

Policy Board
Minutes of the Meeting of September 19, 2011
R.I. Department of Administration
One Capitol Hill, Conference Room A
Providence, RI 02908

MEMBERS/DESIGNEES PRESENT:

Major Michael P. Quinn, Johnson & Wales University, Chair (voting member)
Chief Justice Paul A. Suttell, Supreme Court of R.I., (voting member)
Mr. Jonathan Houston, Justice Assistance, (voting member)
Mr. John Hardiman, R.I. Public Defender, (voting member)
Director A.T. Wall, R.I. Department of Corrections, (voting member)
Mr. Daniel Knight, Salve Regina University, (voting member)
Ms. Debra DeBare, R.I. Coalition Against Domestic Violence, (voting member)
Mr. Robert O'Neil, Public Member, (voting member)
Magistrate Joseph P. Ipolito, Jr., District Court of R.I., designee of Chief Judge Jeanne LaFazia, (voting member)
Deputy Attorney General Gerald Coyne, R.I. Department of Attorney General (designee of Attorney General Peter Kilmartin, (voting member)
Major James G. Pereira, R.I. State Police/R.I. Department of Public Safety, designee of Colonel Steven G. O'Donnell, (voting member)
Chief Vincent Vespia, R.I. Police Chiefs' Association, designee of Chief Edward Mello, (voting member)
Ms. Jennifer Olivelli, Supreme Court of R.I., designee of Presiding Justice Alice B. Gibney, (voting member)
Mr. Mike Burk, R.I. Department of Children, Youth, & Families, designee of Dr. Janice DeFrances, (voting member)
Ms. Rebecca Boss, R.I. Department of Behavior Healthcare & Developmental Disabilities, designee of Director Craig Stenning, (voting member)
Mr. Dean Weinberg, Public Member, designee of Mr. Carl Weinberg, (voting member)
Mr. Ron Pagliarini, Family Court of R.I., designee of Chief Judge Haiganush Bedrosian, (voting member)
Ms. Danica Iacoi, Legal Counsel, R.I. Department of Public Safety
Mr. Norman Proulx, Family Court of R.I.
Mr. Thomas Connell, Unites States Attorney's Office

PUBLIC SAFETY GRANTS ADMINISTRATION OFFICE (PSGAO):

Mr. Thomas Mongeau, Administrative Manager
Mr. David LeDoux, Supervisor of Management Services
Ms. Gail Pereira, Grant Manager
Ms. Elizabeth Gilheeneey, Grant Manager

1. WELCOME-Major Michael P. Quinn, Chairman of the Policy Board:

Major Quinn welcomed everyone and opened the meeting at 8:35 a.m. Introductions were made. Major Quinn noted that the required quorum was present for the meeting.

2. APPROVAL OF THE SEPTEMBER 29, 2010 MINUTES:

Major Pereira moved:

TO APPROVE THE MINUTES OF THE MEETING OF SEPTEMBER 29, 2010 AS PRESENTED. (Attachment 2)

Mr. Knight seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

3. DISCUSSION/APPROVAL OF FY 2011 NATIONAL CRIMINAL HISTORY IMPROVEMENT GRANT PROGRAM—Mr. Thomas Mongeau

Mr. Mongeau provided background information on the NCHIP Grant (Attachment 3). This year's award is \$137,683, which is slightly lower than last year. Programs being recommended for funding this year include: \$29,955 for the R.I. Department of Corrections for digital mug shot packages, \$25,000 for the R.I. Department of Attorney General for LiveScan equipment, \$10,000 for the Courts for staff overtime for data entry, \$30,000 for the R.I. State Police for a server for the sex offender registry, and \$28,960 for 40 desktop licenses and four laptop computers for the sex offender registry stations. The PSGAO would retain 10 percent for administrative costs totaling \$13,768. There were no questions, and Mr. Burk moved:

TO APPROVE FY 2011 NCHIP FUNDING RECOMMENDATION AS PRESENTED.

