

**Policy Board
Minutes of the Meeting of Friday, March 13, 2009
Administration Building
Conference Room A
One Capitol Hill
Providence, RI**

MEMBERS/DESIGNEES PRESENT:

Major Michael Quinn, Chair
Colonel Brendan Doherty, RISP
Major Steve Bannon, RISP
Lisa, Holley, RISP Legal Counsel
Public Defender John Hardiman, Public Defender's Office
Director A.T. Wall, Department of Corrections
Stephen King, designee for Acting Supreme Court Chief Justice Maureen Goldberg
Henry Kinch, Jr., for President Justice Joseph Rodgers, Superior Court
Magistrate Joseph Ippolito, for Acting District Court Chief Judge Michael Higgins
Ronald Pagliarini, for Chief Judge Jeremiah Jeremiah, Family Court
Mike Burk, representing Patricia Martinez, DCYF
Deborah Barclay, for Director Gary Alexander, DHS
Director Craig Stenning, MHRH
Dr. David Uliss, designee of Dr. David Gifford, Department of Health
Fire Marshal Jack Chartier, Fire Marshal's Office
Jonathan Houston, Justice Assistance
Daniel Knight, Salve Regina University
Chief Jamie Hainsworth, designee of George Kelley, RI Police Chiefs Association
Chief Vincent Vespia, South Kingstown Police Department
Sharon Wells
Robert O'Neil

OTHER GUESTS:

Anthony Robinson, Speaker Murphy's office

PUBLIC SAFETY GRANT ADMINISTRATION OFFICE:

Thomas Mongeau, Administrative Manager
Joseph Persia, VOCA Grant Administrator
Kathleen Loiselle, Recording Secretary

1. Welcome

Major Michael Quinn, Chair, welcomed everyone and opened the meeting at 8:37 AM.

2. Approval of February 11, 2009 Minutes

Craig Stenning noted that he had been in attendance at the February meeting but his name was omitted.

Stephen King noted that on Page 4, Paragraph 5, last sentence, that the words Policy Board should be changed to Steering Committee.

There being no other changes, Mike Burk made a motion:

**TO APPROVE THE MINUTES OF THE FEBRUARY 11, 2009
MEETING AS CORRECTED.**

The motion was seconded by Magistrate Ippolito and was unanimously passed.

3. Discussion of Stimulus Package

Tom Mongeau advised that Rhode Island has received solicitations for 3 federal grant programs. The first is the Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$5,720, 268 of which 41% or \$2,136,253 will be allocated to local programs and approximately \$3 million dollars to state programs. Mr. Mongeau noted that funding for state programs will be considered by the Steering Committee and local program allocations will be considered by the Law Enforcement Planning Committee (LEPC). The second solicitation will be from the Crime Victim Assistance Program in the amount of \$569,000 and the third solicitation is from the Violence Against Women Act STOP grant in the amount of \$965,065. Mr. Mongeau added that these amounts are separate and apart from the Fiscal Year 2009 allocations. He stated that the Bill was signed by the President this week and the monies should be received shortly. Mr. Mongeau pointed out that in addition to this the Byrne Memorial JAG will receive more than \$1 million dollars. He added that this is a significant sum of money to be received and that all federal grant requirements will be followed for all the grants.

Mr. Mongeau noted that an issue had been raised regarding the legality of the Steering Committee. He pointed out that there will be a very short period of time in which to prepare applications for the various grants. Mr. Mongeau stated that the Violence Against Women Act grant application is due by March 24, 2009, the Crime Victims Assistance application is due by March 20, 2009 and the JAG application is due by April 9, 2009.

Director Wall inquired about the requirements that will need to be fulfilled in order to apply for grant funds.

Tom Mongeau replied that a submitted application will need to a narrative and a budget to be submitted. He added that at this point specific numbers are not needed, but the application needs to be submitted on a timely basis. If necessary, any modifications may be made later on.

