Washington State Department of Commerce

Multi-jurisdictional Task Force Roundtable Outcomes Report

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Report to the Legislature

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Executive summary

Overview

In 2024, the Legislature appropriated fiscal year 2025 funding for the Department of Commerce (Commerce) to provide grant funding to local multi-jurisdictional task forces (MJTF).

Each task force serves a designated geographic area to coordinate efforts that are usually beyond the capacity of local law enforcement jurisdictions. Law enforcement agencies partner together across federal, state, tribal, and local agencies to form task forces that coordinate information, resources, and staff to target the illegal distribution of drugs at the local and regional level. The multi-jurisdictional task forces are responsible for conducting high-level narcotic investigations to identify, interdict, dismantle, and prosecute mid- to upper-level criminal organizations engaged in illicit gang, gun, and drug activities.

Legislative mandate

FY24 ESSB 5950 p. 95 section 93 details the requirements of MJTFs and the requirements for the roundtables.

> (a) $2,700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to continue to provide grant funding to local multi-jurisdictional task forces that previously received funding through the federal Edward Byrne Memorial Justice Assistance Grant program. Grants provided under this section must be used consistent with the requirements of Edward Byrne memorial justice assistance grants and with national best practices for law enforcement.
>
> (b) Of the amounts provided in this subsection, $50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department, with the office of the governor, to coordinate three roundtables to review policies, regulations, and fiscal investments regarding multi-jurisdictional drug task forces in Washington state. The roundtables must include representatives from state, tribal, and local governments, and invite representatives from the federal government. By June 30, 2025, the department must submit a summary report of the roundtable's findings to the appropriate committees of the legislature.

Methods

Commerce implemented planning sessions to ensure alignment with the requirements outlined in the proviso. This included meeting with:

- Commerce's Office of Tribal Relations (OTR) to plan a dedicated tribal roundtable.
- The Governor's office to identify public, behavioral, and community health partners to invite to roundtable sessions.

The following participants were invited. Invites may have been forwarded beyond the number of invitees listed. Additionally, Commerce staff observed that not all participants signed in at the Roundtable Discussions, so the number of attendees may be an undercount.

- **Federal law enforcement**
  - Number of people invited: 4
  - Number of people who attended: 7
- **State law enforcement**
  - Number of people invited: 1
  - Number of people who attended: 3

- **Local law enforcement**
  - Number of people invited: 60
  - Number of people who attended: 41
- **National Criminal Justice Association**
  - Number of people invited: 1
  - Number of people who attended: 1
- **Prosecutors Office**
  - Number of people invited: 1
  - Number of people who attended: 1
- **Public health (Department of Health)**
  - Number of people invited: 12
  - Number of people who attended: 5
- **Social services (Department of Social and Health Services)**
  - Number of people invited: 2
  - Number of people who attended: 1
- **Health Care Authority**
  - Number of people invited: 6
  - Number of people who attended: 0
- **Other statewide organizations and associations**
  - Number of people invited: 2
  - Number of people who attended: 2
- **Caucus staffers**
  - Number of people invited: 2
  - Number of people who attended: 0
- **Local political representatives**
  - Number of people invited: 1
  - Number of people who attended: 1
- **Tribal partners**
  - Number of people invited: 1
  - Number of people who attended: 1
- Other statewide organizations and associations were invited, including:
  - WA Association of Sheriffs and Police Chiefs
  - 911/988
  - Volunteers of America
  - Frontier BX Health
  - Comprehensive Mental Health

- The Commerce OTR sent invites to interested tribal citizens to participate in roundtable discussions.

In alignment with the proviso language, participants were asked to review policies, regulations, and fiscal investments related to the multi-jurisdictional task forces. A full list of the questions posed is available in Appendix A. The findings summarize group discussions and feedback from participating individuals. Not all feedback directly corresponded to the question asked. Additionally, Commerce requested copies of current policies, regulations, and detailed budgets to assess against but was unable to obtain them from key partners who cited confidentiality concerns.

Limitations

- Most participants (65%) were local law enforcement, which included 41 participants. This is a sufficient sample size to capture all shared ideas for this group. However, participation rates for all other sectors were not sufficient to capture all shared ideas, and the findings below cannot be generalized or considered representative of any other participant group or perspective.
- Although Commerce worked closely with the Office of Tribal Relations to disseminate invitations to tribes and plan a specific tribal roundtable, only one tribal law enforcement representative attended the tribal roundtable.
- Not all participants signed in at the roundtables, so the number of attendees and sectors represented are an undercount.
- The number of total participants is not a sum of all participants at all meetings. Some participants attended and participated in more than one roundtable discussion.

