB 1609) of the General Laws of 1972 transferred the agency from the State Board of Health and placed it under the supervision of the Department of Public Safety, MBN has been treated as a separate entity over the years, and the Commissioner of Public Safety has exercised no authority over the agency. The independent status of the agency was confirmed in a 1976 federal district court opinion.

The language of the law contributes to the unique character of the agency by providing the wherewithal for autonomy. Senate Bill 1609 makes the Director a gubernatorial appointee (with the advice and consent of the Senate), provides the Director with hiring and dismissal authority over agency employees, and gives the Bureau a separate appropriation.

Administration and Control

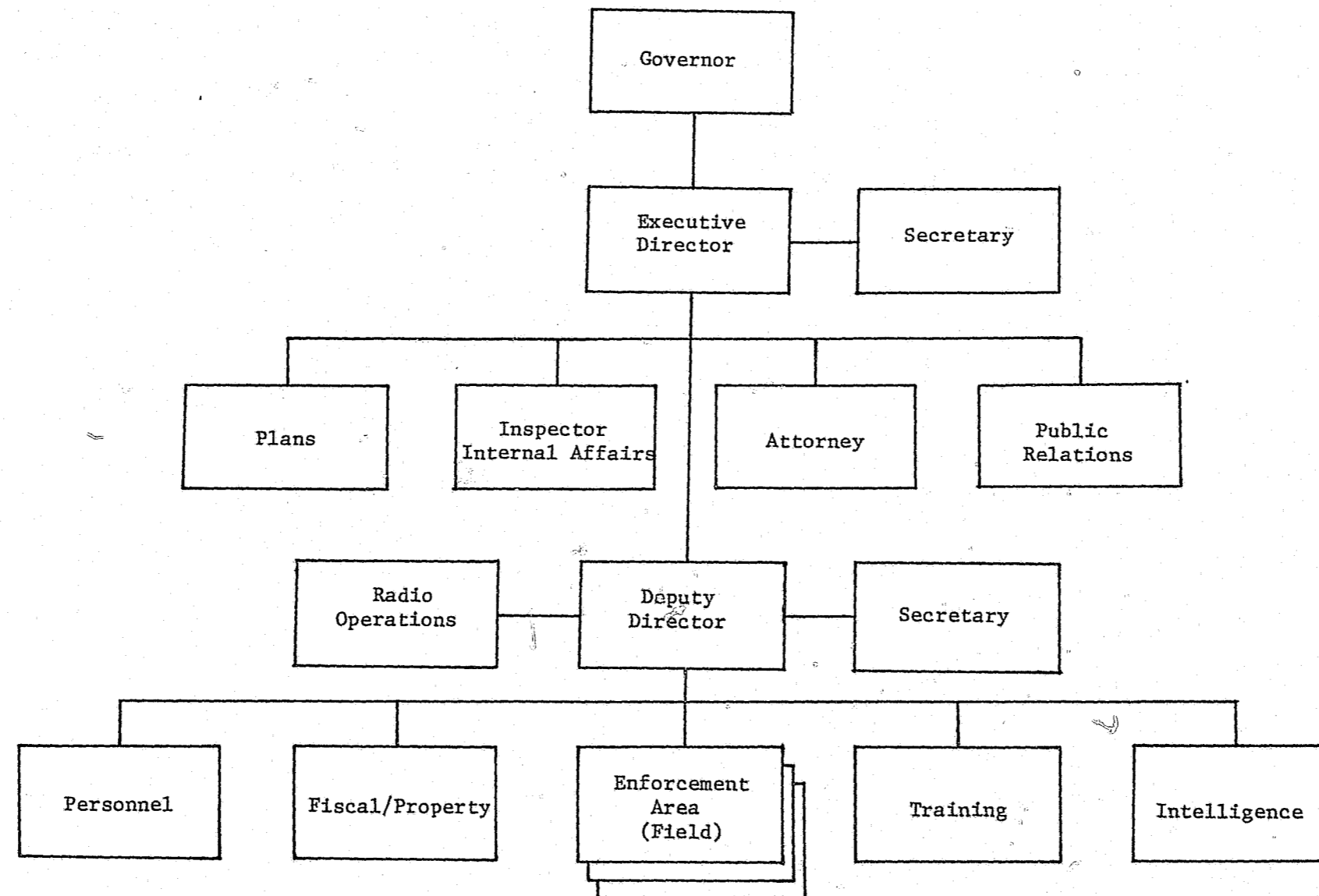
The basic organization of MBN for administration and control is reflected in Exhibit 1 on page 6. The agency is administered and controlled through a line and staff type organization. The three enforcement areas embrace the operational arm of the agency; they constitute areas of responsibility and are organized on a geographical basis with designations of Areas I, II, and III consisting of thirty-four, twenty-four, and twenty-four counties, respectively. (See Exhibit 2 on page 7.) Enforcement areas are commanded by an agent-in-charge with the grade of captain; areas consist of three to four districts. Each district, the action level of the agency, is supervised by an agent-in-charge with the grade of lieutenant and consists of two to nine counties. (See Exhibits 2 and 3 on pages 7 and 8.)

Enforcement operations are supervised by the Deputy Director of MBN. Agents, with certain exceptions, are assigned to enforcement duties in one of three enforcement areas based on such factors as degree of trafficking, need, suitability, agent strength level, and availability.

MBN policies and procedures are contained in a manual developed by the first Director and updated by the present Director. Detailed in nature, the manual is well-written and contains guidance that is both thorough and clear. It provides implementing instructions on every aspect of agency operations including administration, funds, equipment, enforcement, reports, and filing. MBN's policy and procedure manual easily facilitates administration and control and is one of the better ones observed by PEER.

EXHIBIT 1

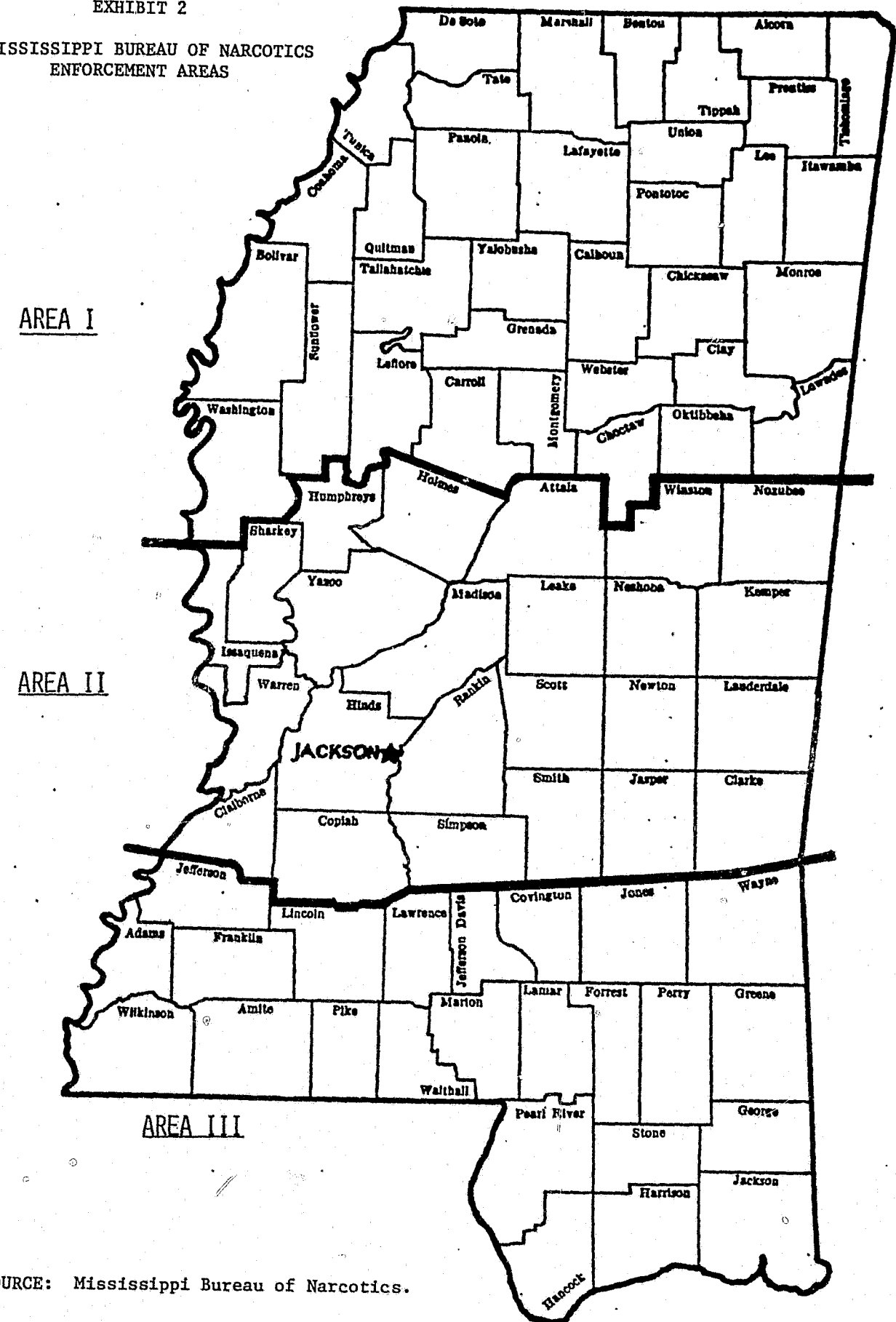
MISSISSIPPI BUREAU OF NARCOTICS ORGANIZATIONAL CHART



-9-

SOURCE: Mississippi Bureau of Narcotics.

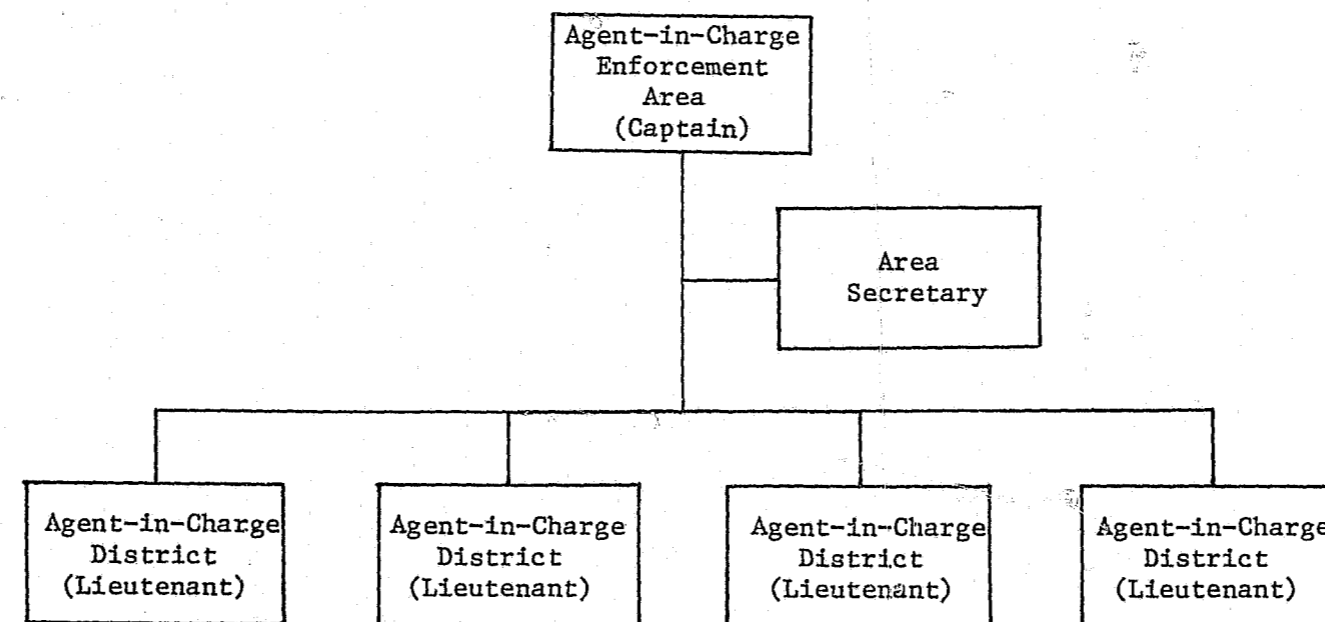
EXHIBIT 2
MISSISSIPPI BUREAU OF NARCOTICS
ENFORCEMENT AREAS



SOURCE: Mississippi Bureau of Narcotics.

EXHIBIT 3

TYPICAL FIELD ORGANIZATION OF THE MISSISSIPPI BUREAU OF NARCOTICS



SOURCE: Mississippi Bureau of Narcotics.

Personnel Administration

The Mississippi Bureau of Narcotics is currently authorized eighty-two personnel to execute its statutory duties and functions. The personnel strength level includes fifty agents which is the ceiling established by law. In terms of number of sworn enforcement personnel, or agents, MBN compares very favorably with counterpart agencies in neighboring southeastern states as reflected in Exhibit 4 below.

EXHIBIT 4

AN ANALYSIS OF AUTHORIZED NARCOTIC AGENT STRENGTH LEVELS
IN SELECTED SOUTHEASTERN STATES

| <u>State</u> | <u>Agents Authorized</u> | <u>Population</u> | <u>Number of Agents per 100,000 Population</u> |
|--------------|------------------------------|-------------------|--|
| Alabama | 29 | 3,813,775 | .8 |
| Arkansas | 30 | 2,234,011 | 1.3 |
| Louisiana | 45 | 4,107,796 | 1.1 |
| MISSISSIPPI | 50 | 2,455,073 | 2.0 |
| Tennessee | 12 | 4,478,766 | .3 |

SOURCE: Mississippi Code of 1972, Annotated, Section 41-29-107; Alabama Department of Public Safety; Arkansas State Police; Louisiana State Police; Tennessee Bureau of Investigation; U. S. Department of Commerce, Bureau of the Census, 1980 Census of Population.

Other Sources of Personnel

In addition to normal agent staffing authorized by statute, MBN has access to three other viable sources for enforcement personnel:

1. Mississippi Highway Safety Patrol. Authorized by Senate Bill 1609 of the 1972 Legislative Session (Code section 41-29-107), the Commissioner of Public Safety may assign members of the Patrol to MBN at the request of the MBN Director. Patrol personnel so assigned retain seniority and retirement benefits with the Patrol. The Director of MBN exercises exclusive control over patrolmen in such cases and has final approval on

transfers. The law places no restrictions on the number of personnel that may be temporarily assigned, duration, or type of service. This source was used extensively by MBN in previous years; however, the practice was dispensed with in early 1980. Assignment of patrolmen in the past was marked by periods of reduced morale resulting from friction caused by professional jealousy, political intervention on behalf of some patrolmen, and a dissimilar retirement system. MBN used Patrol personnel to fill agency slots; however, the Personnel Board stated the patrolmen could have been detailed to MBN for short periods of time without filling agent slots.

2. Agreements with agencies of other jurisdictions. The Director of MBN is authorized by the same legislation, cited in subparagraph one above, to enter into agreements with counterpart agencies of other states or of the United States for the exchange or temporary assignment of agents for special undercover assignments and for performance of specific duties. There is no restriction on the number of personnel. This source has been and is used on a limited basis.
3. Special contract agents or investigators. Chapter 414 of the General Laws of 1974 (HB 1206), Code section 41-29-112, grants the Director of MBN authority to retain on a contractual basis special contract agents or investigators to assist the agency in the drug enforcement effort for a duration of one year. Contracted personnel cannot be counted against the agency's authorized strength level since the law exempts them from being considered employees of MBN for any purpose. There is no restriction placed on the number of agents who may be contracted during any given year except for the availability of funds in the agency's budget. This source has been used sparingly since inception of the program averaging 2.6 full-time equivalent agents each year since 1974. MBN has no special agents or investigators on contract at this time.

Qualifications

The basic qualifications for an agent in MBN are as follows:

1. Age. An agent must be between twenty-one and thirty-six years of age at the time of appointment except for members of the Highway Safety Patrol who are assigned to MBN.
2. Education. A minimum of two years of college studies is required. One year of the educational requirement may be waived with two years of satisfactory service as a law enforcement officer and completion of a prescribed course of study of a school operated by the U. S. Department of Justice. Both years may be waived with four years of satisfactory service as a law enforcement officer and completion of the aforementioned school.

Although Mississippi's basic educational requirement for a narcotic agent is two years of college studies, MBN attempts to raise the educational standard by hiring college graduates. Presently, 75 percent of the narcotic agents hold a bachelor's (B.S., B.A., etc.) degree.

MBN's minimum educational requirement exceeds that of the neighboring states of Alabama, Arkansas, and Louisiana which require only a high school education. Tennessee exceeds all with its requirement of a bachelor's degree for narcotic agents in the Tennessee Bureau of Investigation.