Magistrate Ippolito stated that if March 24th is the first deadline, the staff will need to do its work and the sub-committee will need to do its work as well. He inquired when it would be necessary to meet again.

Mr. Mongeau answered that a meeting will need to be scheduled when the awards become available.

Colonel Doherty asked Mr. Mongeau to explain the process.

Mr. Mongeau stated that the Advisory Committee's meet with Grant Administrators to determine how the funds will be spent. In the case of the VOCA, the Advisory Committee will read and rate each application. The VOCA Grant Administrator will submit the application to the Office of Victims of Crime (OVC) to explain that the funds will be allocated via a competitive process.

With respect to the VAWA Stop grant, this is a continuation of the way in which the funds are distributed. Mr. Mongeau noted that 25% of the VAWA grant is allocated to Law Enforcement and 25% to Prosecution. This application will include how the funds will be implemented along with a budget.

Mr. Mongeau explained that the Byrne Memorial JAG grant application has 7 broad purpose areas for criminal justice. The Steering Committee will meet to review how the funds will be allocated. A narrative and budget will be prepared and submitted to the Bureau of Justice Assistance (BJA) for approval.

Dr. Uliss asked if a department may submit funding proposals to the Steering Committee and in what format.

Tom Mongeau replied that funding proposals could be submitted to the Steering Committee along with a program narrative and budget. He noted that the deadline for submission of the application to Washington is April 9, 2009.

Responding to a question from Dr. Uliss, Mr. Mongeau stated that a Steering Committee meeting would need to be scheduled very quickly possibly within the next week.

Chief Vespia inquired if there was a generic form on which to submit a proposal.

Mr. Mongeau answered that there is no specific form on which to submit a proposal. He added that just a program narrative and budget is needed now and the proposal could be improved upon later.

Colonel Doherty emphasized that the focus of the funds should be on stimulating Rhode Island's economy.

Tom Mongeau agreed that the basic premise of the awards is that the funds should be used to create and retain jobs to stimulate Rhode Island's economy. He added that this needs to be stipulated in reports.

Director Wall noted that that requirement may be at odds with the Office of Purchases. He noted that presently funding does not favor in-state rather than out-of-state vendors.

Dr. Uliss asked if monies will be used to hire employees.

Mr. Mongeau replied yes that the monies could be used to hire contractors.

Jonathan Houston asked Director Wall to expound upon the Office of Purchases regulations.

Director Wall explained that once a solicitation is made public proposals and bids are submitted. He noted that an in-state competitor does not receive any bonus points with the Office of Purchases.

Jonathan Houston asked what would stop the DOC from extending a current project.

Major Quinn noted that the emphasis should be to use the money to stimulate Rhode Island's economy.

Director Wall stated that the point may be that the Office of Purchases requirements do not favor in-state vendors.

Mr. Houston asked if a current Byrne grant allocation may be extended if the funding is not at the level it needs to be complete a project.

Magistrate Ippolito noted that if there is a current contractual agreement in place now it is not necessary to re-bid a project. He added that he did not think that this would be prohibited.

Dr. Uliss pointed out that the DOH was prohibited from continuing a program with existing money.

Colonel Doherty noted that these points were well taken. The major point that needs to be considered is that when possible these monies should be used to stimulate Rhode Island's economy.

Major Quinn noted that he is not sure that the Office of Purchases language is so restrictive that it will not favor in-state vendors.

Sharon Conard Wells inquired if that language could be put into contracts. She noted that at her business requiring local hiring is in their contract.

Major Quinn responded that he is unsure of the restrictions and this would need to be researched.

Joseph Persia noted that in the case of VOCA monies, an RFP may need to be advertised as soon as next weekend.