Key findings

Below is an outline of key findings provided by roundtable participants. The findings presented below reflect what was shared during the roundtable discussions, informed by the majority voice of local law enforcement. These findings cannot be generalized to other sectors or participants.

Regulation Recommendations:

1. Identify a process for law enforcement agencies to start a task force.
2. Model state funding policies of MJTF regulations to the current federal Byrne JAG program, enforcing drug interdiction and violent crimes. Allow funds to purchase equipment and training.
3. Maintain the task force peer review process.
4. Explore opportunities for improved interagency collaboration between the task force agencies and the tribes.
5. Provide additional funding to support administrative and analyst positions within the task force regions.

Policy Recommendations:

1. Continue supporting a statewide overdose map to share data with the public about where overdoses are occurring.
    a. Please note: A statewide overdose map is currently available through the Washington State Department of Health. Participants were unaware this resource already exists and recommended creating a map. More information about the existing resource should be shared for awareness.
2. Provide funding to support local prosecutors' offices to prosecute cases.
3. Review and assess state statutes for the following:
    a. RCW 13.40.740[1] - interviewing juveniles who engage in drug sales and violence.

[1] RCW 13.40.740: Juvenile access to an attorney.

    b. RCW 10.93.160[2] - prohibiting law enforcement from inquiring about citizenship status and prohibits collaboration with federal immigration officers.
    c. RCW 10.105.010[3] - assets forfeiture.
4. Create RCWs setting policy regarding paying informants, outlining the elements of state drug levels and prosecutions, and state outcomes on tracking and dismantling medium and large drug trafficking rings.
5. Separate law enforcement task force responsibilities from public health responsibilities. Identify who is responsible for resources, investigation materials, and equipment.
6. Request additional funding for the following:
    a. Establish multi-year contracts with a funding structure that addresses the task force's unique needs.
    b. Establish governing policies and procedures that include options at a local board level, state board level, defined executive board, and collaboration with federal agencies to support resource allocation.

Fiscal Investments

- Increase funding appropriation to at least $300,000 per task force.
- Consider establishing a funding matrix to create a funding structure that would address the needs of small and large task forces.

[2] RCW 10.93.160: Immigration and citizenship status—Law enforcement agency restrictions.
[3] RCW 10.105.010: Seizure and forfeiture.

Introduction

Background

Commerce has been the State Administering Agency for the federally funded Edward Byrne Memorial Justice Assistance Grant (JAG) Program for more than three decades and uses JAG awards to fund a portion of the operating budgets of 16 active task forces across the state.

- Each task force received a sub-award for approximately $150,000 for state fiscal year (SFY) 2025.
- Additionally, Commerce provided $144,000 to 1110 Precision Services LLC to serve as a Peer Coordinator. The Peer Coordinator:
  - Monitors the multi-jurisdictional task force activities for compliance.
  - Provides technical assistance regarding operational aspects of the task forces.
  - Meets with the task forces to evaluate performance standards and make recommendations for improvement.
- In addition, a 17th task force, the Pacific County Drug Task Force has been funded through a dedicated budget proviso for $371,000 in state funds for SFY 2023-2025.

The multi-jurisdictional task forces are responsible for conducting high-level narcotic investigations. Each established task force supports a designated geographic region within Washington. Their primary purpose is to stop drug traffickers, including dealers, manufacturers, and distributors of narcotics and firearms. Cases are then either prosecuted in state felony courts or handed off to federal law enforcement agency partners to prosecute individuals involved in criminal organizations.

Between 2015-2024, Washington task forces accomplished the following[4]:

- Executed 1,125 search warrants
- Completed 216 drug arrests of high-level narcotics
- Completed 492 non-drug related arrests

These activities resulted in:

- 1,200 felony charges
- 297 misdemeanor charges
- 396 prosecutions
- 357 convictions

In 2023, the U.S. Department of Justice (DOJ) under 34 U.S.C. § 10152(a)(1)[5] [6] provides that JAG funds are to be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, including for any one or more of the following programs:

- Law enforcement programs.
- Prosecution and court programs.
- Prevention and education programs.

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[4] Sample data consists of 10 years of data (2015 - 2024) from some of the participating task forces and is not conclusive.
[5] Purposes for Which Funds Awarded Under the Edward Byrne Memorial Justice Assistance Grants (JAG) Program May Be Used
[6] Bureau Of Justice Assistance Fact Sheet

- Corrections and community corrections programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation).
- Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.
- Implementation of State Crisis Intervention court proceedings and related programs or initiatives, including but not limited to (i) mental health courts, (ii) drug courts, (iii) veterans courts, and (iv) extreme risk protection order programs.