Selection and Promotion System

The selection and promotion process of narcotic agents in MBN is highly competitive but is generally held to be fair and valid. MBN uses the Assessment Center (AC) concept as developed by the International Association of Chiefs of Police (IACP) for selection of personnel for promotion. The system was adopted in 1976 and has proved to be very successful.

Retention/Career Progression

MBN's relatively small size (eighty-two personnel, fifty agents), unique mission (drug enforcement), and independent status do not facilitate sufficient opportunities for career progression and retention given its present organizational structure. At the operational level, or enforcement area, there are forty-seven agent spaces with fourteen considered supervisory positions (three captains and eleven lieutenants). The remaining three agent spaces are assigned to MBN headquarters (Deputy Director and two in intelligence).

Under the present promotion system, an agent may be eligible for the first supervisory position (lieutenant) in four to five years; only eleven such positions exist. Also, the promotional situation becomes more limited from lieutenant (district) to captain (area) since the field is narrowed from eleven to three agent spaces.

This factor has had a major influence on MBN's retention rate. The turnover rate has averaged 28 percent between FY 1977 and FY 1980; this represents a high turnover rate considering the relatively small size of the agency. The rate declined to 16 percent for FY 1981 which is due largely to personnel changes instituted by the current Director. Nevertheless, due to the structure of the organization, it will continue to be difficult to retain agents because of the limited number of positions for career progression. Positions are available at the staff level (i.e., training, personnel, public relations, fiscal, and property), but they are non-sworn positions and at a lower pay level than the agent slots at the area level. Agents would be reluctant to accept a staff position at reduced compensation. The problem of career progression in the neighboring states of Alabama, Arkansas, Louisiana, and Tennessee is virtually nonexistent since agents may transfer with ease into other positions in a consolidated organization.

Retirement System

Narcotic agents of MBN, unlike personnel in counterpart agencies in the neighboring states of Alabama, Arkansas, Louisiana, and Tennessee, do not enjoy an early retirement system. Although law enforcement personnel with full police powers, agents of MBN are covered under the

Public Employee's Retirement System of Mississippi as any regular employee of the state. This contrasts sharply with the retirement plan provided for uniformed patrolmen of the Highway Patrol who are covered by a separate retirement system that not only allows early retirement at age forty-five, but also provides more generous and greater benefits. The Patrol's early retirement system also applies to patrolmen of the Driver License Division. On the other hand, both narcotic agents and highway patrolmen in Alabama, Arkansas, Louisiana, and Tennessee are covered by the same early retirement system. Those states recognize the similarities in stress and hazardous duty experienced by personnel serving in the two organizations.

The test as to whether or not MBN agents should have early retirement, as explained by the Executive Secretary of the Mississippi Public Employees' Retirement System (PERS), is not so much the hazardous duty performed but rather whether the individual can still perform required tasks at the regular state retirement age, which would be at age fifty-one (if the agent was twenty-one years old when employed as an agent by MBN) and after thirty years service as a narcotic agent. The required duties of MBN agents represent clear and convincing evidence that an agent is not capable of performing the duties at age fifty-one just as the highway patrolman is not. This premise is recognized in our neighboring states.

The retirement issue is a serious matter and one of utmost concern to MBN as it is a material factor in the agency's ability to recruit and retain qualified narcotic agents. The matter is also one of grave importance due to its adverse impact on agency morale. Therefore, the early retirement issue is a matter that merits prompt legislative atten-

tion. The type of duty required of MBN agents clearly warrants consideration of placing them under the Mississippi Highway Safety Patrol retirement system.

REVENUES AND EXPENDITURES

Statutory Provisions

Separate Appropriation

Mississippi Code section 41-29-107 provides that "there is hereby created a bureau of narcotics within, and under the supervision of the Mississippi Department of Public Safety..." That section further provides that "...the said bureau shall have as chief administrative officer a director who shall be appointed by the governor with the advice and consent of the Senate..." The Director has authority to employ and dismiss employees of the Bureau.

MBN receives a separate appropriation as a result of section 1(b), Chapter 520, General Laws of 1972 (Senate Bill 1609), which provides that -

...all personnel, records, property, equipment and all funds allocated the Bureau of Drug Enforcement [State Board of Health] are hereby transferred to and placed under the supervision of the Bureau of Narcotics of the Department of Public Safety. Any funds transferred by this section and any funds appropriated to the Bureau of Narcotics shall be maintained in an account separate from any funds of the Department of Public Safety or of funds to be appropriated for said department or any division or Bureau of said department and shall never be commingled with any funds of said department. [Emphasis added.]

Payments to Others

Informers

Mississippi Code section 41-29-160 contains provisions concerning payments to informers. It authorizes the Director to pay any person

such sums of money he deems appropriate from funds appropriated to MBN for information and evidence concerning violations of the Uniform Controlled Substances Law of 1971. Additional information concerning payments to informers appears on pages 28-38.

Special Contract Agents

Mississippi Code section 41-29-112 authorizes the Director "...to retain on a contractual basis such persons as he shall deem necessary to detect and apprehend violators of the criminal statutes pertaining to the possession, sale, or use of narcotics or other dangerous drugs." This section provides that special contract agents will -

1. provide support to local law enforcement efforts;
2. have all powers necessary to fulfill their contractual obligations, including the power of arrest when authorized by the Director;
3. be at least eighteen years of age;
4. have a contract reduced to writing, terminable in one year from the date of signing, and approved as to form by the Attorney General; and
5. not be considered employees of MBN for any purpose.

MBN entered into contracts with thirty-one special contract agents from June 1, 1974 to October 20, 1981. Fifteen of those were under contract for six months or less. One was under contract for thirty-four months. Fifteen of them later became sworn agents of MBN, and one became a civilian employee of MBN. MBN has had the following number of special contract agents during a part of the fiscal years shown:

| <u>Fiscal Year</u> | <u>Number</u> |
|--------------------|---------------|
| 1974 | 7 |
| 1975 | 6 |
| 1976 | 3 |
| 1977 | 5 |
| 1978 | 9 |
| 1979 | 13 |
| 1980 | 2 |
| 1981 | 10 |
| 1982 | 2 |

Summary of Revenues and Expenditures

Fiscal Years 1979, 1980, and 1981

PEER analysts reviewed records of the State Department of Public Accounts to secure information relating to receipts and expenditures from general and special funds by MBN for the fiscal years ending June 30, 1979, 1980, and 1981. The information secured is summarized in Exhibits 5, 6, and 7 on pages 18-21 and was abstracted from the Annual State Financial Reports for the fiscal years ending June 30, 1979 and 1980, and from the Report of Revenues by Object and Report of Expenditures by Object for fiscal years ending June 30, 1979, 1980, and 1981.

EXHIBIT 5

MISSISSIPPI BUREAU OF NARCOTICS, SUMMARY OF APPROPRIATIONS AND GENERAL FUND RECEIPTS, EXPENDITURES, AND AMOUNTS LAPSED FOR FY 1979, FY 1980, AND FY 1981

| Item | Fiscal Year | | | Increase (Decrease) FY 1981 over FY 1980 | |
|---|-------------|-------------|-------------|---|----------|
| | 1979 | 1980 | 1981 | Amount | Percent |
| General Fund Appropriation ^a | \$2,525,781 | \$2,311,530 | \$2,457,208 | \$ 145,678 | 6.30 % |
| Receipts, Transfers, and Other | 460,699 | 273,236 | 847,280 | 574,044 | 210.09 |
| TOTAL FUNDS | \$2,986,480 | \$2,584,766 | \$3,304,488 | \$ 719,722 | 27.84 % |
| Less: Expenditures | 2,765,386 | 2,285,690 | 3,170,215 | 884,525 | 38.70 |
| AMOUNT LAPSED | \$ 221,094 | \$ 299,076 | \$ 134,273 | \$ (164,803) | (55.10)% |

SOURCE: Appropriation Bills, Mississippi Legislature; Department of Public Accounts.

^aSenate Bill 3016, 1978 Session, for FY 1979; Senate Bill 2950, 1979 Session, for FY 1980; Senate Bill 2516, 1980 Session for FY 1980 (additional appropriation of \$55,500 due to salary adjustments not adequately funded and increased cost of gasoline); and Senate Bill 2965, 1980 Session, for FY 1981.

EXHIBIT 6

MISSISSIPPI BUREAU OF NARCOTICS, GENERAL FUND RECEIPTS AND EXPENDITURES FOR FY 1979, FY 1980, AND FY 1981

| Item | Fiscal Year | | | Increase (Decrease) FY 1981 over FY 1980 | |
|--|-------------|------------|------------|---|----------|
| | 1979 | 1980 | 1981 | Amount | Percent |
| Receipts | | | | | |
| Overpayments Recovered | \$ 1,220 | \$ 2,771 | \$ 661 | \$ (2,110) | (76.15) |
| Advanced Travel Refunded | 5,017 | 5,006 | 3,511 | (1,495) | (29.86) |
| Other Refunds (Includes Restitution) | 7,457 | 3,664 | 12,741 | 9,077 | 247.73 |
| Travel Returned Other Than Advances | 50 | 275 | 1,442 | 1,167 | 424.36 |
| Sale of Supplies and Services | -0- | 536 | 1 | (535) | (99.81) |
| Sale of Personal Property | 22,704 | 8,920 | 13,205 | 4,285 | 48.04 |
| Donated Funds - Outside | 3 | -0- | -0- | -0- | -0- |
| Federally Reimbursed Expenses | -0- | -0- | 530 | 530 | 100.00 |
| Subtotal | \$ 36,451 | \$ 21,172 | \$ 32,091 | \$ 10,919 | 51.57 |
| Advanced Imprest Funds Returned ^a | 424,248 | 252,064 | 815,189 | 563,125 | 223.41 |
| TOTAL RECEIPTS - GENERAL FUND | \$ 460,699 | \$ 273,236 | \$ 847,280 | \$574,044 | 210.09 |

EXHIBIT 6 (Continued)

| Item | Fiscal Year | | | Increase (Decrease) FY 1981 over FY 1980 | |
|--|-------------|-------------|--------------------------|---|-----------|
| | 1979 | 1980 | 1981 | Amount | Percent |
| Expenditures | | | | | |
| Personal Services | | | | | |
| Salaries, Wages, and Fringe Benefits | \$1,187,982 | \$1,182,346 | \$1,373,439 ^b | \$191,093 | 16.16 % |
| Travel and Subsistence | 142,832 | 84,313 | 104,646 | 20,333 | 24.12 |
| Total Personal Services | \$1,330,814 | \$1,266,659 | \$1,478,085 | \$211,426 | 16.69 % |
| Contractual Services | | | | | |
| Commodities | \$ 589,986 | \$ 432,265 | \$ 579,789 | \$147,524 | 34.13 % |
| Capital Outlay | 178,261 | 188,465 | 202,942 | 14,477 | 7.68 |
| Other Than Equipment | 1,748 | 2,211 | 1,966 | (245) | (11.08) |
| Equipment | 239,081 | 142,017 | 91,749 | (50,268) | (35.40) |
| Total Capital Outlay | \$ 240,829 | \$ 144,228 | \$ 93,715 | \$(50,513) | (35.02)% |
| Subsidies, Loans, and Grants (Taxes) | | | | | |
| | \$ 1,248 | \$ 1,407 | \$ 495 | \$(912) | (64.82)% |
| Total Expenditures | \$2,341,138 | \$2,033,024 | \$2,355,026 | \$322,002 | 15.84 % |
| Inter-Departmental Transfers | -0- | 602 | -0- | (602) | (100.00) |
| Imprest Funds Advanced and Returned ^a | 424,248 | 252,064 | 815,189 | 563,125 | 223.41 |
| TOTAL EXPENDITURES - GENERAL FUND | \$2,765,386 | \$2,285,690 | \$3,170,215 | \$884,525 | 38.70 % |

SOURCE: Department of Public Accounts.

^aThese items offset each other.

^bA review of travel expenses for FY 1981 reflected total payments of \$8,904.65 which relate to the Director of MBN, as summarized below:

| | In-State | Out-of-State | Total |
|---------------------------------|------------|--------------|------------|
| Subsistence, Meals, and Lodging | \$1,101.86 | \$2,082.91 | \$3,184.77 |
| Mileage, Private Automobile | -0- | 794.60 | 794.60 |
| Rented Automobiles | -0- | 289.46 | 289.46 |
| Public Carrier | -0- | 4,218.01 | 4,218.01 |
| Other | 131.20 | 286.61 | 417.81 |
| TOTAL | \$1,233.06 | \$7,671.59 | \$8,904.65 |

The largest out-of-state expenditure was about \$1,500 (including mileage shown above) for attendance at a law enforcement management school at Babson Park, Massachusetts. Expenses for rental cars and public carriers pertained to the following: Atlanta, Georgia (three trips); Washington, D. C. (four trips); Nashville, Tennessee (one trip); Fort Lauderdale, Florida (two

EXHIBIT 6 (Continued)

trips); Tampa, Florida (one trip); Boston, Massachusetts (one trip); Arlington, Virginia (one trip); and New York, New York (one trip). On eight of the out-of-state trips, the Director charged investigative expenses of \$5 per day (total of \$115), but for those days he claimed meals of \$15 or less. MBN has a maximum meal allowance of \$15 per day for in-state travel. Meals for out-of-state travel may exceed \$15 per day provided receipts are submitted with the voucher. Travel orders attached to the expense vouchers show the trips were for meetings, conferences, and intelligence briefings on narcotics.

EXHIBIT 7

MISSISSIPPI BUREAU OF NARCOTICS, SPECIAL FUND RECEIPTS, EXPENDITURES, AND SUMMARY OF SPECIAL FUNDS FOR FY 1979, FY 1980, AND FY 1981

| Item | Fiscal Year | | | Increase (Decrease) FY 1981 over FY 1980 | |
|--|--------------|-----------------------------|-----------------------------|---|-------------------|
| | 1979 | 1980 | 1981 | Amount | Percent |
| <u>Receipts</u> | | | | | |
| Other Fines and Penalties (Seized Funds and Restitution) | \$-0- | \$ 2,331 | \$26,387 | \$ 24,056 | 1,032.00 % |
| Miscellaneous Federal Grants | -0- | 49,000 ^a | 25,000 ^a | (24,000) | (48.98) |
| Other Inter-Department Transfers | -0- | -0- | 7,625 ^b | 7,625 | 100.00 |
| TOTAL RECEIPTS - SPECIAL FUNDS | \$-0- | \$51,331^c | \$59,012^c | \$ 7,681 | 14.96 % |
| <u>Expenditures</u> | | | | | |
| Capital Outlay - Equipment | \$-0- | \$51,337 ^d | \$ -0- | \$(51,337) | (100.00)% |
| TOTAL EXPENDITURES - SPECIAL FUNDS | \$-0- | \$51,337 | \$ -0- | \$(51,337) | (100.00)% |
| <u>Summary</u> | | | | | |
| Beginning Cash Balance | \$622 | \$ 622 | \$ 674 | \$ 52 | 8.36 % |
| Receipts (See Above) | -0- | 51,331 | 59,012 | 7,681 | 14.96 |
| Warrants Cancelled | -0- | 58 | -0- | (58) | (100.00) |
| TOTAL FUNDS | \$622 | \$52,011 | \$59,686 | \$ 7,675 | 14.76 % |
| Less Expenditures (See Above) | -0- | 51,337 | -0- | (51,337) | (100.00) |
| ENDING CASH BALANCE | \$622 | \$ 674 | \$59,686 | \$ 59,012 | 8,755.49 % |

SOURCE: Department of Public Accounts; Commission of Budget and Accounting.

^aReimbursement for damages and losses which occurred as a result of the Easter Flood of 1979.

EXHIBIT 7 (Continued)

^bFirst advance on Action Grant - automated filing systems; funds transferred from Federal-State Programs, Criminal Justice Planning Division.

^cNot included in Budget Request to Budget Commission and not appropriated.

^dCommission of Budget and Accounting approved budget escalation of \$49,000 on January 24, 1980 and \$2,338 on July 10, 1980 (staff approval on June 30, 1980).

Fiscal Year 1982

Exhibit 8 below summarizes the amount appropriated by major object of expenditure for MBN for the fiscal year ending June 30, 1982. It also reflects the revised budget after the mandated budget reduction. Further, it shows the actual expenditures through October 30, 1981 (one-third of the fiscal year) based on records in the office of the State Department of Public Accounts.

