

Oklahoma Senate Committee on Appropriations

2017-18 Performance Report

OKLAHOMA BUREAU OF NARCOTICS & DANGEROUS DRUGS CONTROL

AGENCY MISSION STATEMENT:

The OBNDCC mission statement is “Committed to honor, integrity, and excellence, the Oklahoma Bureau of Narcotics will serve the citizens of Oklahoma in the quest for a drug free state.”

LEAD ADMINISTRATOR:

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GOVERNANCE:

The OBNDCC is governed by a Commission that consists of seven (7) Governor appointed members, not more than two (2) of whom will be from the same Congressional District. The members are appointed by the Governor and confirmed by the Senate for terms of seven (7) years. The commission is comprised of four (4) lay members, one (1) District Attorney, one (1) active Sheriff, and one (1) active Chief of Police. The Commission provides for another level of accountability and transparency.

The Agency Head is interviewed and ultimately appointed by Commission Board Members. Commission Board Members meet on a quarterly basis at the agency headquarters location in Oklahoma City and/or any other place as designated.

Commission Board Members:

Greg Mashburn, District Attorney #21 – Commission Chair
Larry Rhodes, Garvin County Sheriff – Commission Vice Chair
T. Hastings Siegfried, Chief Operating Officer of NORDAM Group
Jan Miller, President of Bank of Commerce Catoosa
Gretchen Zumwalt-Smith, Attorney at Law
Phillip Cole, Bethany Chief of Police
Layne Subera, DO

GOVERNANCE ACCOUNTABILITY:

Please provide copies of the minutes for any Commission/Board meetings the agency has had over the past twelve (12) months in electronic format (Only in PDF format). Is there an attendance policy for board members/commissioners? If so, is it being followed?

See attached electronic pdf format files for Commission/Board meetings dated, 01/17/17, 04/11/17, 07/11/17, and 10/17/17.

The Commission Meetings are held on a quarterly basis. In order to have a Commission Meeting, we must have a "quorum" which we interpret to be a majority. Our Commission Board is comprised of seven (7) members. Attendance requirement is one-half plus one (1); therefore a total of four (4) required to attend.

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MODERNIZATION EFFORTS:

Please provide a listing of all government modernization efforts undertaken by the agency over the past twelve (12) months. Additionally, please provide any authorizing statutory changes that prompted the modernization efforts and whether those efforts have led to cost savings or additional cost burden.

What steps has the agency taken to cut costs and/or eliminate waste? Are there efforts that have been successful which you believe could serve as a model for other state agencies seeking to keep costs minimal?

- **Prescription Monitoring Program:**

Integration into HIE: The OBNDCC's Prescription Monitoring Program (PMP) in cooperation with the Health Information Exchange (HIE) vendors began the process of making the PMP data directly available to HIE partners. This mechanism will allow for integration of OBNDCC's PMP into the clinicians' workflow of their dashboard screens of Electronic Health Records (EHR). This effort will return quicker results to the mandatory PMP checks, and therefore affect time and overall satisfaction of medical associations and boards.

PMP Data Extracts is being provided to ODMHSAS and OSDH according to: [63 O.S. § 2-309D – E](#) (HB1419): *“E. The Department of Mental Health and Substance Abuse Services and the State Department of Health may utilize the information in the central repository for statistical, research, substance abuse prevention, or educational purposes, provided that consumer confidentiality is not compromised.”* Data is being provided through **OBNDCC enabled File Transfer Protocol (FTP) portal** for the ease of use of ODMHSAS and OSDH, which streamlines the process and saves time and money in the end. This data is provided on a monthly basis.

Creation of the electronic **OBNDCC PMP Data Request Form** enhanced internal and external operations of OBNDCC in many ways: streamlined data request process, cut down time between the initial request and data delivery, allowed tracking of all requests at all levels of completion at any given point in time, expedited requests pertaining to the Opioid Commission, and communication between the agencies on necessary information required, i.e. the purpose of requested data, enhances collaboration between the prosecuting agencies, the Office of Attorney General, Oklahoma Department of Mental Health and Substance Abuse Services, and Oklahoma State Department of Health. Electronic format of the requests and products saves time and resources necessary to handle otherwise paper imprints.

