



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

April 4, 2024

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

REQUESTED ACTION

Authorize the Department of Safety, Division of State Police, to accept and expend an additional \$12,000.00 of federal pass-through funds from the NH Department of Justice for the purchase of tablets for the Controlled Drug Unit within the State Police Forensic Lab. Effective upon Governor & Council approval through June 30, 2025. Funding source: 100% Fed Rev Xfers from Other Agencies.

Funds are available in SFY 2024 in the following account:

02-23-23-234010-31310000 Dept. of Safety – Division of State Police – Coverdell NFSIA Grant

<u>Class</u>	<u>Description</u>	<u>Current Appropriation</u>	<u>Requested Action</u>	<u>Revised Appropriation</u>
00D-4885XX	Fed Rev Xfers from Other Agencies	\$ (107,565.00)	\$ (12,000.00)	\$ (119,565.00)
018-500106	Overtime	\$ 3,482.00	\$ -	\$ 3,482.00
020-500200	Current Expense	\$ 5,570.00	\$ -	\$ 5,570.00
030-500311	Equipment	\$ 19,513.00	\$ -	\$ 19,513.00
037-500173	Technology - Hardware	\$ -	\$ 12,000.00	\$ 12,000.00
040-501587	Indirect Cost	\$ 3,176.00	\$ -	\$ 3,176.00
060-500601	Benefits	\$ 746.00	\$ -	\$ 746.00
066-500546	Employee Training	\$ 39,473.00	\$ -	\$ 39,473.00
080-500710	Out-Of-State Travel	\$ 35,605.00	\$ -	\$ 35,605.00
	Total	\$ 107,565.00	\$ 12,000.00	\$ 119,565.00

EXPLANATION

The New Hampshire State Police Forensic Laboratory is the sole provider of forensic services within the state. These grant funds are used for overtime, software, equipment, and laboratory accreditation as well as the continuing educational training requirements of Criminalists throughout the laboratory. The above-requested action is to purchase tablets for the Controlled Drug Unit within the State Police Forensic Lab as approved in the grant. The request places funding in the appropriate class for this purchase.

Although the Department included this grant in the SFY 2024 and SFY 2025 budget, the amount of the Federal grant received is higher than what was budgeted, therefore requiring the above-requested action. If this request is not approved Federal funds could be lost, therefore the above-requested action is needed to fully utilize the Federal grant funds.

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
April 4, 2024
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Additional funds are to be budgeted as follows:

Funds in Class 037, Technology Hardware, are needed to purchase tablets for the Controlled Drug Unit that will support digital documentation of Lab work.

In the event that federal pass-through funds become no longer available, General Funds and/or Highway Funds will not be requested to support this program.

Respectfully submitted,



Robert L. Quinn
Commissioner of Safety

**Department of Safety
Coverdell NFSIA Grant
Fiscal Situation**

Federal Funds Awarded:

FFY 2020 - Coverdell NFSIA Grant - 5/20/21 - 09/30/2023	\$78,572.00
FFY 2021 - Coverdell NFSIA Grant - 3/31/22 - 09/30/2024	\$80,000.00
FFY 2022 - Coverdell NFSIA Grant - 3/31/22 - 09/30/2025	\$80,000.00

Total Grant Funds Awarded	\$238,572.00
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Less SFY 2022 expenses of FFY 2020 Grants	(\$14,491.53)
Less SFY 2023 expenses of FFY 2020 Grants	(\$51,907.60)
Less SFY 2023 expenses of FFY 2021 Grants	(\$52,611.51)

Total	(\$119,010.64)
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Net Grant Funds Remaining as of July 1, 2023 (SFY 2024)	\$119,561.36
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Less: SFY 2024 Appropriation including prior year encumbrances: 02-23-23-234010-31310000	(\$107,560.36)
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Excess grant funds available to appropriate	\$12,001.00
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This Request	\$12,000.00
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*\$3.64 in various classes due to BARS (budget System) not able to close amounts under \$1

ATTORNEY GENERAL JUL 12 '22 PM 2:30 RCVD
DEPARTMENT OF JUSTICE

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5A

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL

JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL



July 11, 2022

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

Your Excellency and Members of the Council:

REQUESTED ACTION

Authorize the Department of Justice (DOJ) to amend an existing subgrant with the New Hampshire Department of Safety (DOS), Concord, NH (Vendor #311206-B001), approved by the Governor and Executive Council on June 2, 2021, item #119, paragraph #2, from the Federal Paul Coverdell Forensic Science Improvement Grant Program, by extending the end date only from September 30, 2022, to September 30, 2023, for the purpose of funding drug analyst overtime, lab personnel training, and lab certification maintenance, effective upon Governor and Executive Council approval through September 30, 2023. No additional funds are involved in this time extension.