EXHIBIT 8

MISSISSIPPI BUREAU OF NARCOTICS, ORIGINAL AND REVISED BUDGET FOR FISCAL YEAR 1982 AND ACTUAL EXPENDITURES FOR THE FIRST FOUR MONTHS

| Major Object | Fiscal Year 1982 | | | |
|--------------------------------------|--------------------|--------------------|--|-----------------------|
| | Budget | | Actual Expenditures to October 30, 1981 | Percent of Revised |
| | Original | Revised | | |
| <u>Expenditures</u> | | | | |
| Personal Services | | | | |
| Salaries, Wages, and Fringe Benefits | \$1,650,288 | \$1,650,288 | \$543,264 | 32.92% |
| Travel and Subsistence | 127,304 | 88,000 | 20,198 | 22.95 |
| Total Personal Services | \$1,777,592 | \$1,738,288 | \$563,462 | 32.41% |
| Contractual Services | \$ 600,592 | \$ 522,907 | \$169,630 ^a | 32.44% |
| Commodities | 255,005 | 219,700 | 77,688 | 35.36 |

EXHIBIT 8 (Continued)

| Major Object | Fiscal Year 1982 | | | |
|--|--------------------|--------------------------|--|-----------------------|
| | Budget | | Actual Expenditures to October 30, 1981 | Percent of Revised |
| | Original | Revised | | |
| Capital Outlay | | | | |
| Other Than Equipment | \$ 2,650 | \$ 1,324 | \$ 1,085 ^b | 81.95% |
| Equipment | 214,325 | 280,498 | 126,747 | 45.19 |
| Total Capital Outlay | \$ 216,975 | \$ 281,822 | \$127,832 | 45.36% |
| Subsidies, Loans, and Grants | \$ 5,358 | \$ -0- | \$ -0- | -0-% |
| TOTAL EXPENDITURES | \$2,855,522 | \$2,762,717 | \$938,612 | 33.97% |
| Revenues | | | | |
| General Fund (SB 3061) | \$2,855,522 | \$2,656,365 ^c | \$884,486 | 33.30% |
| Special Funds | | | | |
| LEA Juvenile Drug Education Grant | -0- | 50,179 ^d | -0- | -0- |
| LEA Computerized Filing System Grant | -0- | 30,500 ^e | -0- | -0- |
| Federal Disaster Assistance Administration Flood Fund | -0- | 25,673 ^f | -0- | -0- |
| Other Fines and Penalties (Seized Funds) | -0- | -0- | 54,126 ^g | -0- |
| Total Special Funds (Not Appropriated) | \$ -0- | \$ 106,352 ^h | \$ 54,126 | 50.89% |
| TOTAL FUNDING SUMMARY | \$2,855,522 | \$2,762,717 | \$938,612 | 33.97% |

SOURCE: Commission of Budget and Accounting; Department of Public Accounts; Appropriation Bills, Mississippi Legislature; Mississippi Bureau of Narcotics.

^aIncludes \$7 of special funds. On July 2, 1981 the Budget Commission approved a special fund escalation of \$40,179 for contractual services on the revised 1982 budget.

^bIncludes \$61,978 of special funds. On July 2, 1981 the Budget Commission approved a special fund escalation of \$66,173 for equipment on the revised 1982 budget.

| | |
|---------------------------------|--------------------|
| ^c 1982 Appropriation | \$2,855,522 |
| 1981 Appropriation | 2,457,208 |
| INCREASE | \$ 398,314 |
| 50 Percent of Increase | \$ 199,157 |
| 1981 Appropriation | 2,457,208 |
| REVISED 1982 BUDGET | \$2,656,365 |

^dNo funds received as of October 30, 1981. In FY 1982, MBN spent \$12,886 of general funds on this program for contractual services, commodities, and equipment.

EXHIBIT 8 (Continued)

^eTwenty-five percent of \$30,500, or \$7,625, received during FY 1981. See Exhibit 7 on page 20 which shows that receipt. MBN spent \$76,635 on this program during FY 1982, \$54,326 from special funds, and \$22,309 from general funds. MBN has requested reimbursement of \$22,875 (\$30,500 less \$7,625) from the Criminal Justice Planning Commission.

^fDuring FY 1981 \$25,000 was received. See Exhibit 7 on page 20 which shows that receipt. The balance of \$673 represents the ending cash balance of special funds at June 30, 1980 as shown on Exhibit 7 (balance rounded off to \$674). MBN has received \$74,000 in federal funds for losses and damages as a result of the 1979 Easter Flood. See Exhibit 7 on special fund receipts. The maximum approved reimbursement is \$98,995. MBN has spent \$119,860 as a result of flood damages, \$68,523 from general funds, and \$51,337 from special funds. See Exhibit 7 for these special fund payments. All but \$1,100 of the expenditures was for new equipment. This includes seven replacement automobiles (three from general funds) since eight 1976 Dodge, Ford, and Chevrolet automobiles were damaged during the flood. MBN officials advised that they had the cars in storage and planned on getting rid of them. They were unable to start some of them to drive them away from the flood area. The \$119,860 was paid by MBN during FY 1979 and FY 1980.

^gOther fines and penalties (seized funds) - special funds. Not included in budget request and not appropriated.

^hNot included in FY 1982 budget request, but is reflected in the FY 1983 budget request as it relates to FY 1982.

Fiscal Year 1983 Budget Request

Exhibit 9 below summarizes the budget request by MBN for the fiscal year ending June 30, 1983. It reflects major objects of expenditure and compares the amounts with the revised FY 1982 budget.

EXHIBIT 9

MISSISSIPPI BUREAU OF NARCOTICS, BUDGET REQUEST FOR FY 1983 AND COMPARISON WITH FY 1982 REVISED BUDGET

| Major Object | Fiscal Year | | Increase (Decrease) | |
|--------------------------------------|------------------------|------------------------|--------------------------------|---------|
| | 1982 Revised Budget | 1983 Budget Request | FY 1983 Over FY 1982 Amount | Percent |
| Expenditures | | | | |
| Personal Services | | | | |
| Salaries, Wages, and Fringe Benefits | \$1,650,288 | \$2,261,536 | \$ 611,248 | 37.04 % |
| Travel and Subsistence | 88,000 | 172,115 | 84,115 | 95.59 |
| Total Personal Services | \$1,738,288 | \$2,433,651 | \$ 695,363 | 40.00 % |

EXHIBIT 9 (Continued)

| Major Object | Fiscal Year | | Increase (Decrease) | |
|------------------------------|------------------------|------------------------|--------------------------------|----------------|
| | 1982 Revised Budget | 1983 Budget Request | FY 1983 Over FY 1982 Amount | Percent |
| Contractual Services | \$ 522,907 | \$ 748,898 | \$ 225,991 | 43.22 % |
| Commodities | 219,700 | 403,402 | 183,702 | 83.61 |
| Capital Outlay | | | | |
| Other Than Equipment | 1,324 | 3,180 | 1,856 | 140.18 |
| Equipment | 280,498 | 911,049 | 630,551 | 224.80 |
| Total Capital Outlay | \$ 281,822 | \$ 914,229 | \$ 632,407 | 224.40 % |
| Subsidies, Loans, and Grants | \$ -0- | \$ 7,584 | \$ 7,584 | 100.00 % |
| TOTAL EXPENDITURES | <u>\$2,762,717</u> | <u>\$4,507,764</u> | <u>\$1,745,047</u> | <u>63.16 %</u> |
| <u>Revenues</u> | | | | |
| General Fund | \$2,656,365 | \$4,507,764 | \$1,851,399 | 69.70 % |
| Special Fund | 106,352 | -0- | (106,352) | (100.00) |
| TOTAL FUNDS | <u>\$2,762,717</u> | <u>\$4,507,764</u> | <u>\$1,745,047</u> | <u>63.16 %</u> |

SOURCE: Commission of Budget and Accounting.

In the FY 1983 budget request, MBN requests 37 new positions which include 32 sworn agents. Currently, MBN has 82 full-time authorized positions which include 50 sworn agents. Thus, MBN is requesting 119 full-time positions which include 82 sworn agents. Mississippi Code section 41-29-107 provides that "the director [of MBN] is empowered to employ or appoint fifty (50) agents...." Therefore, the request for 32 additional sworn agents would require a change in the statute referred to previously.

The budget request also includes a request for 32 new vehicles for the sworn agents and radios, photographic equipment, weapons, and other equipment which each agent would need. Mississippi Code section 25-1-85 authorizes MBN to "purchase, own, and operate" 52 passenger automobiles.

The 1983 budget request of MBN shows it had 55 automobiles (includes seized vehicles forfeited to MBN), 1 station wagon, 4 trucks, and 9 other vehicles in inventory, for a total of 69 vehicles at July 1, 1981. Code section 25-1-85 would have to be changed to permit MBN to purchase, own, and operate more than 52 passenger automobiles.

As previously shown on page 24, the budget request for FY 1983 is \$1,745,047 more than the FY 1982 revised budget. That amount includes \$1,586,010 (90.89 percent of \$1,745,047) for expansion of existing programs (37 new positions) according to the 1983 budget request, and all of those expenditures would be paid from the general fund. Details of the expenditures for such expansion appear in Exhibit 10 below.

EXHIBIT 10

MISSISSIPPI BUREAU OF NARCOTICS, ESTIMATED COSTS FOR EXPANSION OF EXISTING PROGRAMS FOR FY 1983

| Major Object of Expenditure | Thirty-Two Agents | Four Clerk-Typists | One Analyst | Thirty-Seven Total |
|--------------------------------------|----------------------|-----------------------|-----------------|-----------------------|
| Personal Services | | | | |
| Salaries, Wages, and Fringe Benefits | \$ 525,144 | \$44,790 | \$14,681 | \$ 584,615 |
| Travel and Subsistence | 63,296 | -0- | -0- | 63,296 |
| Total Personal Services | \$ 588,440 | \$44,790 | \$14,681 | \$ 647,911 |
| Contractual Services | \$ 155,178 | \$ -0- | \$ -0- | \$ 155,178 |
| Commodities | 136,811 | -0- | -0- | 136,811 |
| Capital Outlay | | | | |
| Equipment | 604,872 | 37,740 | 1,140 | 643,752 |
| Subsidies, Loans, and Grants | 2,039 | 255 | 64 | 2,358 |
| TOTAL EXPENDITURES | <u>\$1,487,340</u> | <u>\$82,785</u> | <u>\$15,885</u> | <u>\$1,586,010</u> |

SOURCE: FY 1983 Budget Request, Commission of Budget and Accounting.

Exhibit 11 on page 26 presents a comparison of budget requests and appropriations of MBN for the four prior fiscal years.

EXHIBIT 11

MISSISSIPPI BUREAU OF NARCOTICS, COMPARISON OF BUDGET REQUESTS WITH APPROPRIATIONS FOR FY 1979, FY 1980, FY 1981, AND FY 1982

| Fiscal Year | Budget | | Excess Request over Appropriation | |
|-------------|------------------------|-------------|-----------------------------------|---------|
| | Appropriation | Request | Amount | Percent |
| 1979 | \$2,525,781 | \$4,399,333 | \$1,873,552 | 74.18% |
| 1980 | 2,311,530 | 4,246,306 | 1,934,776 | 83.70 |
| 1981 | 2,457,208 | 2,870,364 | 413,156 | 16.81 |
| 1982 | 2,762,717 ^a | 3,867,300 | 1,104,583 | 39.98 |

SOURCE: Commission of Budget and Accounting; Appropriation Bills, Mississippi Legislature.

| | |
|-----------------------------------|--------------------|
| ^a Revised 1982 Budget | \$2,656,365 |
| Federal Grants (Not Appropriated) | 106,352 |
| TOTAL REVISED 1982 BUDGET | \$2,762,717 |

The request represents a 45.59 percent increase over \$2,656,365, the revised 1982 Budget.

Audits

The State Department of Audit issued the following audit reports of MBN:

| <u>Fiscal Year Ended</u> | <u>Date of Report</u> |
|--------------------------|-----------------------|
| June 30, 1976 | November 17, 1980 |
| June 30, 1977 | November 20, 1980 |
| June 30, 1978 | November 21, 1980 |
| June 30, 1979 | November 21, 1980 |

The released audit reports contain no information about the special audits of confidential funds expended by MBN agents. Reference to the special audits is contained on pages 37 and 38 of this report. Some of the comments contained in each of the four audit reports follow:

1. Accounting transactions are not summarized monthly in a general ledger. The Auditor recommended that all asset, liability, fund balances, and revenue and expenditure accounts be included in a general ledger. The Auditor also recommended that a trial balance be prepared monthly to insure that the ledger is in balance.
2. In the audit of fixed assets, some purchases were incorrectly coded as fixed assets. There were instances of fixed asset purchases which were not being reported to the State Property Officer or which were being reported at an incorrect cost. The Auditor recommended that a copy of the invoices for capital outlay expenditures be forwarded to the property officer monthly so that additions to property could be reconciled with purchases of property. The Auditor also recommended that the balance sheet accounts for fixed assets then be adjusted from the monthly property reports.
3. The Auditor noted that prior year audit corrections given to the property officer of MBN had not been made. The Auditor recommended that all audit adjustments be made to the property reports immediately upon completion of an audit.
4. The Auditor noted that purchase orders were being issued after the invoice was received. The Auditor recommended that Mississippi Code section 7-7-23 be followed in regard to the issuance of purchase orders.

MBN officials advised that the comments may have applied several years ago, but they do not apply to their current operations. They state they are complying with the recommendations of the Auditor. However, they are unable to comply with item four on occasions due to emergency purchases by agents in the field.

Exhibit 6 on page 18 reflects MBN general fund receipts and expenditures for FY 1979 along with other fiscal years. Exhibit 12 on page 28 provides a comparison of expenditures reflected in the annual Report of Expenditures by Object for MBN for FY 1979, which is prepared by the Department of Public Accounts, with expenditures reflected in the Audit Report dated November 21, 1980 by the Department of Audit for the same fiscal year. The differences resulted from offsetting amounts reflected in the receipts section of Exhibit 6 and possibly from procedures fol-

lowed by MBN as reflected in the comments contained in the Audit Report.

EXHIBIT 12

MISSISSIPPI BUREAU OF NARCOTICS, COMPARISON OF REPORT OF EXPENDITURES BY OBJECT
WITH AUDIT REPORT FOR FY 1979

| Major Object | Fiscal Year 1979 | | |
|--------------------------------------|----------------------------------|--------------------|--------------------------------|
| | Report of Expenditures by Object | Audit Report | Difference Increase (Decrease) |
| Personal Services | | | |
| Salaries, Wages, and Fringe Benefits | \$1,187,982 | \$1,187,982 | \$ -0- |
| Travel and Subsistence | 142,832 | 13,162 | (5,670) |
| Total Personal Services | \$1,330,814 | \$1,325,144 | \$(5,670) |
| Contractual Services | \$ 589,986 | \$ 586,130 | \$(3,856) |
| Commodities | 178,261 | 181,122 | 2,861 |
| Capital Outlay | | | |
| Other Than Equipment | 1,748 | 1,748 | -0- |
| Equipment | 239,081 | 239,086 | 5 |
| Total Capital Outlay | \$ 240,829 | \$ 240,834 | \$ 5 |
| Subsidies, Loans, and Grants (Taxes) | \$ 1,248 | \$ 1,248 | \$ -0- |
| TOTAL EXPENDITURES | <u>\$2,341,138</u> | <u>\$2,334,478</u> | <u>\$(6,660)</u> |

SOURCE: Department of Public Accounts; Department of Audit.

Confidential Funds

Policies and Procedures

Mississippi Code section 41-29-160 contains the following relative to payments to informers and disposition of monies expended for purchase of controlled substances.

The director is authorized to pay any person such sum or sums of money as he may deem appropriate for information concerning a violation of this article from funds appropriated for the bureau of narcotics.

Moneys expended from the funds of the bureau for the purchase of controlled substances, and subsequently recovered shall be returned to the account from which they were originally drawn for such purpose. Detailed records and accounts of the use and disposition of such funds shall be kept by the director.

The Director of MBN has issued a general order to all MBN personnel which sets forth procedures to be followed in the handling of confidential funds. Each agent is required to sign a copy of the general order acknowledging that he has received, read, and understood it. MBN utilizes a form, Voucher for Purchase of Information and Purchase of Evidence, to support all expenditures of confidential funds.

When an agent has a need for funds to purchase information (PI) or purchase evidence (PE), the agent briefs his district commander. The district commander can approve expenditures up to \$250 for PI and \$500 for PE. For larger expenditures, it is necessary for the area commander to approve payments, and he is authorized to approve expenditures up to \$1,000 for PI and \$2,500 for PE. Larger amounts must be approved by the Deputy Director or Director of MBN.