Continuation of **exchanging OBNDCC's PMP data with other states' PMPs**. This is accomplished by utilizing National PMP data hubs. Currently, we are connected with 15 states through the Prescription Monitoring Program interface (PMPi) operated by the National Association of Boards of Pharmacy (NABP). We are looking forward to expanding the list to 30 in the upcoming CY2018. We are also anticipating connecting through RxCheck hub funded by the Bureau of Justice Assistance (BJA) and Integrated Justice Information Systems.

- **Oklahoma Threat Assessment**

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OBNDCC has compiled an annual comprehensive “Oklahoma Drug Threat Assessment” for distribution to law enforcement, policy makers and made available to the general public. The “Oklahoma Drug Threat Assessment” provides a detailed outline of the specific drug issues impacting the state. It is intended to be used as a blueprint for strategic coordination of state, federal and local resource to efficiently and effectively target and eliminate emerging or evolving drug issues, including trafficking cell organizations, distributors, illicit manufacturers, drug fraud and substance abuse that can quickly destroy lives, families and communities. Moving forward OBNDCC plans to provide an Oklahoma Drug Threat Assessment each year.

- **ACISS Records Management System**

In an attempt to modernize and promote efficiency, OBNDCC and the Oklahoma State Bureau of Investigation (OSBI) recently linked their ACISS Records Management Systems. This linking, allows Agents from both Agencies to search core entities (i.e. subjects, addresses, vehicles, phone numbers) in a much larger data base. Agents, from OBNDCC and OSBI, searching a subject will now see if that subject is part of an existing investigation in another data base and will be able to contact the Agent assigned to the correlating case. The benefits of linked data bases are the integration of resources during investigations, the prevention of duplication of efforts and increasing operational efficiency in day to day operations.

OBNDCC is planning to continue with a forward looking stance in efficiency and work toward linking data bases with surrounding State Agencies in addition to Police Municipalities that currently utilize the ACISS Records Management System (i.e. Colorado Bureau of Investigation, Kansas Bureau of Investigation, Arkansas Bureau of Investigation, Tulsa Police Department and Oklahoma City Police Department).

- **Power DMS**

OBNDCC utilizes a web based program called Power DMS (Document Management System) as a mechanism to disseminate policies and procedures. In Power DMS, employees are sent notifications through email when new policies and procedures are implemented. Employees are then required to affix an electronic signature of acknowledgement and understanding of the policy thus creating employee accountability. This accountability transpires into reduced risk and liability exposure for OBNDCC.

OBNDCC is also working toward utilizing Power DMS to assist with training needs and the tracking of certifications. Employees will receive mandated Council on Law Enforcement Education and Training (CLEET) annual training through Power DMS which will allow Employees to receive mandated training at their perspective office without causing an interruption in their investigatory responsibilities by travel. The convenience of completing mandated training by the Agents at their perspective offices will also save OBNDCC and the State of Oklahoma for registration fees often times associated with training. OBNDCC will also be migrating several of our training records into this system. These records will include annual firearms qualifications and other expiring certificates such as clan lab recertification.

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OBNDCC has recently began the Commission on Accreditation for Law Enforcement Agencies (CALEA) accreditation process; Power DMS is also the mechanism being utilized to show compliance with standards set forth by CALEA.

- **Establishment of Advanced Clan Laboratory Investigative Capabilities**

In response to the changing clandestine drug laboratory environment, OBNDCC has reevaluated our clan lab response capabilities. The overall number of methamphetamine laboratories has declined, however more complex and higher threat labs such as fentanyl labs are now a reality. OBNDCC was able to procure 24 new self-contained breathing apparatus (SCBA) systems at no cost to OBNDCC. These replaced numerous older SCBA units that had reached end of life. We have chosen a model of equipping fewer agents to work clandestine laboratories, while increasing the capability to work complex/ high hazard labs. We currently have trained six agents to level A certification and anticipate training an additional six to that level in 2018.