EXPLANATION

The Paul Coverdell Forensic Sciences Improvement Grants Program is a formula grant created by Public Law 106-561 on December 21, 2000. The intent of the program is to provide funding to improve quality, timeliness, and credibility of forensic services. The DOJ receives this funding annually from the Office of Justice Programs, Bureau of Justice Assistance.

The DOS, New Hampshire State Police Forensic Laboratory (Forensic Laboratory) is the sole provider of forensic laboratory services in New Hampshire. It delivers lab services, free of charge, to all law enforcement agencies conducting investigations anywhere within the State's borders. Because of this, there is a high demand for DOS lab services.

This subgrant time extension will allow the DOS to continue to fund overtime for Forensic Laboratory Drug Analysts, certification from the American Society of Crime Lab Directors (ASCLD/LAB), and training to enhance personnel skills.

STATE OF NEW HAMPSHIRE
DEPARTMENT OF JUSTICE AND
NEW HAMPSHIRE DEPARTMENT OF SAFETY
MEMORANDUM OF UNDERSTANDING AMENDMENT

This amendment ("Amendment") is by and between the New Hampshire Department of Justice (DOJ) and the New Hampshire Department of Safety (DOS) ("Subrecipient").

WHEREAS, pursuant to an Agreement ("MOU") approved by the Governor and Council on June 2, 2021, item #119, the Subrecipient agreed to carry out the initiatives of the subgrant;

WHEREAS, pursuant to the provisions of number six, Amendment, the MOU may be amended, waived or discharged by written instrument executed by the parties thereto;

WHEREAS, the Subrecipient and the Department of Justice have agreed to amend the MOU in certain aspects;

NOW THEREFORE, in consideration of the foregoing and the covenants and conditions contained in the MOU, and set forth herein, the parties hereto do hereby agree as follows:

1. Amendment and Modification of Contract

- a. Remove paragraph four and replace with: Whereas, the DOJ desires to enter into a subgrant with DOS for a term from Governor and Council approval through 09/30/23 in an amount not to exceed \$78,572.00;
- b. Remove number five and replace with: the Memorandum of Understanding is effective until 09/30/23.

2. Effective Date of Amendment

- a. This Amendment shall take effect upon approval of the Governor and Executive Council.

3. Continuance of Agreement

- a. Except as specifically amended and modified by the terms and conditions of this Amendment, the MOU and the obligations of the parties hereunder shall remain in full force and effect with the terms and conditions set forth herein. IN WITNESS WHEREOF, the parties set their hands as of the day and year first above written.

148
YJ
MLC

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

October 13, 2023

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

Your Excellency and Members of the Council:

REQUESTED ACTION

Authorize the Department of Justice (DOJ) to amend an existing subgrant retroactive to September 30, 2023, with the New Hampshire Department of Safety (Vendor #311206-B001, Purchase Order #1086465, \$80,000), approved by the Governor and Executive Council on June 15, 2022, Item #142, by extending the end date only from September 30, 2023 to September 30, 2024, for the purpose of funding lab personnel training and lab certification maintenance, effective upon approval of the Governor and Executive Council. No additional funds are involved in this time extension. 100% Federal Funds.

EXPLANATION

This item is retroactive because the amendment process was not completed in time to meet a Governor and Council meeting prior to September 30, 2023.

The Paul Coverdell Forensic Science Improvement Grants Program (Coverdell) is a formula grant created by Public Law 106-561 on December 21, 2000. The intent of the program is to provide funding to states to improve the quality, timeliness, and credibility of forensic science services. The NH Department of Justice (DOJ) receives Coverdell funding annually from the US Department of Justice, Bureau of Justice Assistance (BJA).