Once approval is granted for the expenditure of PI/PE (confidential) funds, cash is given to the agent, and a receipt is prepared showing the transfer of funds. If the funds are not used within twenty-four hours, the agent is required to return the funds to his district commander, and that transfer is supported by a receipt. If the agent spends the funds, he must complete a voucher showing whether it was

for purchase of evidence or for payment to a cooperating individual (informant) for services rendered, for reward, for expenses, or for an intelligence probe.

Use of Funds

Agents may use the funds only for purchase of information or evidence. They are expressly prohibited from using confidential funds for personal use or for the purpose of paying expenses incurred during the course of official duties. An agent is required to have another agent, his supervisor, or some other officer witness his payment of confidential funds to an informant.

These provisions apparently have been complied with since January 25, 1980 when the current Director of MBN was appointed by the Governor. However, according to information received during the PEER review, prior to 1980 confidential funds -

1. in the amount of \$200 were paid on June 13, 1974 to the Duval County, Florida Sheriff for surplus property service charges to purchase a Cessna 305A airplane (amount later reimbursed to confidential funds);
2. totaling \$1,430 were stolen by robbers from four agents while they were performing their duties during FY 1975;
3. in the amount of \$500 were given to a news reporter who provided the money to an informant in December 1978 so MBN could raid a vessel and seize cocaine, later determined to be Epsom salt;
4. were commingled with personal funds and used for living expenses by some agents at times;
5. totaling from \$75,000 to \$90,000 were provided to two informants between July 1978 and July 1979 to front a pizza business in Southaven and Columbus; and
6. of \$5,520 were furnished to two informants on the Gulf Coast during FY 1979 as a front in a band business.

On each of the last two items the payments were made to set up front operations for the purpose of securing information and evidence relating to violations of the Uniform Controlled Substances Law.

Payments were made in 1978 and 1979 for the purchase of information and evidence and for purchase of equipment, rent, utilities, repairs, personal loans of informants, and relocation costs when the pizza operation was moved from Southaven to Columbus. A press release of MBN reflects that on January 24, 1979 officers of MBN, Mississippi Highway Patrol, DeSoto County Sheriff's office, and agents of the Memphis Metro Narcotics Unit conducted a drug raid in DeSoto County (as a result of information and evidence secured in the Southaven front operation). Also, an MBN press release discloses that on August 25, 1979 officers of MBN, Columbus Police Department, Lowndes County Sheriff's office, and Mississippi Highway Patrol began a drug round-up in the Columbus area (as a result of the front operation in Columbus). Results secured from the front operations appear in Exhibit 13 below.

EXHIBIT 13

MISSISSIPPI BUREAU OF NARCOTICS, RESULTS OF FRONT OPERATIONS IN SOUTHAVEN AND COLUMBUS

| <u>Item</u> | <u>Southaven</u> | <u>Columbus</u> |
|---|------------------------|-----------------------|
| Estimated Street Value of Illicit Drugs Purchased or Seized | \$206,625 ^a | \$40,000 ^b |
| Number of Indictments | 66 ^c | 53 ^c |
| Number of Violators | 34 | 28 |

SOURCE: Mississippi Bureau of Narcotics.

^aHighest valued drugs were cocaine, LSD, crystal methamphetamine, phenobarbital, PCP, and preludin.

^bHighest valued drugs were cocaine, LSD, chlordiazepoxide, and phentermine.

^cBased on information provided by MBN officials, convictions were received on nearly all indictments returned.

Expenditures on the Gulf Coast operation included payments for purchase of information and evidence, for the purchase of band equipment, and for utility bills of the informants. Most of the money was spent to purchase the band equipment. This operation was not successful based on the results obtained. Later, the informants left the area with the equipment.

Expenditures

Each year in its budget request, MBN requests confidential funds or "buy money." The amount is included as a part of Contractual Services under Professional Fees, Other (expense object number 165 or 169). Exhibit 14 below is a summary of amounts requested and spent by the MBN for confidential funds and total appropriations for Contractual Services.

EXHIBIT 14

MISSISSIPPI BUREAU OF NARCOTICS, SUMMARY OF CONFIDENTIAL FUNDS REQUESTED AND SPENT AND TOTAL AMOUNTS APPROPRIATED FOR CONTRACTUAL SERVICES

| Fiscal Year | Confidential Funds | | Appropriation for Contractual Services | Percent of Spent versus Appropriation |
|-------------|----------------------|-----------|--|---------------------------------------|
| | Requested | Spent | | |
| 1972 | \$ -0- | \$ 21,432 | \$ 72,757 | 29.46% |
| 1973 | 109,088 ^a | 95,116 | 219,285 | 43.38 |
| 1974 | 95,225 ^a | 76,461 | 249,723 | 30.62 |
| 1975 | 153,000 ^a | 153,148 | 601,150 | 25.48 |
| 1976 | 168,733 ^a | 168,733 | 631,640 | 26.71 |
| 1977 | 198,476 ^a | 198,615 | 400,000 | 49.65 |
| 1978 | 225,741 ^b | 225,682 | 464,074 | 48.63 |
| 1979 | 350,000 | 246,816 | 558,740 | 44.17 |
| 1980 | 310,000 | 95,743 | 521,989 | 18.34 |
| 1981 | 211,357 | 117,049 | 576,789 | 20.29 |

EXHIBIT 14 (Continued)

| Fiscal Year | Confidential Funds | | Appropriation for Contractual Services | Percent of Spent versus Appropriation |
|-------------|--------------------|--------------------|--|---------------------------------------|
| | Requested | Spent | | |
| 1982 | \$ 200,500 | \$ -0- | \$ 600,592 | -0-% |
| 1983 | 168,000 | -0- | -0- | -0- |
| TOTAL | <u>\$2,190,120</u> | <u>\$1,398,795</u> | <u>\$4,896,739</u> | |

SOURCE: Budget Requests; State Department of Audit; Appropriation Bills, Mississippi Legislature.

NOTE: MBN Directors: Kenneth W. Fairly, August 1, 1971 to February 10, 1978; Dr. Chester L. Quarles, February 10, 1978, to January 25, 1980; Thomas L. Dial, January 25, 1980 to present.

^aAmounts spent according to narrative in budget request for FY 1979. Amount of original request not available.

^bAmount spent according to narrative in budget request for FY 1980. Amount of original request not available.

Exhibit 15 below reflects a comparison of confidential fund expenditures by Mississippi with Alabama, Arkansas, Louisiana, and Tennessee for FY 1981.

EXHIBIT 15

MISSISSIPPI BUREAU OF NARCOTICS COMPARISON OF CONFIDENTIAL FUND EXPENDITURES WITH OTHER STATES FOR FY 1981

| State | Number of Narcotic Agents | Funds Spent |
|-------------|---------------------------|------------------------|
| Alabama | 29 | \$ 75,000 ^a |
| Arkansas | 30 | 55,000 ^b |
| Louisiana | 45 | 240,000 ^b |
| MISSISSIPPI | 50 | 117,049 ^c |
| Tennessee | 12 | 97,000 ^c |

SOURCE: Mississippi Bureau of Narcotics and State Department of Audit; Alabama Department of Public Safety and Alabama Bureau of Investigation; Arkansas State Police; Louisiana State Police; and Tennessee Bureau of Investigation.

EXHIBIT 15 (Continued)

^aNo appropriation. Funds provided by sale of contraband items and from the Governor's Emergency Fund. Funds available for entire Alabama Bureau of Investigation which includes auto theft unit, criminal investigation unit, identification unit, intelligence unit, and narcotics unit.

^bEach of the three regions is provided \$60,000. Each region has a narcotics section, criminal investigators, stock patrol, water patrol, and three or more troops of highway patrolmen. The remaining \$60,000 is provided to the intelligence section which devotes most of its time to organized crime. The buy funds are available to investigators of all sections. The Louisiana State Police has 887 commissioned law enforcement personnel.

^cThe Tennessee Bureau of Investigation has 163 employees and a budget of \$5.6 million. Its role in drug enforcement is advisory and assistance in nature. The buy funds are available to the twelve narcotic agents and to sixty criminal investigators.

At the beginning of each fiscal year MBN is furnished \$100,000 for confidential funds. The amount is reflected as an imprest fund. A portion of the funds is maintained in a bank account by the Jackson headquarters office. Amounts are furnished to each area commander, who in turn provides amounts to each district commander. Then the district commanders furnish funds to agents as needed on investigations. Special funds for flash rolls are secured from the State Treasury when needed and are returned to the State Treasury as soon as possible.

When the funds are spent for PI/PE, a Voucher for Purchase of Information and Purchase of Evidence is prepared showing the date and amount of the expenditure, the purpose of the expenditure, and the case to which it relates. The fiscal officer receives copies of the vouchers in order to maintain records of such expenditures. When the funds get low, additional advances of imprest funds are secured from the State Treasury.

After the end of each fiscal year the imprest fund for confidential expenditures is audited by the State Department of Audit and closed out. Any remaining funds held by MBN which are not supported by vouchers for PI/PE expenditures are returned to the State Treasury.

Control and Accountability

Controls over the expenditure of confidential funds became lax at times during the years 1978 and 1979 under MBN's second Director. Some agents were slow in providing supporting vouchers of expenditures. Others were unable to account for some expenditures or furnished insufficient documentation to substantiate payments made. Some agents apparently furnished false vouchers to support certain expenditures and were required to reimburse the MBN for PI/PE expenditures.

The present Director has strengthened the controls over expenditures of confidential funds since he became Director on January 25, 1980. Agents are required to complete and submit PI/PE vouchers to the area commander within two calendar days after the expenditure. If the voucher is not furnished to the fiscal officer within fifteen calendar days after the expenditure, the fiscal officer is allowed to reject it. Therefore, the agent would not receive credit for the expenditure, and he would have to absorb the expenditure from his personal funds. Each area and district commander, along with each agent, is held responsible for confidential funds provided him.

The fiscal officer maintains a journal of receipts and expenditures of confidential funds. In addition, each area and district commander maintains a journal as required by MBN policy. From those journals, it can be ascertained what amount was received, the amount spent for PI/PE

expenditures, and the balance on-hand for each person. Also, area commanders furnish monthly summary reports of PI/PE funds to the headquarters office in Jackson.

Security

As previously mentioned under the Use of Funds section on page 30 of this report, during FY 1975 four agents were robbed, and \$1,430 of confidential funds was taken. The funds were charged as PI/PE expenditures, and statements were furnished by each agent concerning those incidents. No similar situations were uncovered since that time.

Currently the Jackson headquarters office keeps the bulk of its confidential funds in a bank account. A small amount is maintained in the office safe, and access to those funds is limited to authorized persons. The area commanders also maintain all or most of their funds in bank accounts. The remaining funds, after transfer of funds to the district commanders, are kept in locked safes by the area commanders. Generally only the area commander has access to the cash funds, but some authorize another person to have access when the area commander is gone. Similarly the district commanders have full control over their confidential funds which are kept in cash and locked in a safe by some district commanders. In addition, some district commanders keep the confidential funds on their person, which could create problems of security if the amounts were large.

PEER staff interviewed all three area commanders and five of eleven district commanders. During the interviews, PEER staff monitored the confidential funds. In each instance, the funds counted agreed with the journal records maintained by area and district commanders. PEER staff

took the amount initially furnished each commander at the beginning of FY 1982 and accounted for all PI/PE expenditures to arrive at the ending cash on-hand. Security appeared to be good in all instances.

Audits

The State Department of Audit has conducted semi-annual audits of confidential funds for all fiscal years except FY 1972, FY 1973, and FY 1981. Only one audit was conducted at the close of those three years. The most serious problems noted by the auditors occurred during the administration of the prior Director. Due to the lack of controls over the expenditure of PI/PE funds during that time, auditors of the State Department of Audit considered suspension of further issuance of buy monies from the State Treasury unless corrective measures were taken. Some of the problems cited in the audit reports were:

1. Lack of and/or poor leadership
2. Morale problems
3. Vouchers for expenditure of confidential funds were poorly executed and incorrect in some cases
4. Monies spent for purchase of information were exceeding amounts spent for purchases of evidence in some cases
5. Some agents apparently were living out of their buy monies
6. The coded number for an informant was changed in violation of MBN policies when the informant moved to another location
7. Some vouchers for payment of funds were signed in blank by informants, and the vouchers were completed later including the amount paid

Audit reports of confidential funds submitted to the current Director covering operations of MBN since he became Director have been favorable. None of the vouchers were disallowed. It was suggested that

MBN secure advice from the Attorney General concerning the handling of seized personal funds. In an audit report to the prior Director, it was mentioned that all seized money that is beyond the appeal period for a case should be returned to Fund 2718 (general fund). Also, in an audit report to the current Director, it was stated that personal seized money ordered turned over to MBN should be lapsed to the general fund. As shown previously in this report, some seized funds have been deposited to Fund 3718 (special funds), not to the general fund.

DRUG ENFORCEMENT

Drug law enforcement operations are directed by MBN's Deputy Director through the agents-in-charge of the three enforcement areas. Each enforcement area (see Exhibit 2 on page 7) consists of three to four districts which shoulder the day-to-day responsibility for the enforcement effort. It is at the district level where drug law enforcement is executed. Each district is staffed with an average of three agents. Due to its relatively small size, the district agent-in-charge, a lieutenant in rank, is a leader/agent. He supervises by example and is heavily and actively involved in day-to-day drug enforcement operations.

Drug Enforcement Emphasis

MBN's drug law enforcement emphasis has evolved over the years from actions designed to curb the illicit traffic at the street level to countering smuggling which is seen as the major problem confronting the state today. Although assistance is still provided to local law enforcement agencies on street cases, MBN's primary emphasis is on smuggling.

Several factors contribute to this shift in emphasis. One is that smuggling is a profitable enterprise and is increasingly attractive to criminals. Sources of marijuana and cocaine in central and northern South America are easily accessible by marine vessel and aircraft. Mississippi is a natural transit point due to its scores of isolated airports and aircraft landing strips, and a convoluted and essentially

secluded coastline. The toughening of state drug laws and the intensification of local, state, and federal enforcement efforts in Florida, Georgia, Alabama, and Louisiana seem destined to compel increasing numbers of drug-laden vessels and aircraft to seek the relative safety of rural Mississippi. As pointed out in MBN's FY 1980 annual report, "Smugglers and smuggling organizations clearly represent the greatest enforcement problem facing agents of the [Mississippi] Bureau of Narcotics today...."

Enforcement Methodologies

MBN's main objective is to reduce drug abuse in Mississippi by controlling the availability of illicit drugs and narcotics. Its operational strategy is to collect, analyze, and disseminate information identifying major drug traffickers and their organizations and to initiate and develop investigations toward the apprehension and prosecution of major traffickers. In carrying out its broad enforcement mandate, MBN employs a variety of enforcement methodologies from simple purchases of drug information and evidence (PI/PE), undercover activities, surveillance, and flash rolls to complex conspiracy investigations with primary emphasis on eliminating the sources of illicit drugs and disrupting the highest levels of trafficking. MBN relies heavily on purchases of evidence and information and tries to "buy" in at middle and lower levels and work up to upper-level traffickers.

MBN, like counterpart agencies in four neighboring states (Alabama, Arkansas, Louisiana, and Tennessee), considers PI/PE as one of the most effective investigative tools available. However, it is noted that the use and level of expenditures vary among the states depending on enforcement philosophy and political climate. For example, Alabama DPS

does not budget for PI/PE funds; revenues are obtained from sales of contraband and seized property.

Intelligence Information System

The Mississippi Bureau of Narcotics has an excellent intelligence information system. Information is collected from a variety of sources including several national and regional sources such as Customs, FBI, Drug Enforcement Administration (DEA), and the El Paso Intelligence Center (EPIC). MBN is not a member of the Regional Organized Crime Information Center (ROCIC), a private, nonprofit, non-taxable organization located in Memphis, Tennessee; however, it is associated with the State Drug Enforcement Alliance (SDEA).

The MBN intelligence section is highly praised in the neighboring states. The section collates and analyzes raw intelligence on a timely basis and is able to disseminate valid and meaningful intelligence to its agents and local law enforcement personnel within the state.

Planning and Coordination

Planning and coordination of drug enforcement activities and exchange of intelligence information by MBN with federal and local law enforcement agencies are excellent. However, at the state level, specifically with the Mississippi Highway Safety Patrol, the level of planning, coordination, and exchange of intelligence information is considered poor and needs improvement. This shortcoming was not observed in counterpart agencies in Alabama, Arkansas, Louisiana, and Tennessee. The answer lies partly in the organizational structure of these agencies; with the exception of Tennessee, the patrol and narcotics agencies are under one umbrella in the other three states.

Intelligence is used for strategic, operational, and tactical purposes. In view of limited resources, it is incumbent upon MBN as well as DPS to effect better planning, coordination, and exchange of intelligence, especially tactical intelligence which identifies specific traffickers and their methods of operation.