The DOJ requires the State Administering Agencies to prepare a comprehensive strategic plan to guide overall JAG program implementation. The plan spans five years and is updated every two years. Commerce completed its JAG strategic plan in June 2023[7]. A subcommittee of JAG Advisory Committee members guided the development of the plan. Commerce and the Advisory Committee received technical assistance from the National Criminal Justice Association (NCJA) on Byrne JAG strategic planning throughout 2022. NCJA is the technical assistance provider for all states receiving Byrne JAG funds and has a robust suite of strategic planning tools. The National Policing Institute provided an assessment report identifying a broader picture of funding for the task force operations and the use of JAG funds within the state.[8]

The final JAG strategic plan proposed

- The creation of a new JAG Innovation Fund, an initiative to support short-term, smaller projects that advance equity and promote new and promising practices in the criminal legal system. Approximately 1.5 million dollars of JAG funding would be dedicated to the initiative each year.

- The creation of a second solicitation supporting programs and initiatives in three priority areas of focus: Planning, Evaluation and Technology Improvement; Crime Victim Programming, Support and Advocacy; and Community Safety Enhancement and Law Enforcement Programs/Support.

- The recommendation is for Commerce to commission a Criminal Legal System Needs Assessment to inform future efforts.

In SFY 2024-2025, the MJTF was allocated $2.7 million in state funding. None of the task forces received federal dollars from Commerce for task force operations.

[7] Washington JAG Strategic Plan 2023_2027
[8] NPI JAG Final Report Commerce

Regulations

See Appendix A for a list of questions posed to participants. Below is an outline of key findings provided by roundtable participants. The findings presented below reflect what was shared during the roundtable discussions, informed by the majority voice of local law enforcement. These findings cannot be generalized to other sectors or participants.

Regulations supporting the MJTF:

- Participants recommend any spending requirements under state funds replicate the same regulations used for the federal Byrne JAG program in Title 34, Crime Control and Law Enforcement.[9].
- Participants recommend changes to the following regulations:
  - Use state appropriated funds to purchase equipment and training.
  - Remove the Department of Justice, Death in Custody Reporting Act (DCRA) reporting requirement[10].
  - Include investigating violent crimes into the matrix of authorized activities.
  - Structure reporting data collection to reflect the authorized activities of the task force.

Peer review process

The current peer review process, supported by state funding, monitors the MJTF operations in terms of best practices, sound management, and monitoring performance measures. This is done through audits and inspections of first-level supervisors and senior members to ensure accountability to the program. The Peer Review coordinator, contracted through Commerce using task force funds, is responsible for evaluating the MJTF operations and providing recommendations for improvement. Roundtable participants found value in the current peer review process. Participants recommend to:

- Ensure consistent practice and provide training on the process while outlining clear expectations.
- Create a space to identify best practices shared with all the task forces and leadership.
- Host an annual meeting/convention for all MJTF to support collaboration.

Regulation recommendations

The multi-jurisdictional task forces officers indicated they want to primarily focus on task force related enforcement and investigations. Officers and detectives share responsibilities with their home agencies and must compete against other agency priorities. Investigations are time-consuming and can span across state and international borders. When officers are pulled away from task force investigations, the investigation can stall.

Overall recommendations include:

1) Using a three-pronged approach to include prevention, treatment and interdiction. Roundtable participants want to focus on interdiction and leave prevention and treatment to public health.
2) Provide additional funding to support training, investigations, equipment and resources.
3) Law enforcement recommends standardization task force operations across the state.

[9] 34 USC Subtitle I, CHAPTER 101, SUBCHAPTER V, Part A: Edward Byrne Memorial Justice Assistance Grant Program
[10] H.R.1447 - 113th Congress (2013-2014): Death in Custody Reporting Act of 2013 | Congress.gov | Library of Congress

Policy

See Appendix A for a list of questions posed to participants. Below is an outline of key findings provided by roundtable participants. The findings presented below reflect what was shared during the roundtable discussions, informed by the majority voice of local law enforcement. These findings cannot be generalized to other sectors or participants.

Data collection focused on transitioning the MJTF from federal Byrne JAG regulations to comply with Washington state RCWs and WACs. Currently, MJTF relies on federal policies to outline operational expenditures, expected outcomes and responsibilities.

Governing policies for multi-jurisdictional task force operations

The multi-jurisdictional roundtable discussions, participants identified policies that should be incorporated into state funding, including separating law enforcement and public health responsibilities, identifying who is financially responsible for resources, investigation material, supplies and equipment, outlining multi-year funding, and determining a funding structure that addresses the task force unique needs.