4. Discussion and Nomination of Steering Committee Members

Following this discussion, Tom Mongeau noted that research had taken place relative to how the Steering Committee was established. He noted that at a September 22, 1995 Policy Board meeting Governor Almond had requested the formation of a Steering Committee. It was suggested that a Steering Committee be a small board who meets more frequently to advise the Policy Board on grant allocations. Mr. Mongeau noted that the following individuals were asked to become part of the Steering Committee: the Attorney General, the Supt. of the RI State Police, the Public Defender, the Director of the DOC, the Director of MHRH, Presiding Justice of Superior Court, and the President of the RI Chiefs Association. Since that time, the Director of the DCYF and the Chair of the Policy Board were added as members.

Mr. Mongeau pointed out that there was never a vote taken on the membership of the Steering Committee. He added that he had asked the opinion of Legal Counsel from the Department of Public Safety regarding this issue. Mr. Mongeau advised that he was told that the Steering Committee can move forward with their duties following a motion to nominate and approve members. He noted that this committee is needed to make funding recommendations.

Following Mr. Mongeau's comments, Jonathan Houston made a motion:

**THAT THE EXISTING STEERING COMMITTEE
MEMBERS BE NOMINATED AND APPROVED
AS PRESENTED.**

The motion was seconded by Magistrate Ippolitto.

Mike Burk suggested that the titles of the Steering Committee members be included in the motion.

At Mr. Burk's suggestion, Major Quinn re-read the list of Steering Committee members along with their titles. The motion was then amended as follows:

**THAT THE FOLLOWING MEMBERS BE NOMINATED
AND APPROVED: DIRECTOR A.T. WALL/DEPT. OF
CORRECTIONS; COLONEL BRENDAN DOHERTY, RISP;
JOHN HARDIMAN, PUBLIC DEFENDER; PATRICK LYNCH,
ATTORNEY GENERAL, JOSEPH E. RODGERS, JR., PRESIDING
JUSTICE SUPERIOR COURT; CRAIG STENNING, DIRECTOR/
MHRH, PATRICIA MARTINEZ, DIRECTOR/DCYF; MICHAEL
QUINN, CHAIR/POLICY BOARD; CHIEF GEORGE KELLEY,
PRESIDENT/RI POLICE CHIEFS ASSOCIATION AS WELL AS
EX-OFFICIO MEMBERS THOMAS MONGEAU AND TIM
COSTA OF THE GOVERNOR'S POLICY OFFICE.**

The amended motion was unanimously passed.

5. Discussion & Nomination of Victims of Crime Advisory (VOCA) Committee Members

Tom Mongeau advised that after researching he could find no mention when the creation of the VOCA Planning Committee took place. He added that a vote is needed to nominate and approve this committee. Mr. Mongeau noted that the committee is comprised of 5 individuals who make funding recommendations to the Policy Board.

Following Mr. Mongeau's comments Jonathan Houston made a motion:

TO NOMINATE AND APPROVE THE EXISTING MEMBERS OF THE VOCA ADVISORY COMMITTEE AS FOLLOWS: STEPHEN KING, ASSISTANT STATE COURT ADMINISTRATOR; CATHY CRANSTON, CRIME VICTIM; LEE BAKER, PROJECT COORDINATOR, DCYF; JAMES GANAWAY, PRESIDENT, CASEY FAMILY SERVICES; WENDY BECKER, RIC SCHOOL OF SOCIAL WORK, ASST. PROFESSOR.

The motion was seconded by Ronald Pagliarini and was unanimously passed.

6. Discussion of Law Enforcement Planning Committee (LEPC) Members

Tom Mongeau advised that the LEPC is comprised of 10 Chiefs of Police who are appointed by the current President of the RI Police Chiefs Association. The purpose of the committee is to recommend Byrne funding which requires that 41.05% of the monies be allocated for municipalities. For instance, the committee has recommended funding for the RI Precious Metals database, In-Service training and Multi-Jurisdictional funds to support police departments' drug investigations. Mr. Mongeau pointed out that the current committee members need to be approved and he also asked if the President of the RI Police Chiefs Association may continue to recommend committee member appointments.