The New Hampshire Department of Safety's State Police Forensic Laboratory (DOS) delivers lab services, free of charge, to all law enforcement agencies conducting investigations anywhere within the state's jurisdiction. DOS is utilizing Federal Fiscal Year 2021 Coverdell funding for training for its staff. Funding will assure that lab personnel maintain the American Society of Crime Lab Directors (ASCLD/LAB) certification, which is vital to the DOS lab. The remaining funds will be used for continued training and enhancements of personnel skills.

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
October 13, 2023
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This request will allow New Hampshire Department of Safety to continue program activities related to this Subgrant.

In the event that federal funds become no longer available, general funds will not be requested to support this program.

Please let me know if you have any questions concerning this request. Your consideration is greatly appreciated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John M. Formella", written over a faint, illegible background.

John M. Formella
Attorney General

#4227009

STATE OF NEW HAMPSHIRE
DEPARTMENT OF JUSTICE AND
DEPARTMENT OF SAFETY
1st MEMORANDUM OF UNDERSTANDING AMENDMENT

This Amendment ("Amendment") is by and between the NH Department of Justice and the NH Department of Safety (Subrecipient).

WHEREAS, pursuant to an Agreement ("MOU"), approved by the Governor and Council on June 15, 2022, item # 142, the New Hampshire Department of Safety agreed to carry out the initiatives of this subgrant.

WHEREAS, pursuant to the provisions of number six, Amendment, the MOU may be amended, waived or discharged by written instrument executed by the parties thereto;

WHEREAS, the Subrecipient and the Department of Justice have agreed to amend the MOU in certain aspects;

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the MOU, and set forth herein, the parties hereto do hereby agree as follows:

1. Amendment and Modification of MOU

- a. Remove paragraph four and replace with; WHEREAS, the New Hampshire Department of Justice desires to enter into a subgrant with the New Hampshire Department of Safety for a term from Governor and Executive Council approval through September 30, 2024, in an amount not to exceed \$80,000.
- b. Remove number five and replace with; The Memorandum of Understanding is effective until September 30, 2024.
- c. Remove 3a. in Exhibit C and replace with; 3a. The Subrecipient shall be awarded an amount not to exceed \$80,000 of the total Grant Limitation from Governor and Council approval through 9/30/2024, with approved expenditure reports. This shall be contingent on continued federal funding and program performance.
- d. Remove number four in Exhibit C and replace with; 4. Neither the Subrecipient nor DOJ will be responsible for any expenses or costs incurred under this agreement prior to Governor and Council approval, or after 9/30/2024.

2. Effective Date of Amendment

- a. This Amendment shall take effect upon Governor and Council approval.

3. Continuance of Agreement

- a. Except as specifically amended and modified by the terms and conditions of this Amendment, the MOU and the obligations of the parties hereunder, shall remain in full force and effect with the terms and conditions set forth herein. IN WITNESS WHEREOF, the parties set their hand as of the day and year first above written.

NHDOJ & NHDOS
1st MOU Amendment
Page 2 of 2

Robert L. Quinn

Robert L. Quinn, Commissioner
Department of Safety

8/24/22

Date

Kathleen Carr

Kathleen B. Carr
Director of Administration

09/26/2023

Date

Approved by the Attorney General (Form, Substance and Execution)

Duncan A. Edgar

Attorney

September 27, 2023

Date

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

65

December 21, 2023

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

Your Excellency and Members of the Council:

REQUESTED ACTION

Authorize the Department of Justice to enter into a subgrant with the New Hampshire Department of Safety (DOS), Concord NH (Vendor #311206-B001), in an amount not to exceed \$80,000, from the Federal Paul Coverdell Forensic Science Improvement Grant Program for the purposes of funding drug analyst overtime, lab certification maintenance, and lab personnel training effective upon Governor and Executive Council approval through September 30, 2024. 100% Federal Funds.

Funding is available as follows:

02-20-20-201510-4467	<u>FY 2024</u>
Science Forensic Improvement Act	
085-588523, Interagency Transfers out of Federal Funds.	\$80,000

EXPLANATION

The Paul Coverdell Forensic Science Improvement Grants Program (Coverdell) is a formula grant created by Public Law 106-561 on December 21, 2000. The intent of the program is to provide funding to improve quality, timeliness, and credibility of forensic science services. The Department of Justice (DOJ) receives Coverdell funding annually from the National Institute of Justice.