Ms. DeBare seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

4. DISCUSSION/APPROVAL OF FY 2011 STATE JUSTICE STATISTICS GRANT – Mr. Thomas Mongeau:

Mr. Mongeau stated that the FY 2011 federal award for this grant program is \$50,000 (Attachment 4). The funds will be used by the PSGAO for development and maintenance of the webpage, continue juvenile detention compliance monitoring, continued research on juvenile detention summaries, continuation of deaths in custody monitoring, yearly law enforcement resource survey, and the Advisory Committee for the R.I. Violent Deaths Reporting System. There were no questions, and Magistrate Ipolito moved:

TO APPROVE THE FY 2011 STATE JUSTICE STATISTICS GRANT FUNDING RECOMMENDATION AS PRESENTED.

Deputy Coyne seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

5. Discussion/Approval of FY 2011 Victims' Assistance Grant Program – Mr. Thomas Mongeau:

Mr. Mongeau provided a brief background on the Victims' Assistance Grant Program (Attachments 5A, 5B, 5C). This is a three-year program. The older money is subgranted first. Last year there was a 10-15 percent reduction in funds. The Steering Committee agreed to take an average of the available three years' funds plus this year's allocation to subgrant. There were no questions. Therefore, Magistrate Ipolito moved:

TO APPROVE FY 2011 VICTIMS' ASSISTANCE GRANT FUNDING RECOMMENDATION AS PRESENTED.

Mr. Burk seconded the motion.

THE MOTION PASSED IN THE AFFIRMATIVE WITH ABSTENTIONS FROM MR. HOUSTON AND MS. DE BARE.

6. Discussion/Approval of FY 2011 Juvenile Justice and Delinquency Prevention Formula Grant Program – Ms. Elizabeth Gilheeny:

Ms. Gilheeny said this is the third year of a three-year planning cycle (Attachment 6). The programs requesting funding today have been in place for the past two years, and each program has successfully performed. The Juvenile Justice Advisory Committee recommends funding for all current grants. The award remains the same at \$600,000. There were no questions. Therefore, Mr. Burk moved:

TO APPROVE FY 2011 JUVENILE JUSTICE AND DELINQUENCY PREVENTION FORMULA GRANT FUNDING RECOMMENDATION AS PRESENTED.

Ms. DeBare seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

7. Discussion/Approval of Juvenile Justice Accountability Block Grant – Ms. Elizabeth Gilheeny:

Ms. Gilheeny reported that there was a decrease of \$73,146 in funding this year (Attachment 7). This money supports three state projects: The Family Court Re-Entry Court, the Public Defender Juvenile Program, and the Attorney General's Juvenile Gang Unit. The PSGAO will also take its 10 percent administrative costs. The Juvenile Justice Advisory Committee recommended not cutting the Attorney General's program, and recommended cutting the other two projects as well as decreasing the amount to the PSGAO. All programs will be able to run with the funds available. There were no questions. Therefore, Mr. Burk moved:

**TO APPROVE FY 2011 JUVENILE JUSTICE ACCOUNTABILITY
BLOCK GRANT FUNDING RECOMMENDATION AS PRESENTED.**

Director Wall seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

8. Discussion/Approval of Juvenile Justice Title V Delinquency Prevention Grant Program – Ms. Elizabeth Gilheeny:

Ms. Gilheeny reported that this program received a decrease in funding in the amount of \$34,945 (Attachment 8). The past two years the grant supported programs in the City of East Providence and the City of Central Falls. As a result of financial issues in the City of Central Falls, effective the last quarter, the City's Community Center is no longer in operation. That agency was the recipient of the funds. Therefore, the remaining money, in the amount of \$47,500 was awarded to the City of East Providence for its substance abuse task force, and \$2,500 will be retained by the PSGAO for administrative costs. This is the final year of a three-year plan. There were no questions. Therefore, Mr. Burk moved:

