

Policy Board

Minutes of the Meeting of April 28, 2010

Administration Building

Conference Room A

One Capitol Hill

Providence, RI 02908

MEMBERS/DESIGNEES PRESENT:

Ms. Deb BofH, RI. Department of Human Services (designee of Director Gary

Alexander, voting member)

Marshal Jack Chartier, RI. State Fire Marshal (voting member)

Ms. Deborah DeBare, RI. Coalition Against Domestic Violence (voting member)

Ms. Lisa S. Holley, Esq. (designee of Colonel Brendan P. Doherty, voting member)

Presiding Justice Alice Gibney, Superior Court of Rhode Island (voting member)

Mr. John Hardiman, Public Defender (voting member)

Chief Judge Jeanne LaFazia, RI. District Court (voting member)

Mr. Jonathan Houston, Justice Assistance (voting member)

Mr. Daniel Knight, Salve Regina University (voting member)

Chief George Kelley, RI. Police Chiefs' Association (designee of Chief Joseph Moran, voting member)

Deputy Attorney General Gerald Coyne, RI. Department of Attorney General

(designee of Attorney General Patrick Lynch, voting member)

Mr. Michael Burke, RI. Department of Children, Youth, & Families

(designee of Director

Patricia Martinez, voting member)

Major Michael P. Quinn, Johnson & Wales University (voting member), Chair

Director Craig Stenning, RI. Department of MHRH (voting member)

Chief Justice Paul Suttell, Supreme Court of Rhode Island (voting member)

Director A.T. Wall, RI. Department of Corrections (voting member)

Mr. Jeffrey A. Enos (designee of Mr. Robert O'Neil, voting member)

Ms. Barbara J. Laird, RI. State Police, Recorder

PUBLIC SAFETY GRANTS ADMINISTRATION OFFICE:

Mr. Thomas Mongeau, Administrative Manager

Mr. David LeDoux, Supervisor of Management Services

Ms. Gail Pereira, Grant Manager

1. Welcome-Major Michael P. Quinn

Major Michael P. Quinn, Chair, welcomed everyone and opened the meeting at 8:33 a.m.

2. Approval of Minutes of October 2, 2009

A motion was made by Public Defender Hardiman:

TO ACCEPT THE MINUTES OF THE MEETING OF OCTOBER 2, 2009 AS PRESENTED.

The motion was seconded by Mr. Burke.

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THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

3. Discussion/Approval of FY 2010 Residential Substance Abuse Treatment-

Gail Pereira

Ms. Pereira directed the Board's attention to the handout (Attachment 1), which outlines

the FY2010 Residential Substance Abuse Treatment proposal. The FYIO funding is an

increase of three times the previous year's allocation. The total award is \$151,493. The

Public Safety Grant Administration Office will retain 10 percent for administrative costs

in the amount of \$15,149. The Rhode Island Department of Corrections will be granted

two-thirds of the award, and the Rhode Island Training School for Youth will be granted

one-third. The RIDOC will fund a site supervisor/counselor (state funds), three

substance abuse counselors (RSAT funds), one discharge planner (state funds), and .25

clerical support (state funds). The RITSY will support two substance abuse counselors

(RSAT funds). RIDOC will utilize \$90,896 in federal RSAT funds and \$88,051 in State

funds for the match. DCYF will utilize \$45,448 in federal funds and

\$15,152 in state

funds for the match.

Director Stenning asked how decisions were made to distribute the funds in this

manner. Ms. Pereira stated that the requirement of the grant is that the funds can only

be utilized for substance abuse treatment for incarcerated individuals and that the

directors made these decisions. Major Quinn reiterated this mandate.

Director Stenning

stated that this is not an open process, and he felt that he should be consulted, because

his agency provides substance abuse treatment.

Mr. Houston made a motion:

TO APPROVE THE RSAT FUNDING AS PRESENTED.

The motion was seconded by Public Defender Hardiman.

THE MOTION PASSED IN THE AFFIRMATIVE WITH RECUSALS BY DIRECTOR WALL, DIRECTOR STENNING, AND MR. BURKE.

THERE WERE NO VOTES AGAINST.

4. Discussion/Approval of recommendations of CJIS Stimulus Subcommittee for

CJIS Portion of ARRA Edward Byrne Memorial Justice Assistance Grant Program

and

5. Discussion/Approval of Moving ARRA Byrne Administrative Funds to

Supplement CJIS Set Aside funds-David LeDoux

Mr. LeDoux directed the Board's attention to the handout (Attachment 2). There is

\$300,000 set aside for qIS improvements. A Sub-committee was convened of the MIS

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Directors of the state's criminal justice agencies. They reviewed programs and

narrowed the projects down to a few. The first project recommended is the BCIjDCYF

Foster Parents' Interface at the Rhode Island Department of Attorney General. This

program would flag a foster parent, who is charged with a crime. The total cost is \$4,000

(Attachment 2A).

The second project is the Law Enforcement DMV License Imaging Project at the Rhode

Island State Police. This would provide access to driver's license images for law

enforcement and the Office of the Public Defender through a standard license check over

the RILETS network. The cost is \$155,000 (Attachment 2B).