Following Mr. Mongeau's comments Director Wall made a motion:

TO NOMINATE AND APPROVE THE EXISTING MEMBERS OF THE LAW ENFORCEMENT PLANNING COMMITTEE (LEPC) AS FOLLOWS: CHIEF GEORGE L. KELLEY, III, PAWT. POLICE DEPT.; CHIEF JAMIE HAINSWORTH, GLOCESTER POLICE DEPT.; CHIEF MICHAEL MCKENNA, NEWPORT POLICE DEPT.; CHIEF THOMAS TIGHE, JAMESTOWN POLICE DEPT.; CHIEF VINCENT VESPIA, SOUTH KINGSTOWN POLICE DEPT.; CHIEF LANCE HEBERT, PORTSMOUTH POLICE DEPT.; CHIEF THOMAS

BLAKEY, TIVERTON POLICE DEPT.; CHIEF JOSEPH MORAN III, CENTRAL FALLS POLICE DEPT.; COLONEL RONALD DASILVA, COVENTRY POLICE DEPT.; AND COLONEL STEPHEN MCCARTNEY, WARWICK POLICE DEPT.

The motion was seconded by Mike Burk.

The Chair asked for a discussion on the motion.

Magistrate Ippolito suggested that the committee be renamed the Law Enforcement Planning *Advisory* Committee.

Following this suggestion, Craig Stenning made a motion to amend the original motion as follows:

THAT THE LAW ENFORCEMENT PLANNING COMMITTEE BE RENAMED THE LAW ENFORCEMENT PLANNING ADVISORY COMMITTEE (LEPAC).

The amended motion was seconded by Director Wall and was unanimously passed.

Chief Vespia inquired if he should have recused himself from the vote as he is a member of the committee.

Major Quinn answered that it wouldn't be necessary for Chief Vespia to recuse himself because the vote does not involve the approval of funds.

Following this, a motion was made by Mike Burk as follows:

THAT THE PRESIDENT OF THE RI POLICE CHIEFS ASSOCIATION CONTINUE TO NOMINATE NEW MEMBERS OF LAW ENFORCEMENT PLANNING ADVISORY COMMITTEE.

The motion was seconded by Jonathan Houston.

Lisa Holley inquired if there is a change to LEPAC membership if the newly named committee member be brought before the Policy Board for approval.

Magistrate Ippolito responded that any change in membership should be brought before the Policy Board for approval.

Lisa Holley inquired if the person not to appear before the Policy Board.

Magistrate Ippolito stated that a newly named committee member need not be physically present before the Policy Board to be approved.

Major Quinn pointed out that the LEPAC membership changes frequently and that would mean the Policy Board would need to convene every time a member is changed.

Steve King proposed a compromise. He suggested that the President of the RI Police Chiefs Association appoint a new LEPAC member on a temporary basis pending approval by the Policy Board.

The Policy Board agreed to this compromise. The original motion was amended as follows:

**THAT THE PRESIDENT OF THE RI POLICE
CHIEFS ASSOCIATION CONTINUE TO
NOMINATE NEW MEMBERS OF LAW
ENFORCEMENT PLANNING ADVISORY
COMMITTEE ON A TEMPORARY BASIS
PENDING APPROVAL BY THE POLICY BOARD.**

A vote was taken on the amended motion which was unanimously passed.

**7. DISCUSSION & NOMINATION OF VIOLENCE AGAINST WOMEN ACT
(VAWA) PLANNING COMMITTEE & VAWA LAW ENFORCEMENT TASK
FORCE MEMBERS**

Tom Mongeau advised that the VAWA Planning Committee was formed to be an advisory committee to the VAWA STOP grant, the Rural Domestic Violence grant and any other grant coming from the VAWA office. This committee would make recommendations regarding the Stimulus Funding.