Results of Drug Law Enforcement

Drug abuse is one of the most serious and tragic problems this country faces and, without question, the enforcement of illicit street traffic of drugs and narcotics in Mississippi is a most difficult challenge and an exacting task as the use of illicit drugs is widespread and commonplace. The latest report (1980) by the National Institute on Drug Abuse reflects that two-thirds of all young adults (aged eighteen to twenty-five years) and close to one-third of all youths (aged twelve to seventeen years) have tried marijuana. Among young adults, according to the report, current use of stronger drugs such as cocaine and hallucinogens is on the increase, and 61 percent of young adults residing in the South report having tried marijuana. Data recently compiled by the State Department of Mental Health, Division of Alcohol and Drug Abuse, show an overall increase in the use of drugs by Mississippians since 1975.

The Mississippi Bureau of Narcotics, the state agency responsible for drug law enforcement of illicit street drugs and narcotics, has looked at arrests, convictions, and seizures as indicators of progress and results. These statistics are documented in annual reports each year; however, they can be deceptive and are not necessarily true measures of enforcement effectiveness. Increases in arrests, convictions,

and seizures may have little impact on drug availability if the arrests and convictions are for easily replaceable traffickers and if seizures, regardless of quantity or purity, do not result in a significant disruption of the traffic. Changes in drug trafficking patterns would be a better measure of reflecting the impact of enforcement efforts.

Furthermore, regardless of the fact that MBN has the primary responsibility for reducing the availability of illicit street drugs in Mississippi, it cannot be held solely accountable. In addition to MBN, local law enforcement agencies and other elements of the state's criminal justice system, such as prosecutors, the courts, and treatment programs for drug abusers, together with communities, other states, and federal agencies all affect the overall MBN effort to reduce illicit street drug and narcotics availability.

Arrests and Convictions

Arrest statistics are of limited value if the significance and importance of the arrestees are not included. Total arrests reported by MBN from calendar year 1979 to 1981 are shown in Exhibit 16 below.

EXHIBIT 16

MISSISSIPPI BUREAU OF NARCOTICS, ARREST AND CONVICTION STATISTICS

| | Calendar Year | | | | | |
|--------------------------------|---------------|---------|--------|---------|-------------------|---------|
| | 1979 | | 1980 | | 1981 ^a | |
| | Number | Percent | Number | Percent | Number | Percent |
| Arrests, Total ^b | 509 | | 595 | | 737 | |
| During Year | 381 | | 356 | | 598 | |
| Convictions | 237 | 62.2% | 114 | 32.0% | 90 | 15.1% |

EXHIBIT 16 (Continued)

| | Calendar Year | | | | | |
|-----------------|---------------|---------|--------|---------|-------------------|---------|
| | 1979 | | 1980 | | 1981 ^a | |
| | Number | Percent | Number | Percent | Number | Percent |
| No Court Action | 40 | 10.5% | 17 | 4.8% | 47 | 7.8% |
| Dismissed | 3 | .8 | 1 | .2 | 3 | .5 |
| Cases Pending | 101 | 26.5 | 224 | 63.0 | 458 | 76.6 |

SOURCE: Mississippi Bureau of Narcotics.

^aAs of November 30, 1981.

^bIncludes cases initiated in prior year but no arrests made in prior year.

As shown in Exhibit 16, the total number of arrests increased over the years; however, the significance of the arrests cannot be meaningfully determined due to the absence of statistics on the classification of arrested violators. MBN ranks violators into five classes. The upper level traffickers are identified as Class I and Class II violators, while middle and lower-level traffickers are identified as Classes III, IV, and V. Information as to the class of violators arrested would place an added dimension on arrest statistics and immeasurably assist the agency in planning and determining the effectiveness of operational strategy and tactics.

If there are arrests without convictions, little has been gained. MBN's effectiveness in immobilizing drug traffickers depends not only on the speed and quality of arrests but also on the conviction and incarceration of the violators. Although factors other than the sufficiency of MBN evidence may influence the outcome of a case, its responsibility does not end at the time an arrest is made. MBN has a responsibility to present high quality cases for prosecution. MBN should continue to evaluate cases after court proceedings to see where improvements in enforcement could be made.

An analysis of convictions for the period from calendar year 1979 through calendar year 1981 shows the conviction rate is good considering the number of cases in pending status. Nevertheless, the number of "no court actions" merits after-trial evaluation.

Drug Removals

More than anything else, MBN looks to seizures of drugs and narcotics as indicators of its progress and success. As shown in Exhibit 17 below, from FY 1978 to FY 1981 MBN seized large quantities of illicit drugs. Amphetamines, cocaine, and marijuana seizures steadily increased year by year until FY 1980. Of significance is the fact that cocaine seizures did not drop as sharply in FY 1981 as the other two, indicating possible increase in use in Mississippi. Seizures of barbiturates and hallucinogens^c increased sharply in FY 1981.

EXHIBIT 17

MISSISSIPPI BUREAU OF NARCOTICS, DRUG REMOVAL STATISTICS

| Type | FY 1978 | FY 1979 | FY 1980 | FY 1981 ^a |
|---|-----------|-----------|------------|----------------------|
| Amphetamines and Other Stimulants (D.U.) ^b | 5,013.00 | 10,365.40 | 15,984.00 | 2,116.00 |
| Barbiturates and Other Depressants (D.U.) | 28,254.00 | 10,403.00 | 10,271.00 | 427,437.00 |
| Cocaine (Pounds) | 1.61 | 4.26 | 5.09 | 4.95 |
| Codeine (D.U.) | 609.00 | 714.00 | 1.00 | 40.00 |
| Demerol (D.U.) | 591.00 | 836.00 | 33.00 | 360.00 |
| Dilaudid (D.U.) | 489.00 | 213.50 | 5,514.00 | 58.00 |
| Hallucinogens (D.U.) | 2,169.00 | 7,711.00 | 44.50 | 3,372.00 |
| Hashish (Pounds) | 1.83 | 21.64 | .54 | 2.27 |
| Hashish Oil (Grams) | 29.50 | 1.00 | -0- | -0- |
| Heroin (Grams) | 234.09 | 1.00 | 9.10 | 18.20 |
| Marijuana | | | | |
| Pounds | 5,163.53 | 70,934.29 | 160,552.20 | 38,424.47 |
| Plants | 1,034.00 | 1,597.00 | 1,249.00 | 7,940.00 |
| Methamphetamines (D.U.) | 281.00 | 3,629.00 | 1,243.00 | 310.75 |

EXHIBIT 17 (Continued)

| Type | FY 1978 | FY 1979 | FY 1980 | FY 1981 ^a |
|------------------------|----------|----------|---------|----------------------|
| Morphine (D.U.) | 23.00 | 231.50 | -0- | -0- |
| Other Narcotics (D.U.) | 3,193.00 | 2,309.50 | 126.00 | 58.00 |
| PCP (D.U.) | -0- | 4,344.50 | 153.00 | 10.00 |

SOURCE: Mississippi Bureau of Narcotics.

NOTE: Illicit drugs seized/purchased by MBN agents. Also includes removals by other law enforcement agencies assisted by MBN.

^aData as of May 14, 1981.

^bDosage Unit.

While the statistics on seizures may mirror illicit usage in the state, they alone do not accurately measure effectiveness of law enforcement efforts. As previously mentioned, increases in seizures can occur with little impact on reducing drug availability if arrests are for easily replaceable traffickers and if seizures, regardless of quantity or purity, do not result in any major disruption of traffic.

MBN does not maintain information on the purity of every drug seizure and purchase the agency makes since this information is not provided by the Crime Lab on a routine basis. Data is provided on cocaine and heroin upon request. Such information on the average purity of illicit drugs, such as heroin and cocaine, would be beneficial and should be included in MBN external statistical reports.

Seizure of Personal Property and Money

Seizures of personal property by MBN during FY 1979 through FY 1982 are reflected in Exhibit 18 on page 47. As shown, FY 1981 was a significant year; also, vehicles constitute the major portion of personal property seized. The agency normally concedes to local law enforcement

agencies in the seizure of weapons; Customs usually takes custody of boats. Final disposition of the property is determined by the courts. Property which is forfeited to the agency by the courts may be used by MBN. MBN occasionally transfers forfeited vehicles to other state agencies for their use. The seized communications equipment and airfield landing indicator, as shown in Exhibit 18 below, reflect the sophistication level of drug traffickers with which the agency is confronted.

EXHIBIT 18

MISSISSIPPI BUREAU OF NARCOTICS, SEIZURES OF PERSONAL PROPERTY (MAJOR ITEMS)

| Item | FY 1979 | FY 1980 | FY 1981 |
|-------------------------------------|-----------|-----------|-----------|
| Boat with Motor and Trailer | | | 1 |
| Airplane | 2 | | |
| Communications | | | |
| Radio | | | 2 |
| Receiver/Transmitter | | | 2 |
| Scanner (Frequency) | | | 1 |
| Airfield Approach Landing Indicator | | | 1 |
| Vehicles | | | |
| Automobile, Passenger | 12 | 8 | 12 |
| Stationwagon | | 2 | |
| Truck, Pickup | 4 | 3 | 5 |
| Van | | 3 | 2 |
| Camper | | 2 | |
| Jeep | 1 | | |
| Bike, Motor | | | 1 |
| TOTAL | <u>19</u> | <u>18</u> | <u>27</u> |

SOURCE: Mississippi Bureau of Narcotics.

Personal money seized by the agency is inventoried and maintained in an interest bearing account pending disposition instructions by court order. Seized funds forfeited to the state generally are deposited to

the special fund. Personal funds seized by the agency for the period covering calendar year 1978 to 1981 are as follows:

| <u>Calendar Year</u> | <u>Amount Seized</u> |
|----------------------|----------------------|
| 1978 | \$ 924 |
| 1979 | 8,542 |
| 1980 | 1,768 |
| 1981 | 38,676 |
| TOTAL | <u>\$49,910</u> |

Discouragement of Illicit Drug Use and Trafficking

In addition to efforts designed for enforcement of narcotics and drug abuse laws, the Mississippi Bureau of Narcotics is also concerned about the need for comprehensive drug prevention programs and stronger laws in Mississippi. Consequently, the agency has initiated and participated in programs related to preventive measures. Code section 41-29-169 requires MBN and the State Board of Education to carry out educational programs designed to prevent and deter misuse and abuse of controlled substances. The agency has also supported passage of stronger drug enforcement laws. During the 1981 Regular Session and continuing to date, officials of MBN and representatives of the Moral Majority, civic and community action groups, and church groups have urged various members of the Mississippi Legislature to support MBN requests for program expansions in budget and manpower areas.

Drug Prevention Programs

The Mississippi Bureau of Narcotics applied for and received a grant from the state's Criminal Justice Planning Commission to establish a Juvenile Drug Education Program. Awarded for the period March 1, 1981

through February 28, 1982, the grant provides \$55,754 with a federal/state match of 90 percent/10 percent. The program is designed to improve drug abuse awareness and is targeted at parents and juveniles in Mississippi. It involves an array of educational materials (i.e., exhibits, films, brochures, TV news spots, etc.) that will be provided to civic groups and communities interested in increasing awareness of the growing problem of juvenile drug abuse in the state.

The staff of MBN actively participates in and assists the Drug Research and Education Association in Mississippi, Inc. (DREAM) in sponsoring seminars and conferences for parent groups, civic organizations, and other community-oriented groups concerned with drug abuse among youths and young adults in the community. A nonprofit, private organization devoted to educating parents and local communities on drug abuse, DREAM was established in September 1981 with the assistance of the Junior League of Jackson and MBN. The organization is privately funded and staffed with volunteer workers. MBN is a prime source of technical support and assistance and works very closely with the organization in attempting to reduce drug abuse in Mississippi.

Stronger Drug Enforcement Laws

As the state agency principally responsible for enforcement of illicit street trafficking of drugs and narcotics laws in the state, the Mississippi Bureau of Narcotics is keenly concerned about legal sanctions designed to curb illicit trafficking. The agency actively supported legislation for stronger laws pertaining to drug enforcement during the 1981 Legislative Session. Senate Bill 2681 amended Code section 41-29-139 and provided for increased fines and stiffer penalties

for felony convictions of drug trafficking. As an example, the maximum fine and penalty for possession of a kilogram or more of marijuana was increased from twenty years and \$30,000 to thirty years and \$1,000,000. The stiffer penalties and increased fines are designed to discourage drug trafficking within the state by placing a greater risk on the violator.

House Bill 659 of the 1981 Legislative Session upgraded the conspiracy laws in Mississippi (Code section 97-1-1) by increasing the maximum penalty and fine for drug trafficking from five years and \$5,000 to twenty years and \$500,000. Although HB 659 was not initiated by MBN, the agency supported it. The new law will have the effect of placing greater risk on those conspiring to violate the provisions of the Uniform Controlled Substances Law in this state and, ultimately, will reduce trafficking.

ORGANIZATIONAL ALTERNATIVES

A review of enabling legislation creating the Mississippi Bureau of Narcotics indicates clearly legislative intent that the agency shall be a part of and under the supervision of the Department of Public Safety. This requirement was not implemented. During the period 1972-1976, Public Safety Commissioners did not exercise their authority and responsibility with respect to the law pertaining to establishment of MBN. This issue is now moot, however, in view of the federal district court opinion in 1976 declaring MBN an independent agency of state government.

In the past PEER has advocated and supported the principle of consolidation whenever agency functions and duties easily facilitated such, and where organizationally it was both feasible and cost-effective with no reduction in delivery of services nor degradation of efficiency and effectiveness. However, PEER recognizes that if DPS and MBN were consolidated many conflicts would result initially between the two agencies.

This evaluation recognizes the obvious implied understanding which existed between the two agencies during 1972-1976; the uniqueness of functions characteristic of the two law enforcement agencies; the broad and discretionary statutory powers granted to the Director of MBN; and the federal district court opinion of 1976 confirming MBN as an independent agency. Based on these extenuating circumstances coupled with the demonstrated performance of MBN since 1972, PEER deems it appropriate only to present alternatives to current practice. These alternatives are presented in this section after a comparative analysis of counterpart agency relationships in several other southeastern states.

Category of Agencies

In terms of the relationship between the state's drug enforcement agency and the Department of Public Safety, the system existing in Mississippi may be categorized as being separate. In the neighboring states of Alabama, Arkansas, Louisiana, and Tennessee a slightly different arrangement exists as reflected in Exhibit 19 below.

EXHIBIT 19

CATEGORY OF DRUG ENFORCEMENT AGENCY IN RELATIONSHIP TO
DEPARTMENT OF PUBLIC SAFETY ORGANIZATIONS
IN NEIGHBORING STATES

| <u>Organizational Category</u> | <u>Alabama</u> | <u>Arkansas</u> | <u>Louisiana</u> | <u>Mississippi</u> | <u>Tennessee</u> |
|---|----------------|-----------------|------------------|--------------------|------------------|
| Separate | | | | X | |
| Consolidated | | | | | |
| With a Separate Bureau of Investigation | | | | | X |
| With a DPS Criminal Investigation Division | X | X | | | |
| With a DPS Region (Containing All Elements of Criminal Investigation) | | | X | | |

SOURCE: Mississippi Code section 41-29-107; Alabama Department of Public Safety; Arkansas State Police; Louisiana State Police; Tennessee Bureau of Investigation; Tennessee Department of Safety.