The New Hampshire, Department of Safety, State Police Forensic Laboratory (DOS) is the sole provider of forensic laboratory services in New Hampshire. It delivers lab services, free

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
December 21, 2023
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of charge, to all law enforcement agencies conducting investigations anywhere within the state's borders. Because of this, there is a high demand for DOS lab services.

Funds will be used to pay for overtime for the Forensic Laboratory drug analysts. Funding will also assure that lab personnel maintain the American Society of Crime Lab Directors (ASCLD/LAB) certification, which is vital to the DOS lab. The remaining funds will be used for continued training and enhancements of personnel skills.

In the event that federal funds become no longer available, general funds will not be requested to support this program.

Please let me know if you have any questions concerning this request. Your consideration is greatly appreciated.

Respectfully submitted,



John M. Formella
Attorney General

#4318127

State of New Hampshire
Interagency Memorandum of Understanding

Whereas, the New Hampshire Department of Justice (DOJ) is a duly constituted agency of the State of New Hampshire;

Whereas, the New Hampshire Department of Safety is a duly constituted agency of the State of New Hampshire;

Whereas, DOJ is responsible for providing funding through a subgrant to New Hampshire Department of Safety as herein described;

Whereas, DOJ desires to enter into a subgrant with New Hampshire Department of Safety for a term from Governor and Council approval through 09/30/24 in an amount not to exceed \$80,000;

Whereas, New Hampshire Department of Safety is responsible for adhering to all conditions as set forth in the federal financial rules and all applicable state rules and regulations of procurement;

NOW THEREFORE, the parties enter into this Memorandum of Understanding to their mutual benefit, the benefit of the State and in furtherance of constitutional or statutory authority and objectives.

1. DOJ agrees to pay New Hampshire Department of Safety the amount of \$80,000 for the services described in the attached MOU Exhibit B, which is hereby incorporated by reference. Payment shall be provided from 02-20-20-201510-4467-085-588523. Job #20CVDL22.
2. New Hampshire Department of Safety agrees to perform the services described in the attached MOU Exhibit B, which is hereby incorporated by reference.
3. The method of payment and payment amount for the above-referenced services, if any is required, is described in the attached MOU Exhibit C, such exhibit being hereby incorporated by reference.
4. All obligations hereunder are contingent upon the availability and continued appropriation of funds. The agencies shall not be required to transfer funds from any other account in the event that funds are reduced or unavailable.
5. The Memorandum of Understanding is effective until 09/30/2024.
6. This Memorandum of Understanding may be amended by an instrument in writing signed by both parties. Either party may terminate this agreement by providing written notice to

Initials:

Date: 11/1/23

the other party at least 30 days prior to termination.

7. The parties agree that the obligations, agreements and promises made under this Memorandum of Understanding are not intended to be legally binding on the parties and are not legally enforceable.
8. Disputes arising under this Memorandum of Understanding which cannot be resolved between the agencies shall be referred to the Department of Justice, Civil Bureau, for review and resolution.
9. This agreement shall be construed in accordance with the laws of the State of New Hampshire.
10. The parties hereto do not intend to benefit any third parties and this Memorandum of Understanding shall not be construed to confer any such benefit.
11. In the event any of the provisions of this Memorandum of Understanding are held to be contrary to any state or federal law, the remaining provisions of this Memorandum of Understanding will remain in full force and effect.
12. This Memorandum of Understanding, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire Memorandum of Understanding and understandings between the parties, and supersedes all prior Memoranda of Understanding and understandings related hereto.
13. Nothing herein shall be construed as a waiver of sovereign immunity, such immunity being hereby specifically preserved.

New Hampshire Department of Justice:

Kathleen Carr

Date: 11/08/2023

Kathleen Carr
Director of Administration

New Hampshire Department of Safety:

Robert L. Quinn

Date: 11/1/23

Robert L. Quinn, Commissioner

Approved by the Attorney General (Form, Substance and Execution):

Duncan A. Edgar

Date: November 30, 2023

Attorney

Initials: RD

Date: 11/23