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State of New Hampshire

DEPARTMENT OF SAFETY
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ROBERT L. QUINN
COMMISSIONER

March 6, 2023

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to the provisions of Administrative Rule 316.13 (a) (5), the Department of Safety, Division of State Police, requests authorization to pay overtime in the amount of \$400,000.00 for permanent personnel from class 10 appropriations for positions that are vacant due to illness; extended leaves of absence, or pending recruitment at Detective Bureau. The \$400,000.00 represents the estimate of additional funds needed for remainder of SFY 2023 Effective upon Governor and Council approval through June 30, 2023. Funding Source: 13.28% Agency Income and 86.72% General Funds.

EXPLANATION

The Department of Safety, Division of State Police, Detective Bureau requests an overtime transfer for actual expenditures not to exceed \$400,000.00. The requested overtime transfer from Class 10, Personnel Services accounts, represent payments made to permanent personnel for overtime hours worked on a number of complex and time-sensitive homicides, suspicious deaths, and narcotics investigations during critical vacancies due to sickness, extended leaves of absence, or pending recruitments. Total vacancies in the Detective Bureau were 23 positions at any given time during SFY 2023. During this time, the Bureau has had at least two (2) members on FMLA leave due to injury or illness and one (1) member on Workers Compensation leave due to injuries.

In SFY 2021 the Major Crime Unit responded to (46) calls for service including full call-outs for (5) homicides and (2) officer involved shootings. The remainder of the calls for service were other death investigations (15), assaults, violent felonies, sexual assaults, drug/firearms offenses, prison escapes, and miscellaneous outside agency requests for assistance (45). These numbers do not necessary reflect the fact that some cases are more resource intensive than others and must be sustained for a year or longer due to suspect prosecution.

In SFY 2022 to date, the Major Crime Unit responded to (67) calls for service including full call-outs for (11) homicides and (5) officer involved shootings. The remainder of the calls for service were other death investigations (31), assaults, violent felonies, sexual assaults, drug/firearms offenses, prison escapes, and miscellaneous outside agency requests for assistance (20). These numbers do not necessary reflect the fact that some cases are more complex and resource intensive than others and must be sustained for a year or longer due to suspect prosecution.

In SFY 2023 to date, the Major Crime Unit responded to (32) calls for service including full call-outs for (11) homicides and (2) officer involved shootings. The remainder of the calls for service were other death investigations (12), assaults, violent felonies, sexual assaults, drug/firearms offenses, prison escapes, and miscellaneous outside agency requests for assistance (7). These numbers do not necessary reflect the fact that some cases are more complex and resource intensive than others and must be sustained for a year or longer due to suspect prosecution.

The Detective Bureau spent \$575,295.34 in overtime expenses in SFY 2021 and \$717,199.63 in SFY 2022. This requested action to increase the original SFY 2023 overtime budget of \$525,000 is required to respond to calls-for-

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service given the unexpected decrease in personnel due to illness, leave of absence, and vacancies. The above requested action is expected to cover overtime expenditures for the remainder of SFY 2023 through June 15, 2023, based on the complexity of the homicide cases currently being worked as well as an increase in narcotics investigations.

This request is made in accordance with applicable law. The A-29 form is attached to support this request.

Respectfully submitted,



Robert L. Quinn
Commissioner of Safety

Expenditure Request-Overtime Permanent Personnel Services

Department: Safety

Date: February 14, 2022

Division of Expenditure Request:
Detectives

# Positions	Estimated Overtime	
	Regular Time	Time & One-Half
23	\$ 623,277	\$

Number

Estimated Vacant Positions: 23

<u>Title & Labor Grade</u>	<u>Number</u>	<u>Legislative Appropriation</u>
Executive Secretary	1	\$ 20,013
Administrive Secretary	1	\$ 10,370
State Police Captain	1	\$ 22,210
State Police Lieutenant	2	\$ 43,792
State Police Sergeant	3	\$ 57,621
State Police Trooper	15	\$ 469,271
Total:		\$ 623,277

Reasons for Vacant Positions: Pending Recruitment and Leaves of Absence

Request Permission to transfer appropriations as follows:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
02-23-23-234010-54120000-010-500100	02-23-23-234010-54120000-010-500108	\$ 400,000

Certification:

Expenditure of Permanent Personnel Service appropriations will be limited solely to positions vacant due to sick leave, extended leave of absence or pending recruitment. If this request is approved, total expenditures will not exceed the legislative appropriation.



 Signature of Agency Head

Expenditure Authorization

Approval Requires:

Governor and Council _____

Business Supervisor Melanie Carragher 3/7/2023.
 Director of Personnel Lorrie A Rudis
 Comptroller Dan Curran

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Adm 316.11 Check the Monthly Computer Statements. Upon receipt of all regular computer monthly statements, please immediately check these statements with your records, and notify the bureau of accounting of any differences on the "Green Sheet" or Form A-2 "Report of Appropriation Over Expenditure".

Source. #2235, eff 12-30-82

Adm 316.12 Workmen's Compensation. Authority for the commissioner to pay such sums as may be awarded under chapter 281 to employees from legislative appropriations and if sufficient funds are not appropriated the governor may draw his warrant on funds not otherwise appropriated provided that payments made to employees paid from the highway fund, the fish and game fund, or special fund shall be a charge against the appropriate fund and that payment made to employees from other funds shall be a charge upon the general fund.

Adm 316.13 Policy Governing Vacant Permanent Positions.

(a) Charges to Permanent Personnel Services or use of the Salary Adjustment Fund to cover vacant positions shall be subject to the following rules and regulations:

(1) Limited to vacant positions due to sick leave, extended leave of absence, or pending recruitment.

(2) Limited to temporary employees only.

(3) Recruitment shall be made by a temporary C&D form approved by the department of personnel at a rate of compensation to be determined by personnel.

(4) Manifest for payment shall be substantiated by an attached identification by position number of the vacant positions so covered.

→ (5) Payment of overtime to cover vacant positions due to sick leave, extended leave of absence, or pending recruitment shall be subject to prior approval by the governor and council. Form A-29. (See Appendix A)

PART Adm 317 PREPARATION AND SUBMISSION OF ANNUAL REPORTS

Adm 317.01 General Requirements. The purpose of this section is to provide the governor and council with agency annual reports.

1. All agencies, as listed below, shall submit their annual reports on the dates and times indicated thereon (white paper, size 8 1/2 x 11, if not commercially printed).
2. Reports shall cover periods ending on June 30 and biennial reports shall cover periods ending in odd numbered years.