Identifying MJTF governing body to administer grant funding

Roundtable participants discussed who should govern the task force policies pertaining to operations. Listed below are governing options discussed in roundtable discussions:

- Local board level - If there are multiple task forces within a region, a governing board should oversee the finances, share resources, and discuss best practices and information.
- State board level – focusing on RCWs and WACs, the state board would govern the overall operations of the task forces including budget allocations. State patrol plays an active role when receiving requests for service and forwards requests to the corresponding MJTF.
- Defined executive board - responsible for overseeing all task forces in WA state. This includes outcomes and performance measures, establishing training protocols, asset allocations, financial awards and governing regulations on task force activities. Develop an oversight board to monitor the mission and goals of the task forces.
- Federal level – a coordinated response between law enforcement agencies. The federal response must meet certain requirements before federal resources are available.
- Agency administrative authority- current agency administrative authority is at the Washington State Department of Commerce. Some participants expressed interest in shifting to another state administrative authority under the Washington Association of Sheriffs and Police Chiefs (WASPC).

Policy recommendations include:

1) Establish an RCW governing the MJTF funding and operations.
2) Determine funding using a tier-based approach, taking into consideration task force outcomes and performance metrics.
    a) Create a policy on how informants are paid for providing intelligence. The current RCW 10.56.040 does not specify if, when, or how informants are paid for information.

3) Address state RCW and WAC to identify, arrest and question juveniles, ask about immigration status, and how asset forfeitures are processed through the court system.[11]

    a) Provide clarity on state outcomes requirements for identifying and dismantling drug trafficking rings.
    b) Change state drug laws and prosecution levels to deter drug trafficking.

4) Establish public defender standards providing timely defense so prosecutors are not forced to close cases.
5) Collaborate with the county prosecutors' office to address the lack of consistency in how local prosecutors accept and process cases.
6) Establish a working relationship with the Office of the Attorney General, U.S. Department of Justice.
7) Enable MJTF to be nimble and adjust internal policies to the changing community environment.

Additional feedback:

Participants provided additional feedback that is outside the scope of policies regarding MJTF, including concerns with the prosecutorial process.

[11] Referencing RCW 13.40.740, RCW 10.93.160, and RCW 10.105.010

Fiscal investment

See Appendix A for a list of questions posed to participants. Below is an outline of key findings provided by roundtable participants. The findings presented below reflect what was shared during the roundtable discussions, informed by the majority voice of local law enforcement. These findings cannot be generalized to other sectors or participants.

The fiscal investment discussion focused on the current funding structure, how funding is used and sustainability. The current structure is as follows:

- Each MJTF received $150,000 for SFY 2025, which is reported to only fund a portion of the MJTF local operating budget.
- The Peer Coordinator received $144,000 for SFY2025 to conduct quality assurance oversight.

Current task force funding

The feedback from the roundtable discussions identified inadequate funding for sustainable and reliable program support. Due to this lack of funding, the number of MJTFs has declined from 22 to 16. MJTFs rely on a blending of funding from county, state, federal, and grant resources to operate within their jurisdictions. When the funding is reduced or no longer available, the task force will either reduce its capacity to work cases or disband. Lack of dedicated funding has also prevented adequate planning and training. Officer time is often shared locally, with a portion of time spent on task force investigations.

Current funding streams include:

- Local funding - funding is allocated through the task force law enforcement agency or by local city councils. The states' MJTF funding is dedicated to salaries and benefits.
- Federal resources - such as the High Intensity Drug Trafficking Areas (HIDTA[12]) for participating counties. Federal law enforcement agencies provide funding when they accept a local case.
- State funding - state funding is very limited and unreliable. State Patrol offers some grant funds to pay for equipment.
- Tribal funding - participating tribal communities have provided funding if they have an inter-agency agreement to support law enforcement operations.
- Seizure funds - funds received through a drug seizure. Seizure funds are unpredictable and are only awarded once the case has been processed through the court system.
- Other local grants - depends on availability and accessibility is not reliable.

Lack of funding — Impacts

Generally, the MJTF operates with 90 days of funding. Roundtable participants expressed concern that once a MJTF is no longer working in an area, drug trafficking, violent crimes and human trafficking may increase. Rural task forces are at the greatest risk of disbanding due to lack of funding. These rural areas often have small police departments and rely on local MJTFs or federal partners to investigate drug crimes. Lack of funding also impacts the following:

- The ability to retain staff and provide training.
- Maintaining or purchasing new equipment such as Global Positioning System (GPS) and wire technology, replacing undercover vehicles, and support for K9s and handlers.
- Paid informants for information to an investigation.