**TO APPROVE FY 2011 JUVENILE JUSTICE TITLE V DELINQUENCY
PREVENTION GRANT FUNDING RECOMMENDATION AS
PRESENTED.**

Director Wall seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

9. Discussion/Approval of Project Safe Neighborhoods Grant Program – Ms. Gail Pereira:

Ms. Pereira reported that funding this year is \$67,135 (Attachment 9). It is split equally between the Institute for the Study and Practice of Non-Violence for the

Providence Street Workers Program and the Providence Police Department for gang violence and gun investigations. Providence Police has just finished spending its 2008 funding allocation, and their 2009 and 2010 allocations still remain. The Project Safe Neighborhoods Selection Committee recommended subgranting the Streetworker Program funding directly to the Institute for the Study and Practice of Non-Violence. The U.S. Attorney's Office named the PSGAO as the fiscal agent for this program. There being no questions, Magistrate Ipolito moved:

TO APPROVE THE PROJECT SAFE NEIGHBORHOODS GRANT PROGRAM RECOMMENDATION AS PRESENTED.

Mr. O'Neil seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

10. Discussion/Approval of Residential Substance Abuse Treatment Grant Program – Ms. Gail Pereira:

Ms. Pereira stated that this year's award of \$118,680 is a slight reduction from last year (Attachment 10). Since 1996, the grant has been split by approximately one-third to fund a substance abuse program at the Rhode Island Training School for Youth, and two-thirds of the grant is for the Department of Corrections initiatives on prisoner re-entry. The PSGAO takes 10 percent for administrative costs. As of August 30, 2011, the PSGAO has accepted this award. There were no questions. Therefore, Deputy Coyne moved:

TO APPROVE THE RESIDENTIAL SUBSTANCE ABUSE GRANT PROGRAM RECOMMENDATION AS PRESENTED.

Mr. O'Neil seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

11. Discussion of Planning Process for FY 2011 Edward Byrne Memorial Justice Assistance Grant – David LeDoux:

Mr. LeDoux distributed a narrative and spreadsheet on the proposed projects (Attachments 11 and 11A). He clarified that on the narrative, the URI Crimes Lab award is listed as \$158,845, but the correct amount is \$10,684. The Byrne Grant is 18-20 percent lower than last year. In 2009, the grant received a significant increase in funds as a result of recovery act money. The grant was previously funding three projects, and with the stimulus money was able to fund eighteen projects. This year the dollar amounts requested nearly doubled what is available in funding. The Steering Committee decided not to consider any new projects. The Committee

further decided not to eliminate any projects, but rather to give each project an across-the-board cut and fund the projects at about 42 percent of their request.

The Local Law Enforcement Planning Committee (LLEPC) met and decided how to equitably divide the funding for the city/town departments. They also took into consideration the direct awards received by these departments. For example, Providence received a direct award, so they would not be receiving any of the local pass-through monies. The LLEPC also funded statewide projects that benefit the local departments; such as, the precious metals database and hate crimes training. A new project, at the request of the Rhode Island Police Chiefs' Association, is to develop a statewide accreditation process. They hope that once the program is running that it will be self-sufficient. The Rhode Island Municipal Police Training Academy also requested specialized training for a physical fitness program. The LLEPC suggested funding this program with the interest earned on the Byrne Grant. Mr. LeDoux explained that the state receives the Byrne money at the beginning of the fiscal year and deposits it into an interest-bearing account. Because of the stimulus funding, there is \$33,000 in earned interest. The Rhode Island Municipal Academy is requesting \$20,000 for this project. Therefore, Mr. Houston moved:

**TO USE \$20,000 IN BYRNE EARNED INTERST TO FUND THE
RHODE ISLAND MUNICIPAL POLICE TRAINING ACADEMY
PHYSICAL FITNESS SPECIALIST PROGRAM.**

