

134

MLC



State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
(603) 271-2791

EDDIE EDWARDS
ASSISTANT COMMISSIONER

STEVEN R. LAVOIE
ASSISTANT COMMISSIONER

ROBERT L. QUINN
COMMISSIONER

October 23, 2023

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court

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

REQUESTED ACTION

Pursuant to RSA 9:16-c, I, authorize the Department of Safety, Division of State Police, to transfer funds and establish a new expenditure class code within Backlog Reduction Program, as outlined below, in the amount of \$189,532.00. Effective upon Fiscal Committee and Governor and Council approvals through June 30, 2025. 100% Federal Funds.

02-023-023-234010-31270000 Dept. of Safety – Division of State Police – Backlog Reduction Program

| <u>Class</u> | <u>Description</u> | <u>Current</u> <u>Appropriation</u> <u>SFY 2024</u> | <u>Requested Action</u> | <u>Revised</u> <u>Appropriation</u> <u>SFY 2024</u> |
|---------------|------------------------------------|-----------------------------------------------------------|-------------------------|-----------------------------------------------------------|
| 000-404755-16 | Federal Funds | \$ (1,019,041.40) | \$ - | \$ (1,019,041.40) |
| 018-500106 | Overtime | \$ 65,000.00 | \$ 42,106.00 | \$ 107,106.00 |
| 020-500220 | Current Expense | \$ 200,021.19 | \$ 34,494.00 | \$ 234,515.19 |
| 024-500225 | Maint. Other Than Build. -Grnd | \$ 1,500.00 | \$ (1,500.00) | \$ - |
| 030-500311 | Equipment | \$ 180,000.00 | \$ (77,918.00) | \$ 102,082.00 |
| 037-500173 | Technology - Hardware | \$ 32,000.00 | \$ (19,500.00) | \$ 12,500.00 |
| 038-500177 | Technology - Software | \$ 80,375.60 | \$ 71,824.00 | \$ 152,199.60 |
| 040-500800 | Indirect Cost | \$ 71,288.00 | \$ (71,288.00) | \$ - |
| 041-500801 | Audit Funds Set Aside | \$ 754.00 | \$ 329.00 | \$ 1,083.00 |
| 060-500602 | Benefits | \$ 21,411.00 | \$ 1,466.00 | \$ 22,877.00 |
| 066-500554 | Employee Training | \$ 10,000.00 | \$ 13,410.00 | \$ 23,410.00 |
| 080-500713 | Out-Of-State Travel | \$ - | \$ 25,903.00 | \$ 25,903.00 |
| 103-502664 | Contracts For Operational Services | \$ 356,691.61 | \$ (19,326.00) | \$ 337,365.61 |
| | | <u>\$ 1,019,041.40</u> | <u>\$ -</u> | <u>\$ 1,019,041.40</u> |

EXPLANATION

This transfer is necessary to align appropriations with the approved Federal grant award.

The New Hampshire State Police Forensic Laboratory is the sole provider of forensic services within the State. This grant provides funding for DNA backlog reduction and capacity enhancement, and to assist labs with maintaining compliance with the FBI Quality Assurance Standards for DNA Laboratories. Currently, cases requiring DNA analysis are taking more than 10 months to analyze. The grant provides funding for DNA laboratory consumables,

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court

His Excellency, Governor Christopher T. Sununu
and the Honorable Council

October 23, 2023

Page 2 of 3

analyst overtime, and required annual continuing education for analysts. This grant will allow the purchase of additional instrumentation and validation services will allow for increased throughput.

The following appropriation adjustments are being requested:

Class 18 – Overtime – Funds are needed for analyst overtime.

Class 20 – Current Expenses – Funds are needed for DNA laboratory consumable supplies.

Class 24 - Maint. Other Than Build. -Grnd - Funds are available to transfer based on the Federally approved active grants.

Class 30 – Equipment - Funds are available to transfer based on the Federally approved active grants.

Class 37 - Technology – Hardware - Funds are available to transfer based on the Federally approved active grants.

Class 38 – Technology – Software - Funds are needed to pay for current software license renewals used in the State Police Lab.

Class 40 – Indirect Costs – Funds are available to transfer because indirect cost is not allowable for this grant.

Class 41 – Audit Funds Set Aside - Funds are needed to pay Administrative Services for Audit fee.

Class 60 – Benefits – Funds are needed to pay for benefits associated with the overtime.

Class 66 – Employee Training – Funds are needed to pay for employee training as approved by the Federal grant.

Class 80 - Out-Of-State Travel - Funds are needed to pay for employee training and conferences as approved by the Federal grant.

Class 103 – Contracts for Operational Services - Funds are available to transfer based on the Federally approved active grants.