[12] High Intensity Drug Trafficking Areas Summary

Blended funding with public health organizations

Not every task force works with public health and rural areas have limited capacity to interact with public health partners. Funding local public health departments would provide for additional Naloxone (Narcan) kits, public awareness campaigns, and drug testing for known and unknown substances.

Collaboration with cross-sector partners

Throughout the roundtable discussions, participants shared recommendations related to collaboration with tribal partners and health departments. Given the low representation of tribal, local public health, and state public health partners, these recommendations are compiled into an additional section. The recommendations below are from the majority perspective of local law enforcement.

Recommendations

Roundtable participants recommend that state funding be sustainable and predictable. They recommend increasing annual funding to at least $300,000 per task force, setting up a funding matrix model to differentiate between small and large task force needs, and identifying the process of starting a task force. Secondary recommendations include establishing partnerships with local county public health agencies and tribes.

Collaboration with tribal partners

Tribal collaborations vary within task force operations. Limited interlocal agreements allow tribal police departments to share information with the task forces or refer a case to the federal authorities that have jurisdiction to investigate criminal complaints. Some tribal police departments have limited jurisdictional authority to participate in investigations.

Participant recommendations include:

- Creating a pathway to establish interlocal agreements between tribal police departments and task force operations.
- Supporting funding dedicated to tribal law enforcement agencies to participate fully in task force investigations.

Collaboration between local and state health departments

In 2023, the Office of Firearm Safety and Violence Prevention/Community Safety Unit contracted with the National Policing Institute to complete an assessment of Washington JAG support for the Multi-jurisdictional Task Force program.[13] One of the recommendations is for task forces to consider integration with public health organizations to coordinate tracking drug supply and overdoses.

Collaboration between the MJTF and public health organizations varies based on the location of the task force. Local public health jurisdictions provide some support, such as personal protective equipment (PPE) and/or medication used to reverse or reduce the effects of opioids, such as Narcan, to officers.

Participating local public health organizations also provide support in the following areas:

- Share Toxicology reports that indicate the types of narcotics prevalent in the community. Use resources to test unknown substances that test negative with traditional drug testing kits;
- Provide hot spot analysis to focus investigations;
- Make referrals to the Washington State Department of Ecology to test for environmental contamination;
- Establish additional relationships with local prosecutors' offices, Washington State Department of Children, Youth and Families, Child Protective Services, the coroner's office, local fire and aid, and hostage negotiators as needed;
- Share drug testing results to identify trends;
- Host county opioid response boards to share information;
- Engage school districts with local law enforcement to speak with youth and parents about the use of drugs; and

[13] NPI JAG Final Report Commerce

- Provide resources for landlords such as how to identify when a tenant is potentially trafficking narcotics.

The following recommendations to partner with the local public health departments to strengthen the relationship between the MJTF and public health include:

1) Continued investment of mapping software and provide a statewide overdose map.
2) Create a working group to include the Washington State Department of Social and Health Services and the Health Care Authority to share information in existing programs, share data and pilot new treatment programs.
3) Increase public messaging about state opioid use.
4) Provide funding for an analyst and support person to engage with law enforcement agencies for non-law enforcement duties.

Appendix A: Roundtable Questions

Regulation questions

- What regulations should be in place for MJTFs?
- What are the pros and cons of the Peer Review Process?
- How have tribes been involved with the task forces (or related efforts)?
- How do/or should the task forces integrate with public health organizations?
- What public health organizations should be considered and what roles could they play?
- As it relates to statewide drug epidemic response – What role(s) can/do/should MJTFs play in the holistic approach and how can this be implemented within MJTFs (outside of traditional accountability roles)?

Policy questions

- Based on statewide policies (RCW's, WAC's), or previous JAG/federal policies are the task forces able to meet expected outcomes?
- What is working? What are some barriers?
- What state level policies currently exist that govern MJTF's operations?
- What policy recommendations would enhance the task force's ability to complete objectives?

Fiscal questions

- What would long-term/dedicated/stable funding look like for MJTF's?
- How are most MJTF's currently funded?
- If the state does not continue to participate in funding (either through pass-thru grant funding or otherwise) how would this impact operations of MJTF's?
- Has prior funding of MJTF's in WA been adequate?
- What is the fiscal impact for MJTF's that currently collaborate with Public Health?
- What would be the ideal MJTF funding allocation?
- What Fiscal Investment recommendations would enhance the task force's ability to complete objectives?