Ms. DeBare seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

Mr. LeDoux proposed that the balance of the interest earned in the Byrne Grant, totaling \$13,000, be granted to the Office of the Public Defender. During the 2009 planning process, Director Stenning had two projects; one funded by formula money, and one funded by stimulus money. He asked to have both programs funded by formula funds. As a result of making this change, the Public Defender's allocation was reduced by \$4,000. Subsequently, the Steering Committee recommended decreasing the funding for the Drug Court and the Department of Corrections grant. The Public Defenders' project was then cut by one-third. As a result of the original \$4,000 cut, it actually put the Public Defender's Office behind by \$9,000-\$10,000, and they have been the agency most adversely affected. Since there is \$20,000 going to the Municipal Academy, Mr. LeDoux asked that the Policy Board grant the remaining \$13,000 to the Public Defender, since that money is not currently programmed.

Magistrate Ipolito said that there is no written request for this, so Mr. LeDoux is requesting an administrative action. Mr. Houston asked if there are ever any requests for emergency funds. Mr. Mongeau responded that there are occasionally, and Mr. Houston recommended holding the money for such emergencies. Major Quinn asked if this is a process the Policy Board wants to decide on, because it has not been vetted through the Steering Committee or an Advisory Committee, which is the usual process. Ms. Boss stated for the record that she is in attendance today as Director Stenning's designee. Mr. Houston asked if the Steering Committee should review this issue. Major Quinn said he would rather defer to the Steering Committee. Mr. Burk asked if there is a timetable established to expend the funds. Mr. LeDoux responded that the money must be spent before February 28, 2013 and that they should not hold the money until close to that date. Magistrate Ipolito stated that the money should be allocated. He added that if Policy Board members review the group's enabling legislation, that this body is actually the "Steering Committee." Major Quinn added that this body gives the Steering Committee its authority. He further recommended that the Policy Board ensure that a process is put in place. There is sufficient time for the Steering Committee to vote on this matter and then the Policy Board can meet to vote on it. Mr. O'Neil stated that he agreed with Magistrate Ipolito. Mr. LeDoux added that interest income is also subject to the variable pass-through of at least 43 percent, to benefit local law enforcement. The Municipal Academy is receiving \$20,000, and the remaining \$13,000 should be sub-granted to a state agency. Magistrate Ipolito moved:

**TO GRANT \$13,000 OF INTEREST INCOME FROM THE BYRNE
GRANT TO THE PUBLIC DEFENDER'S OFFICE.**

Mr. O'Neil seconded the motion.

**THE MOTION PASSED WITH ONE VOTE IN OPPOSITION BY MR.
BURK.**

**12. Discussion of Planning Process for FY 2011 STOP Violence Against Women
Grant Program – David LeDoux:**

Mr. LeDoux distributed a spreadsheet and one-page narrative (Attachments 12 and 12A) and reviewed the funding recommendations. The award increased by \$2,000 from last year. The PSGAO retains 10 percent for planning and administration. The balance to be distributed for programming is \$945,979 and is summarized on the handout. The Rhode Island Indian Council will receive 10 percent of the victim service amount, or \$19,187, and the Healthy Families Initiative will receive \$6,396. The majority of the victim service funds are distributed to the Rhode Island Coalition Against Domestic Violence, in the amount of \$275,783, and Day One, in the amount of \$82,377. The prosecution component, in the amount of \$213,191 is awarded to the

Rhode Island Department of Attorney General. The 5 percent allocation for the Courts, in the amount of \$42,638, supports the Supreme Court Domestic Violence/Sexual Assault calendar. This is a change this year. In prior years the money was used for data entry of the DV/SA police report forms. The law enforcement component is used for advocates in the police departments and training in the amount of \$213,191. Mr. Burk moved:

**TO APPROVE FUNDING FOR THE FY 2011 STOP VIOLENCE
AGAINST WOMEN GRANT PROGRAM AS PRESENTED.**

Director Wall seconded the motion.

THE MOTION PASSED WITH MS. DE BARE RECUSING.