The third project is the Rhode Island Department of Corrections WINFACTS Upgrade

Project. This provides probation and parole data for law enforcement and state agencies that have access to WINFACTS. The cost of this proposal is \$200,000 (Attachment 2C).

The three projects total \$359,000, however, there is only \$300,000 set aside. Mr. LeDoux

stated that the PSGAO currently has \$543,000 for planning and administration. The

PSGAO is also allowed to take 9.5% of this award for administration and .5 for

administration at the State's OEER Office. Mssrs. Mongeau and LeDoux discussed this,

and they would like to cover the \$59,000 shortfall with their planning and

administration money, so the projects may be fully funded. Mr. LeDoux made this

recommendation to the qIS Committee and is putting it before the Policy Board today

for approval.

The qIS Committee met four times to discuss this funding and has decided to stay

together to look at other inter-agency projects, identify gaps in service, and continue to

make the system work better in future.

Mr. LeDoux asked for questions from the Board.

Ms. Holley referred to Project No.2 under "Explanation of Work" Item

C She asked if

the cost of \$57,800 for New World Systems is to bring Providence on line with IMC Mr.

LeDoux stated that Providence is going to continue to use New World Systems for their

records management and is not going to change vendors and use IMC This money will

make their system compatible for the License Imaging Project.

Mr. Houston asked if \$200,000 will be enough to complete the WINFACTS upgrade at

the Department of Corrections. He recommended that should a shortfall occur, the

PSGAO be allowed to tap into any remaining funds to complete the upgrade. As an

alternative, he asked if there is a plan to continue to build the program with next year's

money. Mr. LeDoux stated that this is the amount that was presented by the

Department of Corrections to complete the project.

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Mr. Houston made a motion:

THAT IF THE BUDGETED AMOUNT PRESENTED FOR THE WINFACTS PROJECT IS FOUND TO BE INCORRECT OR IF THERE ARE OVERCOSTS, THAT RESERVE FUNDS BE USED TO

COMPLETE THE PROJECT.

Major Quinn stated that he would object to such an open motion without specifying the source and amount of the funds. Director Wall stated that they recognize that this is a project with significant benefits and that it has to be built incrementally. They have been assured that they are using a correct budget amount that would bring the project to a certain plateau, and that it would provide a functioning system. He added that if DOC wants to bring the project to a higher plateau, they would request additional funds in the future. He stated that he understands Major Quinn's concerns about the Board giving DOC a "blank check." He said that he also does not want the project to get close to being completed and run out of money. He said that if there is a shortfall, then they will come back to Mr. LeDoux and discuss the situation. Mr. Houston said he is comfortable with this, but he reiterated his concern that the project is underfunded.

Note: There was no second to Mr. Houston's motion above, therefore, it fails.

Marshal Chartier made a motion:

TO APPROVE, AS PRESENTED, THE BCIJDCYF FOSTER PARENTS INTERFACE, LAW ENFORCEMENT DMV LICENSE IMAGINING PROJECT, AND RI DOC WINFACTS UPGRADE PROJECT AND TO USE PSGAO ADMINISTRATIVE FUNDS TO MAKE UP THE \$59,000 SHORTFALL.

The motion was seconded by Presiding Justice Gibney.

TO MOTION PASSED IN THE AFFIRMATIVE WITH RECUSALS BY DIRECTOR WALL, MR. BURKE, AND DEPUTY COYNE. THERE WERE NO VOTES AGAINST.

6. Discussion/Approval of attendance at 2010 NCJA/BJA Northeast Regional

Workshop on Evidence Based Policy and Practice in Action, Philadelphia, PA,

May 25-26, 2010 - Thomas Mongeau

Mr. Mongeau explained that with the 2009 Byrne JAG and Byrne Stimulus funds, BJA

began to scrutinize the states' planning processes. They suggest using an evidencebased

process. They would also like states to involve the community in the planning

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process. To assist with implementation, BJA will provide the states with technical

assistance. They plan to conduct regional workshops on the strategic

planning process.

They are requesting that states send up to five people to the workshop. Mr. Mongeau

recommended that he, Mr. LeDoux, and Major Quinn attend this workshop for

Northeast region. There is no cost for the training, and the PSGAO would utilize \$1,200

in administrative funds in for the Philadelphia workshop. This would cover the cost of

airfare, per diem, and lodging.

Major Quinn added that the workshop topics will include evidence-based and

community-based planning. Future allocations from BJA will be strongly tied to these

practices. Therefore, it is important to attend and understand how future funding will

come to the states.

Director Wall asked if the training is focused for grant managers or if it is intended for

practitioners. He added that if it is the former, then he is in agreement. However, if it is

the latter, then there needs to be a strategy for the attendees to disseminate the

information out to the field. Major Quinn replied that the training is for both grant

managers and practitioners. Director Wall requested that the

attendees get this

information out to practitioners when they return, since it will be needed for future

Byrne grant applications.