OBNDCC has also partnered with the Oklahoma Army National Guard 63rd Civil Support Team on high hazard and complex labs. This unit is the state WMD response team and they are able to provide advanced air monitoring and decontamination assets at no cost to OBN. We have already worked one Fentanyl Lab in Oklahoma in 2017 with the assistance of the 63rd CST. We have also worked with the Oklahoma State University School of Forensic Sciences on clan lab matters. They have been able to provide expert chemistry advice at no cost to OBNDCC. We will continue to foster these relationships.

OBNDCC is currently outfitting a lab response trailer that will be centrally located. This will allow a lab response anywhere in the state, while reducing the need to have equipment staged all over the state. We are constantly monitoring clan lab investigative needs and can scale up our capabilities if the need should arise.

- **Review of services provided by AT&T (Cellular, VHF Radio and Data Lines)**

In an attempt to cut costs and eliminate waste, OBNDCC has conducted a line by line review of the services provided by AT&T regarding cellular communications, VHF radio communications, supporting copper circuits and data lines. As a result, OBN has significantly diminished the amount of services provided by AT&T in addition to other fees attributed to space/tower rental and maintenance of equipment.

OBNDCC assessed the number of air (cellular data) cards, iPads and iPhones deployed to its employees at which time it was determined that a reduction could occur without jeopardizing operational effectiveness. As a result of this, the majority of civilian employees issued cellular devices were recalled and the plans terminated. The majority of the air cards were also recalled and the correlating plans cancelled. A device tethering data plan was then added to all commissioned employees' cellular device plans which improved operational effectiveness while lowering the per Agent cost. With this review there could be potential monthly savings of approximately \$5,857.00.

A review of OBNDCC's communications was conducted regarding VHF radio system, supporting copper circuitry, space rental for repeaters and data lines. It was determined,

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that due to inflating rates to support and maintain the dated VHF system, copper circuits and overall unreliability of communication across the state, to remove the system. Also, during the review, unneeded data lines were terminated. With this review there could be monthly savings of approximately \$14,287.00.

- **Peer Review Team**

OBNDCC has formed a Peer Support Team that received two day training to become certified. These efforts model and coordinate with Oklahoma Highway Patrol and Oklahoma City Police Department to expose the team to real world situations and to develop policy in regard to incident crisis management for our law enforcement personnel. Peer Support for crisis intervention promotes mental health wellness in situations in which our employees may be exposed to traumatic events.

- **Paperless Efforts**

OBNDCC has made significant efforts to eliminate the use of excess paper materials. One example of this is that all HR hiring boards have gone to digital materials for application packets and resumes. The board members receive scanned documents and utilize these during the vetting and interview process.

- **Video Teleconferencing**

OBNDCC has maximized video teleconferencing for multiple initiatives to save time and money. For instance the quarterly leadership meeting is now held via video teleconference so the Agents in Charge in 5 district offices can participate digitally, saving each approximately 4 hours of travel time. Another example is the implementation of similar technology to interview job candidates who are out of state saving them hundreds of dollars in travel cost and allowing us to increase our candidate pool.

- **Fiscal/HR Reorganization**

Over the last six months, OBNDCC's Fiscal/HR Department has acquired shared services through OMES, one employee resigned and the Director of Fiscal Services retired. In efforts to identify costs savings and efficiencies, the Fiscal/HR Division has been reorganized and all tasks along with leadership responsibilities have been redistributed. At this time the agency will not replace these two positions, but did choose to compensate the others in taking on the additional duties. In total payroll costs, to include salaries and benefits, this decision will save the agency approximately \$111,379 annually.

CORE MISSION:

What services are you required to provide which are outside of your core mission? Are any services you provide duplicated or replicated by another agency? Are there services which are core to your mission which you are unable to perform because of requirements to perform non-core services elsewhere?