The organizational relationships of the Departments of Public Safety and narcotics agencies in Mississippi, Alabama, Arkansas, Louisiana, and Tennessee are reflected in Exhibit 20 on page 53. There are advantages and disadvantages (see Exhibit 21 on page 55) related to each of the aforementioned organizational systems, but they cannot be com-

EXHIBIT 20

ORGANIZATIONAL STRUCTURE OF DEPARTMENTS OF PUBLIC SAFETY AND NARCOTICS AGENCIES IN MISSISSIPPI AND NEIGHBORING STATES

-53-

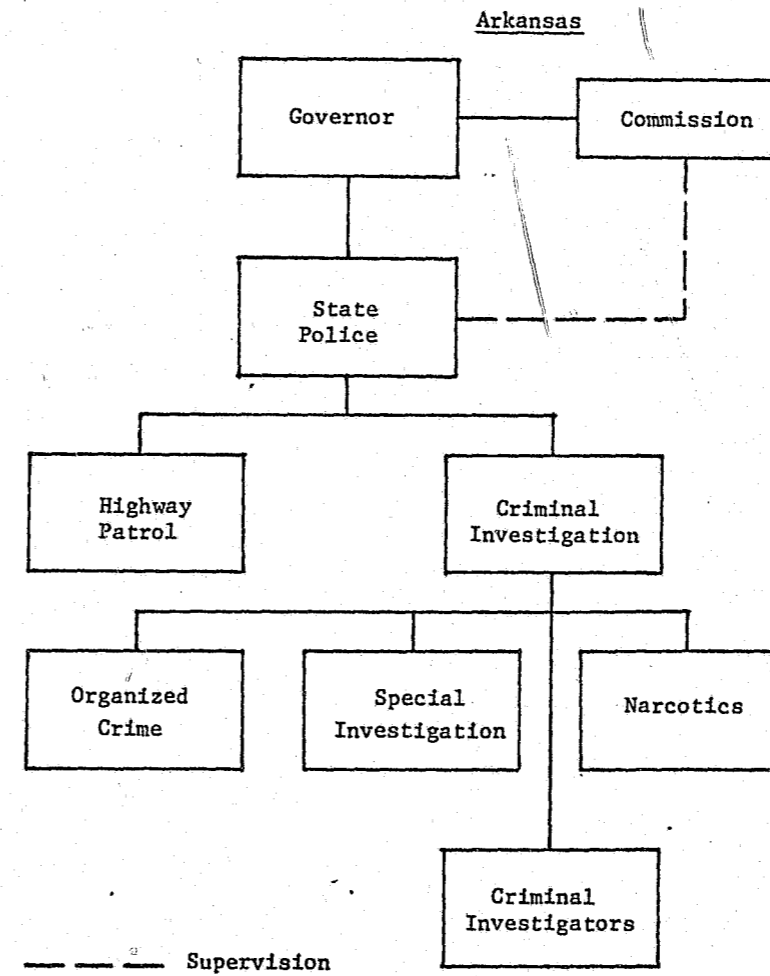
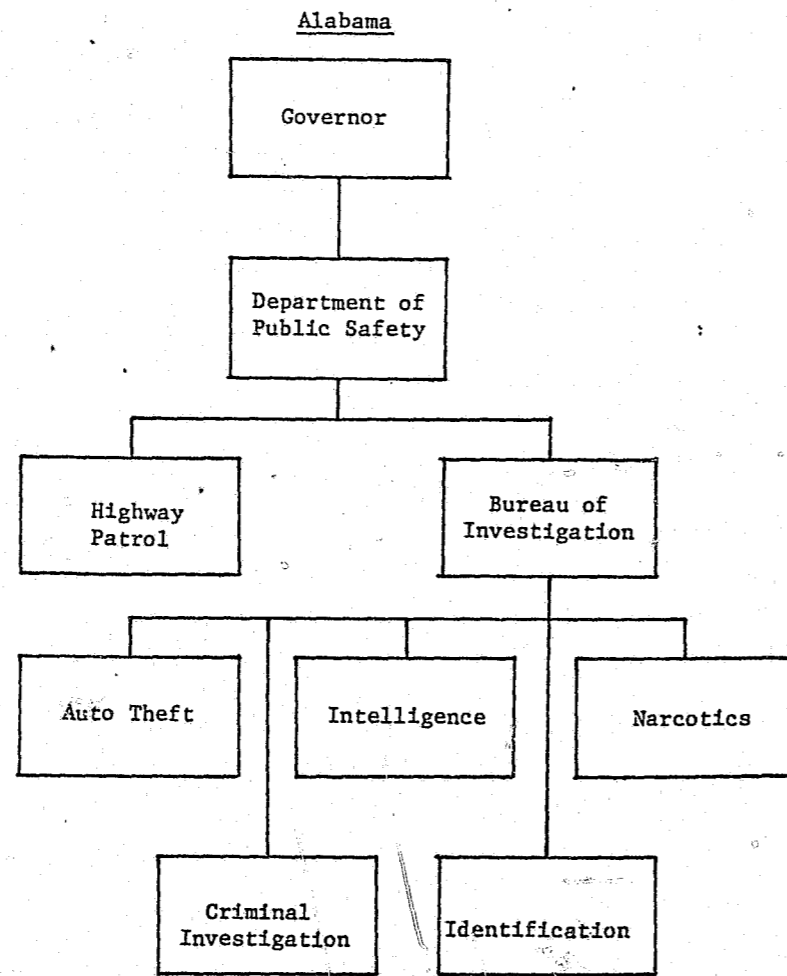
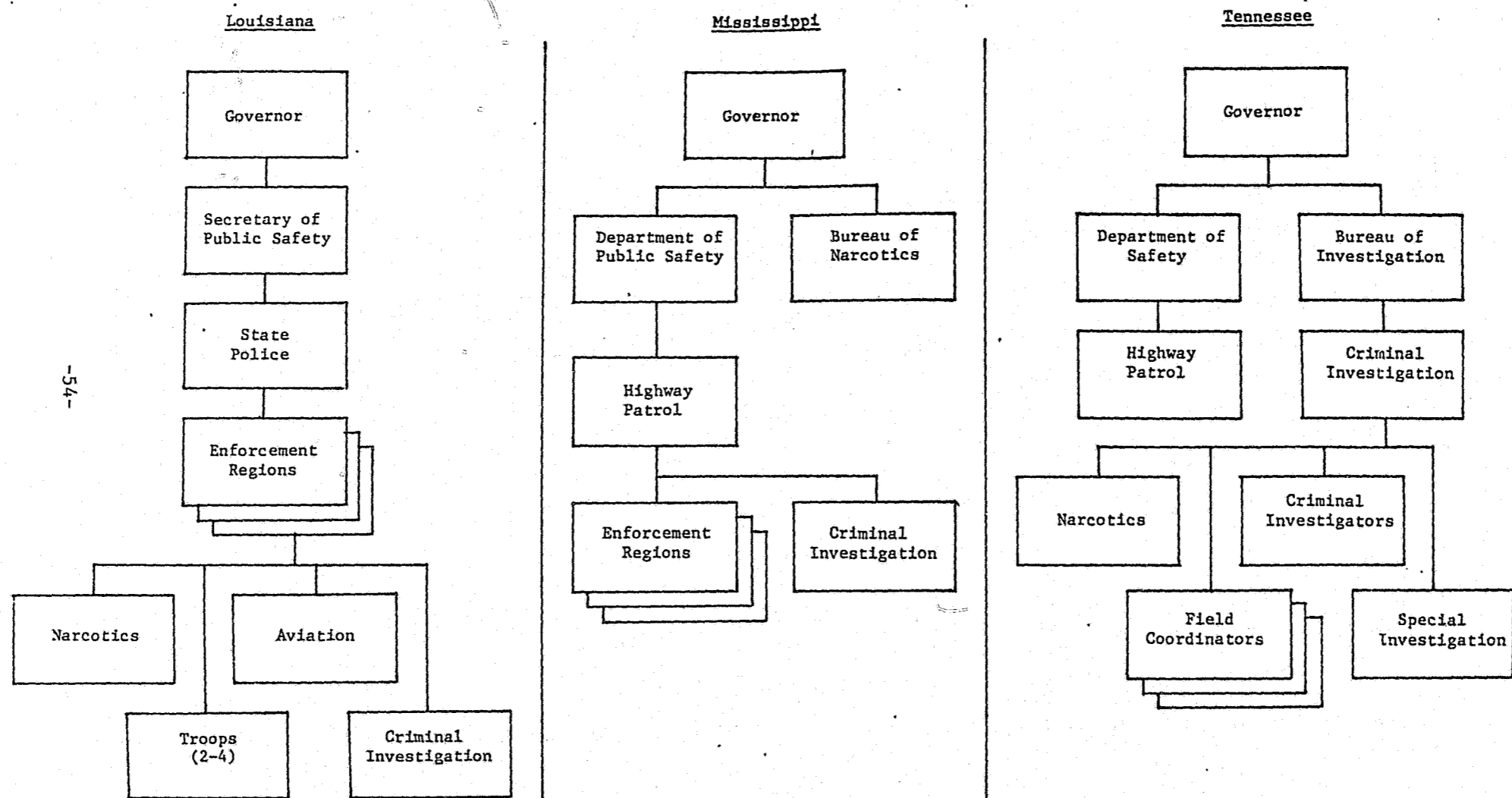


EXHIBIT 20 (Continued)



SOURCE: Mississippi Bureau of Narcotics; Alabama Department of Public Safety; Arkansas State Police; Louisiana State Police; Tennessee Bureau of Investigation; Tennessee Department of Safety.

pared and are difficult to assess in view of the relative uniqueness of each state's geographical location, drug problem, political climate, and drug enforcement emphasis.

EXHIBIT 21

MAJOR ADVANTAGES AND DISADVANTAGES OF DEPARTMENTS OF PUBLIC SAFETY
AND NARCOTICS AGENCIES' ORGANIZATIONAL RELATIONSHIPS
IN SELECTED SOUTHEASTERN STATES

| <u>Organizational Category</u> | <u>State</u> | <u>Advantages</u> | <u>Disadvantages</u> |
|--------------------------------|--------------|--|--|
| Separate Narcotic Agency | Mississippi | Drug Enforcement under Direct Supervision of State's Chief Executive Officer. Less Opportunity for Police Czar. | Does not Capitalize on Interrelationship of Drug Trafficking with Other Criminal Activities (i.e., Auto Theft, Gambling, etc.). Little Opportunity for Career Progression. Less Coordination of Enforcement Activities and Reduced Flexibility in Maximizing Use of Criminal Investigative Resources. Duplication of Intelligence Production and Loss of Synergistic Effect. Duplication of Administrative and Support Services. |

EXHIBIT 21 (Continued)

| <u>Organizational Category</u> | <u>State</u> | <u>Advantages</u> | <u>Disadvantages</u> |
|--|--------------|---|---|
| Consolidated (Narcotics Agency Part of a Separate State Criminal Investigation Agency) | Tennessee | <p>Capitalizes on Interrelationship of Drug Trafficking with Other Criminal Activities.</p> <p>Centralization of Criminal Investigation Resources under State's Chief Executive Officer.</p> <p>Greater Opportunity for Career Progression and Advancement.</p> <p>Maximum Flexibility for Utilization of State's Criminal Investigative Personnel and Resources.</p> <p>Less Duplication of Administrative and Support Services.</p> <p>Fosters Maximum Coordination of Enforcement Activities and Exchange of Intelligence Information.</p> <p>No Duplication of Criminal Intelligence Production and Improved Quality Due to Synergistic Effect.</p> <p>Offers Best Opportunity for Balanced Emphasis on Traffic Enforcement and Criminal Investigation.</p> | <p>Greater Opportunity for Political Abuse.</p> |

EXHIBIT 21 (Continued)

| <u>Organizational Category</u> | <u>State</u> | <u>Advantages</u> | <u>Disadvantages</u> |
|---|---------------------|--|--|
| Consolidated (Narcotics Agency Totally Integrated in DPS at Sub-Organization Level) | Louisiana | <p>Offers Maximum Utilization of Highway Patrol and Criminal Investigation Personnel.</p> <p>Best System for Career Progression and Lateral Transfer of Personnel.</p> <p>Affords Maximum Coordination of Enforcement Activities.</p> <p>Affords Best Exchange of Criminal Intelligence Information.</p> <p>No Duplication of Administrative and Support Services.</p> | <p>Best Opportunity for a Police Czar.</p> <p>Highly Vulnerable to Inefficiency Due to Potential Shift of Emphasis Between Traffic Enforcement and Criminal Investigation Caused by Experience and Orientation of Director and Supervisors.</p> <p>Best System to Foster Mal-Assignment of Highly Skilled and Specially Trained Criminal Investigative Personnel.</p> <p>Highly Vulnerable to Unauthorized Dissemination of Sensitive Criminal Intelligence Information.</p> |
| Consolidated (Narcotics Agency Part of a Criminal Investigation Bureau within DPS) | Alabama Arkansas | <p>Same as Previous Category but to a Lesser Degree.</p> | <p>Same as Previous Category but to a Lesser Degree.</p> |

SOURCE: PEER Staff Analysis.

Alternatives

There are basically three viable and feasible alternatives available regarding the existing organizational relationship and structure of MBN and DPS. These alternatives, or options, are summarized in Exhibit 22 on page 58.

EXHIBIT 22
FEASIBLE ORGANIZATIONAL ALTERNATIVES

| <u>Alternatives</u> | <u>Actions</u> | <u>Advantages</u> | <u>Disadvantages</u> |
|--|---|--|---|
| I. Retain Present System | None | Maintains a System which Has Demonstrated Its Functional Capabilities. Avoids Change in the Absence of a Clearly Identified Problem or a Verified Statement of Need. | Retains a System which Does Not Maximize Use of Available Resources. Maintains a System that Does Not Capitalize on the Interrelationship of Drug Trafficking with Other Criminal Activities. |
| II. Institute Administrative Changes to Present System | DPS Provide MBN with Vehicle Maintenance Support. Share Common Training Facilities and Firing Ranges. Increased Coordination and Planning of Enforcement Activities. Joint Production of Criminal Intelligence Information. Similar Retirement System. (Legislation Required.) | Improved Operational Proficiency. Increased Quality of Intelligence because of the Synergistic Effect. Increased Morale and Professionalism. | Increased Cost. |
| III. Reorganize | Organize a Separate Agency Titled Mississippi Bureau of Investigation (MBI) Consisting of Three Major Divisions: Narcotics, Criminal Investigation, Forensic Services (Crime Lab), Or Organize a MBI Consisting of Two Major Divisions - Narcotics, Criminal Investigations - as a Major Organization of DPS, Or | Offers Possibilities for Increased Flexibility and Optimum Use of Available Resources. Capitalizes on Interrelationship of Drug Trafficking with Other Criminal Activities. Increases Opportunity for Career Progression. Decreased Cost. | Serious Personnel Turbulence. Temporary Loss of Operational Effectiveness and Efficiency. No Criteria for Predicting Success or Failure. Reorganization without a Clearly Identified Statement of Need or Problem. |

EXHIBIT 22 (Continued)

| <u>Alternatives</u> | <u>Actions</u> | <u>Advantages</u> | <u>Disadvantages</u> |
|---------------------|--|-------------------|----------------------|
| | Place MBN under DPS as a Separate Division within Highway Patrol or Totally Integrated in Enforcement Regions. | | |

SOURCE: PEER Staff Analysis.

Estimated Financial Impact of Alternatives

Three organizational alternatives are reflected in Exhibit 22 on pages 58 and 59. The first alternative retains the present system, so there would be no increase or decrease in MBN operational costs except as provided for in appropriation bills for the agency.

The second alternative would require certain administrative changes that would result in estimated savings; however, providing a retirement system to the fifty MBN agents similar to that of highway patrolmen would result in increased costs. Legislation would be required to include the MBN agents under the patrol retirement system. Exhibit 23 below reflects a computation of the estimated additional costs.

EXHIBIT 23

ESTIMATED FINANCIAL IMPACT OF ALTERNATIVE TWO

| <u>Item</u> | <u>Amount</u> |
|--|-------------------------|
| Additional Cost of Retirement Benefits for 50 MBN Agents | \$163,000 ^a |
| Savings on Automobile and Radio Repairs and Maintenance | \$10,000 ^b |
| Less Additional Cost on Use of MLEOTA Facilities | 2,500 |
| Net Savings from Administrative Changes | 7,500 |
| TOTAL ESTIMATED ADDITIONAL COST FOR EACH YEAR | <u>\$155,500</u> |

SOURCE: PEER staff analysis of information and records provided by Mississippi Bureau of Narcotics, Department of Public Safety, Department of Public Accounts, State Personnel Board, and Commission of Budget and Accounting.

^aThe state share for MBN agents is 8.75 percent; for highway patrolmen it is 26.16 percent, or 17.41 percent more. The annual salary for the fifty MBN agents is \$937,000. MBN agents' prior service would be converted to equal Highway Patrol retirement credit at no additional cost according to the Executive Secretary of PERS.

^bIn FY 1981 MBN used the training facilities of the Jackson Police Department to house and train twenty-one recruits. There was no charge for the use of the facilities, but MBN paid \$8,000 for meals to a catering service over a five week period during the training. The Mississippi Law Enforcement Officers Training Academy charges \$100 per person each week for meals, lodging, and use of its facilities for training purposes. So, MBN would have paid \$10,500 for the use of MLEOTA facilities over a five week period, or \$2,500 more (\$10,500 less \$8,000).

Alternative three provides for a reorganization with three possible methods. The first method would be a separate agency called the Mississippi Bureau of Investigation (MBI) with three major divisions: Narcotics, Criminal Investigation, and Crime Laboratory. This would result in estimated additional costs of \$163,000 each year to include MBN agents in a comparable retirement system as highway patrolmen, as shown in Exhibit 23 on page 59. However, the consolidation should result in some savings by eliminating duplication of services.