Mr. Mongeau explained that the VAWA Law Enforcement Task Force Advisory Committee oversees spending and expenditures of 25% of the grant which allocates this portion of the funds to law enforcement. He noted that they are 2 separate committees that need to be nominated and approved.

Following Mr. Mongeau's comments, Deb DeBare made a motion:

**TO RENAME THE VIOLENCE AGAINST WOMEN
ADVISORY COMMITTEE TO THE VIOLENCE
AGAINST WOMEN ACT ADVISORY COMMITTEE
(VAWAAC).**

The motion was seconded by Jonathan Houston.

Following this a motion was made by Magistrate Ippolito as follows:

TO NOMINATE AND APPROVE THE EXISTING MEMBERS OF THE VIOLENCE AGAINST WOMEN ACT ADVISORY COMMITTEE AS FOLLOWS: CPL. CELESTE POTTER, RISP; DEB DEBARE, RI COALITION AGAINST VIOLENCE; ELAINE DORAZIO, SUPREME COURT DOMESTIC VIOLENCE TRAINING AND MONITORING UNIT; PEG LANGHAMMER, DAY ONE; LT. MICHAEL CHALEK, URI POLICE DEPT.; MAUREEN KEOUGH, OFFICE OF THE ATTORNEY GENERAL; SHELLY CORTESE, DOC; JEFF RENZI, DOC; AND STEPHEN KING, ASST. STATE COURT ADMINISTRATOR.

The motion was seconded by Mike Burk and was unanimously passed.

Responding to various questions, Deb DeBare explained that the VAWA Advisory Committee advises the Policy Board about VAWA funding. She added that the VAWA Law Enforcement Task Force Advisory committee makes recommendations on funding to the VAWA Planning Advisory Committee.

Following this Deb DeBare made the following motion:

THAT THE VIOLENCE AGAINST WOMEN ACT ADVISORY COMMITTEE HAS THE AUTHORITY TO SET UP A VAWA LAW ENFORCEMENT TASK FORCE ADVISORY COMMITTEE AND THAT THE FOLLOWING MEMBERS BE NOMINATED AND APPROVED: CPL. CELESTE POTTER, RISP; DEB DEBARE, RI COALITION AGAINST DOMESTIC VIOLENCE, ELAINE DORAZIO, SUPREME COURT DOMESTIC VIOLENCE TRAINING AND MONITORING UNIT; PEG LANGHAMMER, DAY ONE; LT. MICHAEL CHALEK, URI POLICE DEPT.; MAUREEN KEOUGH, OFFICE OF THE ATTORNEY GENERAL; AND SGT. DENNIS LEAHEY, BURRILLVILLE POLICE DEPT.

The motion was seconded by Mike Burk and was unanimously passed.

8. New Business

Director Wall inquired if any steps would need to be taken for the Grant Administration Office to meet the various grant application deadlines.

Tom Mongeau replied that it would be necessary to convene a Steering Committee meeting to talk about Byrne funds and other grants that will be subject to continuation funding.

Director Wall stated as Chair of the Steering Committee he would like to convene a meeting immediately following the Policy Board meeting in order to address grant funding deadlines. He asked when grant funds are expected.

Tom Mongeau stated that grant funds would probably be received by May 1, 2009.

Lisa Holley stated that to hold a Steering Committee meeting following the Policy Board meeting would not be in accordance with the Open Meetings Act in that sufficient notice is not given. She pointed out that the Byrne Justice Assistance grant includes non-profit agencies and the requirement of posting a meeting would need to be fulfilled.

9. Adjourn

There being no other business to discuss, Craig Stenning made a motion:

THAT THE MEETING BE ADJOURNED.

The motion was seconded by Mike Burk and was unanimously passed. The meeting was adjourned at 9:18 AM.

Respectfully submitted,

Kathleen M. Loiselle
Recording Secretary

Approved:

Thomas H. Mongeau
Administrative Manager

Approved:

Major Michael Quinn
Chair