Mr. LeDoux reported that he is waiting for the FY 2011 Sexual Assault Services Program award from the Office of Justice Programs. This money must be used for sexual assault services only. He requested that the Policy Board approve the funding, so that when it is received, it will be granted to Day One, as the defacto statewide sexual assault services provider. The PSGAO does not take any administrative funds from this grant, because Day One is responsible for all reporting requirements. Mr. Houston asked if there is a requirement for this to go out to bid. Mr. LeDoux responded that it does not, because the intent is for statewide sexual assault services exclusively, and the Office of Justice Programs mandates that the award go to the state's statewide sexual assault coalition. Director Wall stated that he recalls a discussion approximately two years ago that may have been in relation to ARRA funding. It was determined that in Rhode Island, Day One is the statewide sexual assault coalition. Mr. Houston said that if it were to go out to bid, they could receive sole source status, and this issue will not come up again. Magistrate Ipolito asked if there was a previous vote on this matter. The money has not been awarded to the state as of this date, and did the Policy Board specifically vote that Day One would be the agency to receive the money. Mr. LeDoux stated that for the past two years, the Policy Board voted to approve the award after it was received by the state. This year is different because the award has not been received as of today's meeting. Day One has spent its 2009 money, and is utilizing its 2010 money now. Major Quinn asked if this typically goes before a review committee. Mr. LeDoux stated that two years ago the VAWA Advisory Committee discussed this, and the consensus was that the money is intended for sexual assault services. If there was more than one sexual assault coalition in the state, then an RFP would be issued, however, there is only one statewide sexual assault coalition. As a result, the VAWA Advisory Committee has not re-visited this. He further stated that if the Policy Board does not approve this today, another meeting of this body would be required specifically for a vote on this grant program. Mr. LeDoux stated that the

anticipated amount of the award will be approximately \$100,000, and it is a two-year award. The VAWA program start dates vary unlike Byrne, which coincide with the federal fiscal year. Day One has sufficient funding for another one and maybe two quarters. Major Quinn reported that the Policy Board should know that the Coverdell Grant has also not been received yet, so the Board would have to meet again regarding the distribution of this award. Magistrate Ipolito said that Day One should not have to stop their work due to the lack of a vote. Mr. Houston asked if there is sufficient time to put out an RFP, and then Day One could be considered a sole source so the Policy Board will not have this issue come up again. Major Quinn said the Policy Board may want to consider an RFP in the future. Director Wall added that State Purchasing may be able to provide some guidance on this matter, and Major Quinn agreed that this may be in the Board's and the agency's best interest. No vote was taken and will be deferred until the award is received in the state.

13. New Business:

Director Wall stated that federal funding of the Byrne/JAG grant is dwindling. As Chair of the Steering Committee, he stated that they have had some long, difficult meetings to recommend distribution of funds. Unless there is a change of philosophy in Congress, what the Policy Board approved today can keep the projects funded for some part of this funding cycle, however, some programs will be required to terminate. Mr. LeDoux added that before ARRA funding, there were three projects, and with ARRA money, there were 18 projects funded. The grant is likely to decrease again next year. The Policy Board will be unable to continue to fund programs at this level. In 2005, the federal government changed the regulations to state that programs can be funded for four years and then that was rescinded, and funding was allocated for eight to nine programs. He asked if the Policy Board should again implement the four-year rule. Major Quinn added that the Policy Board has committed to a strategic planning process. Director Wall said that Dr. Senese from Johnson & Wales University is working with the Steering Committee and a team from academia to develop a strategic plan for the state at no cost. This process is underway. When it is completed, it will provide the Policy Board with good information regarding funding priorities and what is important to the criminal justice system. Mr. Houston added that it would also be wise to also look at the Victims Assistance Grant funding.

14. Adjourn:

There being no further business, Mr. Burk moved:

TO ADJOURN THE MEETING.

Magistrate Ipolito seconded the motion.

THE MEETING WAS ADJOURNED AT 9:38 A.M.

Respectfully submitted,

Barbara J. Laird
Recorder

Approved:

Thomas Mongeau
Administrative Manager

Major Michael P. Quinn
Chair