The Tennessee Bureau of Investigation, similar to this proposal, has an annual budget of \$5,643,400 and 163 employees. The FY 1982 revised budgets of the Mississippi agencies reflect the following for MBN and the Crime Laboratory, and DPS personnel furnished the information on the Criminal Investigation Bureau.

| Agency | Number of Employees | Amount |
|--|---------------------|-------------|
| Mississippi Bureau of Narcotics | 82 | \$2,762,717 |
| Criminal Investigation Bureau (DPS-MHSP) | 56 | 2,421,000 |
| Mississippi Crime Laboratory | 39 | 1,193,158 |
| TOTAL | 177 | \$6,376,875 |

Under the second method of alternative three, if a MBI, consisting of MBN and the Criminal Investigation Bureau of the Mississippi Highway Safety Patrol, is created as a major organization of the Department of Public Safety as used in Alabama and Arkansas; or under the third method, if MBN is placed under DPS as a separate bureau within the MHSP or totally integrated in the enforcement regions as used in Louisiana, there would be additional costs initially; but savings could occur in the future. Computations of estimated costs for such reorganization methods appear in Exhibit 24 below.

EXHIBIT 24

ESTIMATED FINANCIAL IMPACT OF ALTERNATIVE THREE

| Item | Amount |
|---|------------------------|
| Savings on Salaries and Fringe Benefits for Civilian Positions Eliminated | \$260,000 ^a |
| Less Increased Retirement Benefit Costs of 50 MBN Agents | 163,000 ^b |
| Annual Savings in Salaries, Wages, and Fringe Benefits | \$ 97,000 |
| Annual Savings on Automobile and Radio Repairs and Maintenance | 10,000 |
| Annual Savings on Rental for Headquarters Office of MBN | 47,000 |
| TOTAL ANNUAL SAVINGS FROM MBN OPERATIONS | \$154,000 |
| Cost of Additions to DPS Highway Patrol Substations for MBN Personnel | \$400,000 ^c |
| Less Annual Savings of Rental for MBN Field Offices | 46,300 |
| TOTAL | \$353,700 |
| Less Total Annual Savings from MBN Operations Shown Above | 154,000 |
| FIRST YEAR INCREASED COST OF OPERATIONS | \$199,700 |
| Annual Savings from MBN Operations Shown Above | \$154,000 |
| Annual Savings of Rental for MBN Field Offices Shown Above | 46,300 |
| SECOND AND SUBSEQUENT YEAR SAVINGS IN COST OF OPERATIONS | \$200,300 |

SOURCE: PEER Staff Analysis; Department of Public Accounts; Personnel Board; Commission of Budget and Accounting; Mississippi Bureau of Narcotics; Department of Public Safety.

^aBased on elimination of thirteen of thirty-two civilian positions. If fewer positions are eliminated, it would take four or five years before there would be any real savings. If no positions are eliminated it would increase the cost of operations for all years due to the increased cost of retirement benefits for the 50 MBN agents.

^bThe state share for MBN agents is 8.75 percent; for highway patrolmen, it is 26.16 percent, or 17.41 percent more. The annual salary for the 50 MBN agents is \$937,000. MBN agents' prior service would be converted to equal Highway Patrol retirement credit at no additional cost according to the Executive Secretary of PERS.

^cThis is for 8,000 square feet at \$50 per square foot.

Problems Associated with Merging MBN with DPS

Any attempt to merge MBN with DPS could be confronted with serious problems. Some are naturally inherent while others would result from organizational changes. Irrespective of the type, the problems would have some adverse impact, at least initially, on drug enforcement efforts within the state.

The major significant problem producing areas identified are as follows:

1. Rank structure. The Highway Safety Patrol's rank structure is not comparable to that of MBN. While some similarity exists at the lower echelons, it is the exception rather than the rule. Also, coupled with the fact that there are many more layers in the Patrol than in MBN, the promotional system differs. Within the Patrol, promotions are predicated on merit and a competitive selection process, whereas in MBN it is based on merit but limited to position vacancy. In a consolidated environment, the above factors would severely restrict the lateral transfer or movement of personnel.
2. Compensation. Compensation is directly related to rank structure. Although there is only a slight difference at the entry level in both agencies, the disparity increases with progression.
3. Retirement system. As discussed earlier in this report, MBN and DPS have a different retirement system with that of DPS being far more liberal and with greater benefits. Presently, this is a source of friction between the two agencies. Any consolidation measure would necessitate that this problem be resolved as a precondition to any reorganization efforts.

4. Education. The basic requirement is higher in MBN than in DPS. Likewise, as with the retirement issue, this disparity would have to be addressed and resolved prior to any consolidation moves. To do otherwise would make lateral transfers virtually impossible, thereby losing a significant advantage to consolidation.
5. Identity. A pervasive attitude is generally prevalent in MBN that consolidation of the agency with DPS would destroy its identity. The feeling is real and widespread. MBN is an elite organization of highly skilled, trained, and dedicated professionals and is highly respected among both federal and state law enforcement agencies. It is genuinely felt by MBN that consolidation would reduce the level of professionalism in MBN, erode its credibility, and ultimately destroy the identity which agents created in such a short span of existence. The problem of identity is perhaps the most critical of all potential problem areas and would have to be addressed and resolved for consolidation to succeed.
6. Specialized training and skills. Narcotics agents represent a different breed of law enforcement officer. In addition to the traits of loyalty, dedication, integrity, professional competence, and fortitude, the narcotics agent must be a unique character and equipped with other special knowledges, skills, and abilities. Among these are the capability of working under prolonged periods of stress and personal danger; being highly flexible, often taking on a different identity and station in life; having the ability to associate with persons of all classes and economic status under varying conditions and gain their confidence; and having to cope with a personal and family life that at all times is secondary to duty. These attributes are not commonly found, nor required, of the typical law enforcement officer in DPS. Therefore, it is a matter which must be clearly understood by managers and supervisors in a consolidated system.
7. MBN opposition. Opposition by MBN will adversely impact on any successes expected to be realized from an attempt to consolidate. Opposition is centered more at the grassroots and middle levels in MBN; their attitudes would necessarily have to be changed for consolidation to work.

While the above areas pose potential problems, they could be resolved through closer coordination between the agencies. Presently, both agencies are headed by highly capable administrators who possess the tact, skill, and ability to resolve the previously mentioned potential conflicts.

FINDINGS AND RECOMMENDATIONS

Findings

Introduction

1. The Mississippi Bureau of Narcotics (MBN) was created in 1971 by SB 1957 for the purpose of enforcing the provisions of the Uniform Controlled Substances Law of 1971 pertaining to illicit street traffic of narcotics or other illicit traffic of drugs. It was initially called Bureau of Drug Enforcement and was under the supervision of the State Board of Health. (See page 2.)
2. Although SB 1609 of the 1972 Session placed MBN under the supervision of the Department of Public Safety, over the years through custom, practice, and operation of law, MBN has in fact operated as an independent and autonomous state agency. The Director is appointed by the Governor, and the agency has a separate appropriation. The agency's independent status was confirmed in a federal district court opinion in 1976. (See pages 2 and 3.)

Organization and Management

1. The organizational structure and management of MBN facilitate the agency's ability to execute its drug enforcement functions. It is effectively administered and controlled. (See page 5.)
2. MBN has an excellent policy and procedure manual which is detailed in nature and provides implementing instructions on every aspect of the agency's activities. (See page 5.)

3. MBN's FY 1983 budget request for thirty-two additional agents should be closely reviewed by the appropriate legislative committees. The agency presently has a greater proportion of agents per 100,000 population than the neighboring states of Alabama, Arkansas, Louisiana, and Tennessee. In addition, it has access to three other sources for personnel: Highway Patrol (authorized in 1972 by SB 1609); agencies of other states and the federal government (authorized in 1972 by SB 1609); and special contract agents or investigators (authorized in 1974 by HB 1206). (See pages 9 and 10.)
4. Although the agency's educational criteria is two years of college, over 75 percent of its agents presently have at least a bachelor's (B.S., B. A., etc.) degree. MBN's criterion exceeds that of Alabama, Arkansas, and Louisiana, but is slightly less than Tennessee's which is a bachelor's degree. (See pages 10 and 11.)
5. MBN does not have an adequate career progression program for its agents. This is due directly to its small size (fifty agents) and organizational structure (two field supervisory levels - district and area). (See pages 11 and 12.)
6. MBN's retirement system is inferior to that of the Highway Safety Patrol although narcotic agents perform law enforcement duties which more than satisfy the test for early retirement as presently applied to the Mississippi Highway Safety Patrol. The need for early retirement of narcotic agents is recognized and in effect in all neighboring states. In those states both narcotic agents and highway patrolmen are covered by a similar early retirement plan. (See pages 12 and 13.)

Revenues and Expenditures

1. The Director of MBN is authorized by Code section 41-29-160 to purchase information and evidence concerning violations of the Uniform Controlled Substances Law. He may pay such sums of money he deems is appropriate from funds appropriated. The statute contains no limitation on such payments other than the amount appropriated (for contractual services). Such payments have varied from about \$21,500 for FY 1972 (first full year of operation) to about \$247,000 for FY 1979. (See pages 15, 29, and 32.)
2. The Director of MBN is authorized under Code section 41-29-112 to retain special contract agents in addition to the fifty agents authorized by Code section 41-29-107. The Director can retain as many special contract agents as he deems are necessary. MBN has had contracts with thirty-one special contract agents between 1974 and 1981, fifteen of whom later became sworn agents of MBN. MBN has had as few as two special contract agents during FY 1980 to as many as thirteen special contract agents at various times during FY 1979. In FY 1981 MBN had ten special contract agents under contract at the same time during part of the year. (See pages 16 and 17.)
3. MBN received special funds (seized state and personal funds, restitution payments, and federal grants) during FY 1980, FY 1981, and FY 1982. (See pages 20 and 22.) The budget request for each of those years contains no information about special funds; thus the Legislature did not consider special funds in the appropriation bills. The largest amount of special funds related to federal

grants to reimburse MBN for losses and damages which occurred as a result of the Easter Flood of 1979 and for a computerized filing system. The budget requests for FY 1980 and FY 1981 were submitted prior to the receipt of the federal funds for flood damages. The budget request for FY 1982 was submitted on August 1, 1980 after receipt of \$49,000 on September 11, 1979 as reimbursement for flood damages. Yet the budget request for FY 1982 contains no reference to those special funds. The budget request for FY 1983 refers to three federal grants expected to be received in FY 1982. MBN does not request budget escalations until it spends the funds. All special funds expended during FY 1980 and FY 1982 were approved by Budget Commission escalations. No special funds were spent during FY 1981. MBN submitted applications for grants as follows:

| <u>Date</u> | <u>Description</u> | <u>Requested</u> | <u>Approved</u> | <u>Federal Share</u> |
|--------------------|---------------------------------|------------------|-----------------|----------------------|
| May 3, 1979 | FDA Flood Grant | \$103,504 | \$98,995 | \$98,995 |
| September 12, 1980 | Automated Name Filing System | 87,500 | 61,000 | 30,500 |
| November 21, 1980 | Juvenile Drug Education Program | 91,754 | 55,754 | 50,179 |

4. In its FY 1983 budget request, MBN requested 37 new positions, including 32 sworn agents. This would increase full-time positions to 119, including 82 sworn agents. The estimated cost of this expansion of existing programs (employees plus equipment and other costs) is \$1,586,010. All such expenditures would be paid from the general fund. (See pages 24 and 25.)
5. The most recent audit, except for audits of the confidential funds, of MBN by the State Department of Audit is for FY 1979. Subsequent years have not been audited. According to MBN officials, exceptions taken in the prior audit reports have been corrected. (See pages 26 and 27.)

6. The Code authorizes the Director of MBN to pay such sums of money "he may deem appropriate" for information concerning violations of the Uniform Controlled Substances Law (UCSL). During the administration of MBN under its prior Director, between \$80,000 and \$100,000 of confidential funds was paid to informants for operating businesses in three locations as fronts to secure information and evidence of violations of the UCSL. Such payments also were made to purchase equipment and to pay for rent, utilities, repairs, personal loans of informants, and relocation costs. The Code gives the Director of MBN broad authority for confidential fund expenditures. However, PEER questions the expenditure of confidential funds for front or "sting" operations including payments for personal living expenses of informants. (See pages 29-32.)
7. The expenditure of confidential funds has decreased substantially since the current Director was appointed on January 25, 1980. MBN officials state this has not limited their effectiveness. (See page 32.)
8. MBN has more agents and more funds available to purchase information and evidence for narcotic violations than Alabama, Arkansas, Louisiana, and Tennessee. Although Louisiana has more available funds for confidential expenditures than Mississippi, such funds are available to all investigators and agents in the Louisiana State Police which includes a narcotics section. (See pages 33 and 34.)
9. During the the prior administration of MBN, controls over the expenditure of confidential funds became lax at times. Some agents submitted vouchers showing expenditures were for one purpose when

- they actually were for another purpose. The controls over expenditures of confidential funds have been strengthened under the current Director of MBN. (See pages 35 and 36.)
10. The accountability of confidential funds has improved. All commanders are required to maintain journals to reflect receipts and expenditures of the funds. The commanders are held responsible for all funds delivered to them and to their agents. Transfers of funds between the persons involved are supported by receipts. (See pages 35 and 36.)
11. During FY 1975 four agents were robbed of \$1,430 in confidential funds. Currently, some commanders and agents keep substantial amounts of confidential funds on their person which could result in additional funds being stolen from MBN personnel unless proper security measures are taken. (See pages 30 and 36.)
12. Audits of confidential funds of MBN by the State Department of Audit were highly critical during the administration of the prior Director. However, similar audits of confidential funds for periods during the current administration were very positive concerning the handling of the funds. It was suggested that personal seized money be deposited to the general fund; however, the money was deposited to the special fund instead. (See pages 37 and 38.)
13. During FY 1981 the Director of MBN incurred travel expenses of \$8,900, and \$7,700 related to out-of-state trips. About \$1,500 related to mileage and other expenses to attend a law enforcement management school in Massachusetts. Out-of-state trips were made on fifteen occasions to nine separate locations. On the out-of-state trips the Director claimed \$115 (twenty-three days at \$5 per

day) for investigative expenses. The MBN policy manual provides that investigative expenses are limited to \$5 per day and include expenses incurred during the course of a covert investigation where receipts cannot be obtained. Travel orders attached to the travel expense vouchers reflect that the out-of-state trips were made to attend meetings, conferences, and intelligence briefings on narcotics. (See pages 19 and 20.)

Drug Enforcement

1. The enforcement emphasis in MBN has shifted from curbing street level traffic during the early years to smuggling during the most recent years. (See pages 39 and 40.)
2. The planning and coordination of enforcement operations and exchange of intelligence information between MBN and DPS need improvement. (See pages 41 and 42.)
3. MBN's effectiveness in enforcing drug laws cannot accurately be determined. Although the agency has looked at arrests, convictions, and seizures as indicators of progress and results, these statistics are deceptive and are not necessarily true measures of effectiveness. (See pages 42-46.)
4. MBN is actively involved in a comprehensive drug prevention program. In addition to its Juvenile Drug Education Program, the agency has successfully supported stronger drug enforcement laws and provides assistance and technical advice to the Drug Research and Education Association in Mississippi, Inc. (DREAM), a private, nonprofit community-oriented organization devoted to improving drug awareness of parents. During and since the 1981 Regular Session,

officials of MBN and representatives of the Moral Majority, civic and community action groups, and church groups have urged members of the Mississippi Legislature to support MBN requests for program expansions in budget and manpower areas. (See pages 48-50.)

Organizational Alternatives

1. MBN has demonstrated the capability of executing its statutory duties and functions. However, an analysis indicates three feasible organizational alternatives are available: retain the current system; institute administrative changes to the present system; or reorganize. There would be no increase or decrease in operational costs under alternative one. Operational costs would increase an estimated \$155,500 under alternative two. However, under a reorganization or alternative three there would be a projected additional cost of \$199,700 during the first year if thirteen MBN civilian positions are eliminated and if additions are made to Highway Patrol substations to house MBN personnel; an estimated savings of \$200,300 would occur in the second year. If fewer civilian positions are eliminated, it would take four or five years before there would be a real savings. But if no positions are eliminated, it would increase the cost of operations for all years. (See pages 57-62.)
2. Consolidation of MBN with DPS would present real and serious problems which may very well negate anticipated results. Chief among these problems are difference in rank structure and compensation plans, a dissimilar retirement system, a fear of loss of identity by MBN, a need for specialized training and skills of narcotic agents, and MBN opposition. (See pages 62-63.)