A motion was made by Deputy Coyne:

**TO APPROVE ATTENDANCE AT THE MAY 25-26, 2010
NORTHEAST REGIONAL WORKSHOP AS PRESENTED.**

The motion was seconded by Mr. Burke

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

**7. New Business-2010 Byrne Justice Assistance Grant Allocations-
David LeDoux**

**Mr. LeDoux directed the Board's attention to the handout (Attachment
4) outlining 2010**

**Byrne JAG allocations. There are no stimulus monies for 2010. The
total award is**

**\$1,383,926, a decrease of \$97,822 or 6.6% from 2009. The
administrative funds that will**

**be retained by the PSGAO are \$138,392, leaving \$1,245,534 to be
distributed. In**

**addition, BJA makes direct local awards to qualifying police
departments. This year**

**there are 14 departments receiving direct awards, which are over
\$10,000 each, for a total**

**is \$780,101. The under \$10,000 awards are also intended for local
police departments,**

but are awarded to the PSGAO to sub-grant to the local departments.

Taking out the local, under \$10,000 pass-through, leaves \$1,168,576 to award. The required variable pass-through has been 41.05%. For 2010 it is now 43.13%. The statewide portion is losing about 2.08%. There will now be \$664,569 to fund statewide projects. The problem

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will be with the \$5.7M in stimulus money, which last year, funded new programs in several state agencies. Many of these new projects have not begun spending their money because they are at the State Purchasing approval level. We do not have to be concerned about these programs this year, but next year there will not be a lot of money to sub-grant. The Steering Committee is going to need to review existing projects and also consider the evidence-based criteria. Next year will be very difficult, because the new projects will be running out of money, we will not have stimulus money, and many of these programs are not going to be funded. The evidence-based planning will be

important, because these will be the programs that will likely receive funding.

Ms. Holley reported that states have a mandate to adopt the Adam Walsh Act by 2010.

This is a legislative overhaul of how sex offenders are dealt with.

Through the Office of

Attorney General, Rhode Island has requested an extension for the mandate and is in the

process of submitting a major overhaul on community notification and registration. We

will not know if the extension will be granted. However, every year that the mandate is

not met, the state will lose 10 percent of its Byrne funds. Ms. Holley stated that she

believes Rhode Island will receive the extension for this year.

However, if we cannot get

a bill passed by the next General Assembly session, we will begin to lose the 10 percent.

Ms. Holley said that they are going to different stakeholders to ensure they are aware of

this provision. In response to a question from Ms. Holley, Mr. Mongeau explained that

the 10 percent loss includes both the state share as well as the pass-through to cities and

towns. It is all monies that are impacted. Ms. Holley further explained that if Rhode

Island does not get the extension, then the 10 percent loss will take effect in July 2010.

She asked the Policy Board to consider how to budget the loss, Le., would each program

be decreased by 10 percent or by eliminating a program to make up the 10 percent.

In response to a question as to whether adopting the Adam Walsh Act would involve a

cost to the state, Ms. Holley replied that the cost is not significant.

The cost will involve

the Department of Public Safety in computer interface, but it would potentially save

money for the judiciary and the cities and towns. The burden would be taken off the

cities and towns for notification, caseloads would come out of the judiciary, and the

process would be streamlined. Ms. Holley said that the state cannot do anything until

the General Assembly passes the bill. This year's bill will have some of the mandates

included. Next year we will need to submit and pass a bill that is in full compliance to

avoid losing 10 percent from next year's Byrne funds. Ms. Holley stated that the 2010

loss would be \$216,402 if the extension is not granted.

Director Wall asked if the Byrne application is due on June 6th for the

2010 allocation of

\$1,383,926, and Mr. LeDoux said that it is. He said that BJA approves the state plan, and

after it is awarded, the state develops its individual plans. Major Quinn recommended

convening a meeting of the Steering Committee by Director Wall to begin planning

distribution of the Byrne funds. Mr. LeDoux suggested convening the meeting after the

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May 25-26" workshop. Director Wall recommended that the meeting be held shortly

after Memorial Day. He also recommended that the Local Law Enforcement Planning

Committee also meet after the May workshop. Ms. Holley stated that Rhode Island

should have an answer about the extension in a matter of weeks. She anticipates that

the bill should be submitted to the General Assembly by next week. Some of the issues

with the bill are how juveniles will be addressed under the Act and retroactivity;

Retroactivity is involved, because the proposed bill would change it to that. Presently

the Walsh Act makes it mandatory for all sex offenders, who have ever been convicted, to register. Any new crime would trigger the duty to register as a sex offender.

Juveniles, age 14 and older, who commit violent sexual acts, as defined under the federal law, would also have to register.

There was no other new business.

8. Adjourn

Director Wall made a motion:

TO ADJOURN THE MEETING.

Chief Judge LaFazia seconded the motion.

THE MEETING WAS ADJOURNED AT 9:17 A.M.

Respectfully submitted,

Barbara J. Laird

Recorder

Thomas H. Mongeau

Administrative Manager

Michael P. Quinn

Chair