The following information is provided in accordance with the Budget Officer's instructional memorandum dated April 17, 1985, to support the above requested actions:

Does transfer involve continuing programs or one-time projects? *The transfer is a one-time project.*

Is this transfer required to maintain existing program level or will it increase the program level? *This transfer is to increase the project level.*

Cite any requirements which make this program mandatory. *RSA 21-P.*

Identify the source of funds on all accounts listed on this transfer. *The source of funds 100% Federal Funds.*

Will there be any effect on revenue if this transfer is approved or disapproved? *There will be no effect on revenue.*

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court

His Excellency, Governor Christopher T. Sununu
and the Honorable Council

October 23, 2023

Page 3 of 3

Are funds expected to lapse if this transfer is not approved? *If this transfer is not approved, the funds will lapse and the approved grant will be returned to the Federal Agency.*

Are personnel services involved? *No.*

Respectfully submitted,



Robert L. Quinn
Commissioner of Safety

**Fiscal Situation
Backlog Reduction Program
02-23-23-234010-31270000**

| | |
|------------------------------------------------------------------------------------------|---------------------------|
| FFY 2021 DNA Backlog Reduction Grant - 10/1/2021-9/30/2023 | \$ 412,972.00 |
| FFY 2022 DNA Backlog Reduction Grant - 3/15/2022-3/31/2024 | \$ 432,991.00 |
| FFY 2023 DNA Backlog Reduction Grant - 10/1/2023-9/30/2025 | <u>\$ 650,000.00</u> |
| Total Federal Grants Authorized | \$ 1,495,963.00 |
| | |
| Prior Fiscal Year(s) Actual Expenditures: | |
| FFY 2021 Federal Grant spending State Fiscal Year 2023 | (\$309,462.52) |
| FFY 2022 Federal Grant spending State Fiscal Year 2023 | <u>(\$158,588.56)</u> |
| Total Prior Fiscal Year(s) Actual Expenditures: | (\$468,051.08) |
| | |
| FY24 Budgeted Appropriations including encumbrances and carry forward amounts | (\$1,019,041.40) |
| | |
| Additional Federal Available | <u>\$ 8,870.52</u> |
| | |
| This Request | <u>\$ -</u> |



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Name and Address of Recipient: | NEW HAMPSHIRE DEPARTMENT OF SAFETY 33 HAZEN DR |
| City, State and Zip: | CONCORD, NH 03305 |
| Recipient UEI: | V9GSW38ZEVC5 |
| Project Title: DNA Backlog Reduction Grant- Statewide Impact | Award Number: 15PBJA-23-GG-01317-DNAX |
| Solicitation Title: BJA FY 23 Formula DNA Capacity Enhancement for Backlog Reduction (CEBR) Program | |
| Federal Award Amount: \$650,000.00 | Federal Award Date: 9/8/23 |
| Awarding Agency: | Office of Justice Programs Bureau of Justice Assistance |
| Funding Instrument Type: | Grant |
| Opportunity Category: D Assistance Listing: 16.741 - DNA Backlog Reduction Program | |
| Project Period Start Date: 10/1/23 | Project Period End Date: 9/30/25 |
| Budget Period Start Date: 10/1/23 | Budget Period End Date: 9/30/25 |
| Project Description: <p>The New Hampshire State Police Forensic Laboratory (NHSPFL) is the sole provider of forensic services in the State of New Hampshire. The laboratory's Forensic Biology Unit performs all serological and DNA analyses associated with criminal investigations in the state. The Forensic Biology Unit is also responsible for the analysis and entry of offender and casework samples into the CODIS database.</p> <p>The NHSPFL is experiencing hardship related to aging equipment, limited space with no ability to expand, and continuing budgetary limitations. The Federal funding from this award will be used for the following goals:</p> <ol style="list-style-type: none">1. Maintain and make improvements to the turnaround time for forensic biology casework2. Reduce the current DNA database backlog and make significant improvements to turnaround time of samples for CODIS entry3. Ensure continuity of operations4. Ensure continuing adherence to the FBI's Quality Assurance Standards5. Replace permanently out of service equipment as well as equipment that is aging toward failure6. Improve efficiency by converting interpretation software to a license server available on all analysts' desktops with DNA analysis software7. Reconfigure and remodel DNA laboratory layout to better fit new instrumentation, better utilize the space for analysis, and increase the square footage in the post-amplification area. | |

✓ Award Letter

December 7, 2021

Dear STEVEN LAVOIE,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by SAFETY, NEW HAMPSHIRE DEPARTMENT OF for an award under the funding opportunity entitled 2021 BJA FY 21 DNA Capacity Enhancement for Backlog Reduction (CEBR) Program. The approved award amount is **\$412,972**.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

Congratulations, and we look forward to working with you.

Amy Solomon
Acting Assistant Attorney General

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the

✓ **Award Letter**

September 16, 2022

Dear Megan O'Donnell,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by SAFETY, NEW HAMPSHIRE DEPARTMENT OF for an award under the funding opportunity entitled 2022 FY 22 DNA Capacity Enhancement for Backlog Reduction (CEBR) Program (Formula). The approved award amount is \$432,991.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Maureen Henneberg
Deputy Assistant Attorney General

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that