CONTINUED

1 OF 2

Recommendations

1. The Legislature should consider the three available organizational alternatives so that the relationship between MBN and DPS would be clarified to preclude potential misunderstandings in the future.
2. The Legislature should address the need for early retirement for narcotic agents and consider placing the agents under the Highway Safety Patrol's retirement system.
3. MBN should institute measures to increase the degree of career progression among agent personnel.
4. MBN's FY 1983 budget request for thirty-two additional agents should be closely reviewed by the appropriate legislative committees. The agency currently employs more agents per 100,000 population than its neighboring states and has statutory access to three other personnel sources to supplement its authorized strength.
5. MBN should reflect in its budget request each year the estimated amounts and sources of special funds, so that the Legislature will have the information available for consideration in appropriation bills.
6. The Director of MBN should continue to monitor closely the expenditure of confidential funds, and he should assure that such expenditures are for legitimate purposes. PEER questions the expenditure of such funds on business operations including payments for personal living expenditures of informants. MBN should request the Attorney General to provide an opinion as to what would constitute proper expenditures of confidential funds.
7. MBN should consider the advisability of agents having substantial sums of confidential funds in cash on their person. The amounts of

- cash retained by the agents on their person should be limited except when absolutely necessary, and additional agents should be available at such times to provide adequate security of those confidential funds.
8. MBN should secure an opinion from the Attorney General concerning the deposit of fines, restitution payments, and seized personal funds which the courts order paid over to MBN. The Code currently requires MBN to deposit seized official state funds to the general fund, but it contains no reference to disposition of fines, restitution payments, and seized personal funds ordered paid over to MBN.
 9. Employees of MBN should not supplement their subsistence expenses by claiming amounts as investigative expenses. The MBN policy manual should be complied with, and amounts should not be charged as investigative expenses unless they are "incurred during the course of a covert investigation where receipts cannot be obtained."
 10. MBN and DPS should effect closer coordination and planning of enforcement activities, where applicable, and institute measures to insure exchange of criminal intelligence information.
 11. MBN should develop better criteria for determining enforcement effectiveness.



MISSISSIPPI BUREAU OF NARCOTICS

THOMAS L. DIAL
DIRECTOR

December 17, 1981

PEER Committee
Post Office Box 1204
1504 Woolfolk Office Building
Jackson, Mississippi 39205

Ref: Agency Response

Dear Committee Members:

On 14 December 1981 Analysts Howard Brown, General Neasman, and Gene Marlow met with me and my staff for the purpose of conducting an exit interview over their evaluation of the Bureau of Narcotics. At that time we were provided a copy of the Confidential Draft for our information and comments. After careful review of the document, we submit enclosure 1 (Agency Response) for your consideration.

Naturally, there are points to which we take exception, but overall the evaluation appears to be unbiased and factual. We will implement constructive suggestions where possible. Also, I would like to express my appreciation to the time and efforts expended by your analysts. At all times they extended every courtesy to me and my staff in a very professional manner.

If any committee member has questions concerning the contents of the evaluation or this Agency's response, please do not hesitate to contact me. Thank you for your interest in the Bureau of Narcotics.

Sincerely,

Thomas L. Dial
Thomas L. Dial
Director

Enclosure

TLD/js

Enclosure 1

AGENCY RESPONSE

1. Major Findings

#3, Page VI

Response to MBN's request for thirty-two additional Agents is not justified. The analysts' recommendation appears to be based on two main premises which will be addressed in turn.

Premise #1 - a comparison of MBN to neighboring states indicates more agents at the state level. To provide a more total picture the comparison should also include both federal and local officers assigned to drug enforcement on a full time basis. A comparison of MBN to neighboring states indicates at first glance that Mississippi has more personnel dedicated to drug enforcement than the other states. Exhibit #1 clearly shows that in the state of Mississippi, MBN is virtually the only dedicated force combating drug trafficking and drug abuse. The other states which PEER listed for comparison have many large metropolitan areas which supply manpower for drug investigations at the local level. Mississippi being a mostly rural state depends almost entirely on MBN for drug enforcement assistance. MBN's request for additional agents is based on this Agency's evaluation of the current drug abuse problem and minimum resources required to significantly reduce amounts of illicit drugs available in Mississippi.

Exhibit 1*

| State | State Agents | Federal and Local Agents | Total Drug Enforcement Personnel | Population | Number of Agents per 100,000 Pop. |
|-------------|--------------|--------------------------|----------------------------------|------------|-----------------------------------|
| Alabama | 29 | 60 | 89 | 3,813,775 | 2.3 |
| Arkansas | 30 | 27 | 57 | 2,234,011 | 2.7 |
| Louisiana | 45 | 178 | 223 | 4,107,796 | 5.4 |
| Tennessee | 12 | 202 | 214 | 4,478,766 | 4.9 |
| MISSISSIPPI | 50 | 27 | 77 | 2,455,073 | 3.2 |

Source* - LSP, PEER Reports, ABI, Arkansas State Police, and TBI.

The above chart indicates Mississippi ranks 3rd among the five surrounding states for total drug enforcement personnel per 100,000 population.

Premise #2 - alternative sources of personnel for drug enforcement is available. PEER lists three sources available - Highway Patrol Officers, Contract Agents, and other agency jurisdictions outside the state.

Highway Patrol Officer - patrolmen have been assigned to MBN in the past to compliment its manpower. However, they were sent over to fill existing PIN numbers which were vacant. MBN paid all salaries, retirement, and benefits plus provided all equipment costs. Many problems have developed with this system as evidenced in the PEER report page 10, paragraph 1. But the main point is that they fill existing vacancies, therefore, MBN's strength of 50 does not increase. Currently MHP provides this Agency excellent assistance for raids, roundups, arrests, etc.,

but these people also have required duties to which they must return. Also, PEER recognized other problem areas with this system of exchanging personnel. PEER report page 60, paragraph 6.

Contract Agents - an investigative tool available to MBN for providing younger personnel for undercover operations. This is essentially a Contract Agent's only utility. MBN is requesting full time investigators which can be trained to become professionals. Contract Agents require more supervision because of inexperience and less qualifications thus tying up regular Agents for this supervision. Also, the problem of training arises to protect the Agency from civil liability. MBN feels it is not cost effective to train Contract Agents only to have them leave upon termination of the contract. Contract Agents have historically been second class agents. If you are going to pay their salaries anyway, why not make them full time positions to attract higher caliber personnel?

Other Agencies - all other law enforcement agencies from which MBN could draw personnel, are just as strapped for manpower as we are. MBN certainly could not lend manpower to other states for extended periods of time and we would not expect any other agency could either. This reference in the law pertains to overnight, quick-assist operations where one agency possesses a needed specialty which the other does not have (example - an undercover pilot).

In summary, MBN is requesting needed personnel to provide the drug enforcement service this state deserves and the citizens are demanding. Fifty full-time agents working approximately 200 hours per month each is not sufficient to service 82 counties.

2. Major Findings

#4, Page VI

Response to MBN having an inadequate career progression program. MBN does have career potential among the agent ranks. There exists two levels of Agent (I and II) and two levels of supervision (Lieutenants and Captains). The rank of Lieutenant comprises 24% of MBN total manpower. The rank of Captain comprises 8% of the total. These are relatively high percentages of available advancement positions within our Agency. The major problem is that the agency is new and there is no turnover by retirements. In fact, the nearest Agent to retirement is twenty years. Alternative career paths, such as transfers to patrol, driver license, or fleet maintenance is not a very enticing path for educated people with initiative. MBN seeks career-minded people dedicated strictly to drug enforcement. This area of law enforcement requires a great amount of training and a very special individual who has the ability to understand the complex and sophisticated drug trafficking organizations which have emerged in recent years. Conventional law enforcement does not have this specialized resource and is one of the contributing factors to the dramatic rise in illicit drug trafficking. The career path is there for those who strive to better the agency and seek management positions. Those who do not are lost in a healthy turnover.

3. Major Findings

#9, Page VIII

Response to very little planning and coordination of enforcement operations and exchange of intelligence information between MBN and DPS.

It should be pointed out that in 1981 (through December 15, 1981), the Intelligence Division alone responded to 26 requests from Investigators with MHP. In addition to these requests our agents throughout the state work on a routine basis with MHP officers. This is demonstrated by the fact that within the last 3 years MBN and MHP opened together 45 active case investigations. This does not include numerous other arrests where MBN and MHP assisted each other.

Most coordination of operations and information is handled on an informal basis statewide, primarily because MHP does not have a counterpart to our Intelligence Division. MBN Agents and MHP Investigators work together on a daily basis, but this would not be documented well enough for PEER to uncover.

4. Major Findings

#10, Page VIII

Response to MBN's effectiveness in drug enforcement cannot be determined.

Drug enforcement is unique in that MBN is proactive rather than reactive. MBN is involved in prevention and curtailment of the illicit drug traffic in the state. Most other law enforcement agencies respond to a crime committed, whereas, MBN must first detect the crime before it can respond. Therefore, no statistics are available indicating how well we react.

Also, how do you measure prevention? There is no way to determine the total availability of illegal drugs used or entering this state. Seizures therefore, cannot be compared to totals. MBN can only present a total of seizures made and deduce that as drugs seized increase, so does the availability of them statewide.

It should be noted that on Page 1, PEER states that one of their three objectives is to determine the efficiency and effectiveness of the Bureau in enforcing the law. They then concede on page 71, #11 under recommendations that they could not do this and perhaps MBN should develop their own criteria.

5. Major Recommendations

Page IX

MBN agrees 100% that #1 - the relationship between MBN and DPS should be clarified in the Code. In response to paragraph 1, page 5, regarding the review of enabling legislation creating MBN; discussion with the authors of this legislation state that at no time was MBN meant to be an agency of DPS. Nor under the supervision of DPS. The language is very clear in the *Morrow v Dillard* No. 4716-N [5D Miss. April 1, 1976] [Post-Remand Memorandum Opinion.] This opinion states although MBN is attached to the DPS, it is an independent agency of the state; and the Commissioner of Public Safety has no authority over it...

#3 - also consider the alternative of MBN's own, separate retirement system as MHP is reluctant to add to their system.

#5 - we agree this is a gray area in the law which needs defining.

6. Retention/Career Progression

Page 12, paragraph 2

It should be noted that MBN's turnover rate has for the large majority been New Agent personnel with less than three years of experience. Turnover has been attributed to varying factors including low pay, excessive hours, personal reasons, poor retirement, and better job offers. With less than three years on the job the lack of promotional opportunities is not a factor, especially when one considers that five years is required for the grade of Lieutenant.

7. MBN Authorized Fleet

Page 25

Legislation has been drafted for the 1982 session that would change this provided additional Agents are authorized.

8. Use of Funds

Page 30 - Items 1 thru 6

MBN emphasizes these irregularities occurred under prior administrations and corrective measures to preclude such actions have been implemented at all levels.

9. Drug Enforcement Emphasis

Page 39

Smuggling is a serious problem confronting this State and is a critical area for MBN because it takes tremendous amounts of manpower once a group has been identified within the State. MBN has not, however, decreased its emphasis on street level traffic. MBN fully realizes that small traffickers in some areas are just as significant as smugglers on the Gulf Coast. MBN therefore, has developed basically a two prong policy on drug enforcement - Respond to local needs and target major violators. This is evidenced by MBN's case initiation over the years.

1978 - 953 cases
1979 - 801 cases
1980 - 767 cases
1981 - 805 cases (as of December 15, 1981)

10. Arrests and Convictions

Exhibit 16, Page 43

Arrest statistics are of limited value if the significance and importance of

arrestees are not included. Arrest figures indicated below are for cases initiated within the year, total arrests include cases initiated in previous years but not arrested at that time; these are noted with an asterick.

| | Calendar Year | | | | | |
|---------------|---------------|---------|--------|---------|--------|---------|
| | 1979 | | 1980 | | 1981 | |
| | Number | Percent | Number | Percent | Number | Percent |
| Arrests | 381 | | 356 | | 598 | |
| Conviction | 237 | 62.2 | 114 | 32.0 | 90 | 15.1 |
| No Court | 40 | 10.5 | 17 | 4.8 | 47 | 7.8 |
| Dismissed | 3 | .8 | 1 | .2 | 3 | .5 |
| Pending | 101 | 26.5 | 224 | 63. | 458 | 76.6 |
| Total Arrests | 509* | | | | 737* | |

* - Arrests as of November 30, 1981

11. Analysis of Convictions

Page 44

The number of "no court actions" is a concern of this Agency. However, for the most part MBN has no influence on these decisions as they are made during the Judicial process by prosecutors and judges for varying reasons.

12. Drug Removals

Page 46 - Purity

MBN does not as a matter of practice maintain purity levels on seized drugs. On occasion MBN requests such analysis by the Crime Lab for comparative data to determine sources and availability on the street. The Crime Lab cannot analyze all samples due to the manpower and extra procedures required to determine purity.

13. Category of Agencies

Page 52

PEER's analysis of alternative agency organizations appears complete, but omits one critical issue. The evaluation does not indicate each alternative organizations effectiveness. MBN is a highly respected drug enforcement Agency which has proven its utility and functional capabilities. (Ref. Page 58, Exhibit 22 and Page 60, #5.) Other than a few procedural changes, PEER does not show a need for

an organizational change to MBN, but merely points out that several alternatives do exist. True, the surrounding states do have varying set-ups for drug enforcement. However, many other states nationwide are organized similar to MBN. Advantages and disadvantages to each alternative could be brainstormed all day long, but it does not change the fact that MBN is a proven Agency.

14. Problems Associated with a Merger

Page 59, #1

The statement that "within the Patrol, promotions are predicated on merit and a competitive process, whereas in MBN it is largely based on position vacancy" is a conflicting statement where PEER states on page 11 that MBN uses a highly competitive system proven to be very successful. Surely, no agency can promote without a vacancy. The above statement is either a misprint or deserves clarification by PEER.

15. All comments concerning the evaluations final findings have been addressed and any further comments would be redundant.

MISSISSIPPI BUREAU OF NARCOTICS

Memorandum

TO: Howard Brown, Principal Analyst
PEER Committee

DATE: January 15, 1982

FROM : Ronald E. Johnson, Deputy Director

SUBJECT: MANPOWER VERIFICATION

In reference to our conversations concerning adjoining states manpower dedicated to drug enforcement, I submit the following information and sources obtained by MBN's Intelligence unit. The totals area as accurate as we could obtain without calling every department in each state. The total picture shows Mississippi to be lagging behind the other states in personnel dedicated to drug enforcement.

Of course it is too late now, but I wish you had not chosen this route to evaluate MBN's manpower request. We consider MBN to be a leader among drug enforcement agencies. A comparison to other states without any knowledge of their effectiveness or problems is not a fair comparison for MBN or Mississippi.

If we can be of any further assistance, please do not hesitate to call.

Attachment

SIGNED

Ronald E. Johnson

| | | | | |
|------------------|---------|-------|-------|-------|
| <u>ALABAMA</u> - | Federal | State | Local | Total |
| | 9 | 29 | 51 | 89 |

*Source - ABI, Lt. Bradford (205-832-5900)
 Local departments with full time personnel are Birmingham, Jefferson City, Montgomery, Mobile, Phoenix City, Huntsville, Gadsden, Florence, Decatur - not inclusive.

| | | | | |
|--------------------|---------|-------|-------|-------|
| <u>TENNESSEE</u> - | Federal | State | Local | Total |
| | 11 | 12 | 200 | 223 |

*Source - TBI, Agent Gilliland (615-333-2333)
 Local include Memphis Metro (22), Nashville (29), Chatanooga (10) as examples.

| | | | | |
|-------------------|---------|-------|-------|-------|
| <u>ARKANSAS</u> - | Federal | State | Local | Total |
| | 5 | 30 | 24 | 59 |

*Source - Arkansas State Police, Captain Beach (501-224-4616)

| | | | | |
|--------------------|---------|-------|-------|-------|
| <u>LOUISIANA</u> - | Federal | State | Local | Total |
| | 28 | 77** | 118 | 223 |

*Source - LSP - Region I - Lt. Butch Milan
 Region II - Lt. Danny Brown
 Region III - Lt. Stan Howard

**This figure includes 45 present, 25 recently approved, and 7 man DIU Unit.

| | | | | |
|----------------------|---------|-------|-------|-------|
| <u>MISSISSIPPI</u> - | Federal | State | Local | Total |
| | 2 | 50 | 25 | 77 |

*Source - MBN - Intelligence - Cpt. Charles Lindsey
 Area I - Cpt. Charles Spillers
 Area II - Cpt. James Wallace
 Area III - Cpt. Eddie Dickey

Locals include Jackson PD, Biloxi PD, Jackson County SO, Pascagoula PD, Meridian PD, Greenville PD, Tri-County of Lowndes, Oktibbeha, and Clay. Not inclusive.

END