The OBNDCC is responsible for enforcing the state drug, human-trafficking and money-laundering laws as defined in Title 63 of the state statutes. This includes proactively working drug and human-trafficking investigations, money-laundering investigations, assisting local law enforcement narcotics investigators, and providing drug education and training. OBNDCC is also responsible for the enforcement of

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Oklahoma Administrative Code 475 to include diversion investigations and administration of rules and regulations relating to the registration and control of the manufacture, distribution, dispensing and prescribing of controlled dangerous substances. OBNDCC's core functions are not duplicated by another agency. OBNDCC frequently works to curb other issues that are directly or indirectly tied to the above activities.

- The OBNDCC and Covanta Energy in Tulsa celebrated the five-year anniversary of the "Safe Trip for Scripts" program to safely dispose expired, unwanted pharmaceutical drugs collected from home medicine cabinets. The OBNDCC has now installed 177 drug take-back boxes in law enforcement lobbies across the state. In the past five years, the OBNDCC has collected more than 55 tons (approximately 114,000 pounds) of home medication. Covanta Energy incinerates the drugs, turning the waste material into clean energy at no charge to the OBNDCC or the State of Oklahoma. OBNDCC has also partnered with Oklahoma Roll-Off to improve efficiency and reduce the cost of storing and transporting the unused/unwanted medications. With the growing epidemic of prescription drug abuse, the OBNDCC takes great pride in the progress of this program and the continued participation of the citizens of this great state.
- Narcan/Naloxone products are used to provide immediate lifesaving intervention to persons experiencing an opioid overdose. These kits are designed to allow the application of this medication by persons with little to no medical training. Other kits on the market use syringe based applicators that require assembly which can prove to be difficult in a highly stressful situations. This kit is very intuitive and requires no assembly. The user simply opens the packet, places the nasal applicator in the victim's nostril and depresses a plunger. The dose is also higher than other kits in direct response to increased hazards from the potency of fentanyl products.

Specifically, the requests for treatment due to heroin and controlled opioid use had risen in less than a year from 300 cases to 900 cases. Further evidence of this risk arrived from the field where law enforcement officers observed an increase in heroin/opioid overdoses. The State of Oklahoma responded by making Naloxone kits available to first responders, but there were insufficient funds to supply all pertinent agencies with the kits, especially law enforcement agencies. In addition, national reports indicated that fentanyl was quickly replacing heroin as the drug of choice, Fentanyl can be directly absorbed through the skin placing citizens and first responders at a high risk of accidental poisoning.

With safety of citizens in mind, OBNDCC requested the purchase of Naloxone kits through a federal grant and was approved. OBNDCC purchased 660 dual applicator kits for \$49,500. The kits contain the new Naloxone formulation that can reverse overdoses caused by fentanyl and other lethal opioids. About half the kits were reserved for OBNDCC undercover narcotic investigators and the remainder continue to be distributed to departments that traditionally do not have adequate funding to purchase them. The distribution occurs through narcotic training classes provided by OBNDCC, to all eligible law enforcement personnel.

PRIVATE ALTERNATIVES:

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Are any of the services which are performed by the agency also performed in the private sector in Oklahoma? In other states? Has the agency been approached by any foundation, for-profit or not-for-profit corporation with efforts to privatize some of the functions of the agency?

The OBNDDC has not been approached by any foundation, for-profit or not-for-profit Corporation with efforts to privatize any of the agency's functions. OBNDDC's core functions are not duplicated in the private sector. Although there are NGOs (Non-governmental Organizations) that engage in similar efforts they do not hold the law enforcement authority to investigate and enforce Title 63 or OAC 475. Some of these efforts include, non-profit organizations that fight against human-trafficking in providing shelter and refuge for victims. Other efforts are geared towards Oklahoma's opioid crisis, in which some private pharmacies are now providing containers for customers to safely dispose of unused medications.