

Criminal Justice Policy Board
Minutes of August 6, 2015
Rhode Island State Police Headquarters
311 Danielson Pike
North Scituate, RI 02857

MEMBERS/DESIGNEES PRESENT:

Major Michael P. Quinn, Johnson and Wales University, Chair, (voting member)
Ms. Gina Caruolo, R.I. Department of Corrections, designee of Director A.T. Wall
(Voting member)
Mr. Joseph Baxter, designee of The Honorable Paul Suttell, Chief Justice, Supreme Court of R.I.,
(Voting member)
Chairperson Barbara Cottam, Chair, R.I. Board of Education, (voting member)
Ms. Linda Mahoney, designee of Director Maria Montanaro, Behavior Healthcare, Development
Disabilities, and Hospitals (BHDDH), (voting member)
Chief Brian Sullivan, current President, R.I. Police Chiefs' Association, (voting member)
Marshal Jack Chartier, State Fire Marshal, (voting member)
Mr. Jonathan Houston, Justice Assistance, (voting member)
Ms. Debra DeBare, R.I. Coalition Against Domestic Violence, (voting member)
Mr. Daniel Knight, Salve Regina University, (voting member)
Mr. Robert O'Neil, Public Member, (voting member)
Mr. Carl Weinberg, Public Member, (voting member)
Deputy Attorney General Gerald Coyne, Designee of Attorney General Peter F. Kilmartin,
(voting member)
Ms. Jennifer Olivelli, Designee of Presiding Justice Alice B. Gibney, Superior Court of R.I.,
(voting member)
Mr. Kevin McKenna, Designee of Director, R.I. Department of Children, Youth, and Families,
(voting member)
Mr. Stephen Waluk, District Court of R.I., designee of Chief Judge Jeanne LaFazia of the
District
Court (voting member)
Mr. Kevin Richard, RI Family Court

R.I. DEPARTMENT OF PUBLIC SAFETY:

Captain Timothy Sanzi, Executive Officer
Mr. Paul Andrews, Legal Counsel

PUBLIC SAFETY GRANTS ADMINISTRATION OFFICE:

Mr. Thomas Mongeau, Administrative Manager
Mr. David LeDoux, Grant Manager

1. Welcome and Introductions—Major Michael P. Quinn, Chairman of the Criminal Justice Policy Board:

Major Quinn welcomed everyone and called the meeting to order. Introductions were made.

2. Approval of January 8, 2015 Policy Board Meeting Minutes:

Chief Sullivan moved:

**TO APPROVE THE JANUARY 8, 2015 POLICY BOARD MEETING
MINUTES AS PRESENTED.**

Mr. Weinberg seconded the motion.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE

3. Discussion/Approval of utilizing unobligated Byrne / JAG funds to supplement GTEAP funded law enforcement advocacy program – David LeDoux (David’s edits in red)

David LeDoux pointed out his one-page handout regarding the Emergency JAG Request and explained that the Office on Violence Against Women (OVW) had denied a recent request to extend the 2012 Grants to Encourage Arrest Policies Program (GTEAP) since we had already received an extension of twelve months to August 31, 2015.

Subsequent to that extension denial, the nearly \$55,000 expected balance on August 31 that could have carried the LEA projects through the fall had to be used for eligible expenditures to be incurred before September 1. The VAWA Advisory Committee approved using about \$46,000 to support the Court’s Domestic Violence sexual assault Monitoring Unit that ran out of GTEAP funds last year, and computer and database related upgrade expenses for the several LEA projects. Any remaining balance would have to be returned to OVW.

Since we cannot use any 2012 GTEAP funds past August 31st, the three Law Enforcement Advocates would have to be laid off as of September 1st. They would be able to be re-hired for October 1 if the state’s 2015 application were to be funded. However, they may seek alternative employment since OVW does not plan to announce the 2015 awards until late September for the new program that would only begin on October 1st leaving the month of September and the jobs of the three LEAs in jeopardy.

Mr. LeDoux explained that this situation occurred because OVW rejected our 2014 GTEAP application for being late which meant that there would be no continuation funding awarded in September 2014. Taking this into consideration, the STOP VAWA Advisory Committee decided not to fill three Law Enforcement Advocate positions that became vacant last summer for fear of running out of GTEAP funds before the potential 2015 award could be approved with new funds becoming available on October 1, 2015.

LeDoux said that the Steering Committee had been receptive to this emergency stopgap request at its July meeting and recommended the Policy Board to approve the use of \$12,000 in unallocated 2014 Byrne/JAG funds to support the three GTEAP LEAs at \$4,000 each, for the one month of September 2015 for a total of \$12,000.

There being no questions, the Chair called for a motion.

Robert O’Neill made a motion

TO USE OF \$12,000 IN UNALLOCATED 2014 BYRNE/JAG FUNDS TO SUPPORT THE THREE GTEAP LEAS AT \$4,000 EACH, FOR THE ONE MONTH OF SEPTEMBER 2015 FOR A TOTAL OF \$12,000.

Chief Brian Sullivan seconded the motion.

THERE BEING NO DISCUSSION, THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

3. Discussion of FY 2015 Victim's Assistance Grant allocation process – Mr. Mongeau

Tom Mongeau explained that there is a large increase in the amount of FY 2015 Victim's Assistance Grant (VOCA). The grant has increased from approximately \$1.9 million in 2014 to over \$6.8 million in 2015. It was explained that Congress goes through the annual appropriation process and decides how much to release from the federal Victim's Fund each year. The Victim's Fund is comprised of fines and penalties from defendants in federal court. It is not known at this time whether this amount is the new norm or a temporary increase.

Although the Policy Board reviewed and approved the State's VOCA allocation process in October, 2013, Mr. Mongeau felt it was prudent to determine if the process is sufficient for such a large increase in funding. The matter was presented to the Criminal Justice Steering Committee on July 16, 2015. The Steering Committee voted to recommend to the Policy Board that they approve a RFP to be published, requesting an outside contractor to do an assessment of victim's services statewide, to identify any underserved populations and help the state to develop a strategic policy for distribution of VOCA funds.

Chairman Quinn pointed out that the Policy Board had reviewed and approved the VOCA Advisory Committee membership and grant process last year. He mentioned that the Steering Committee normally acts as the Byrne/JAG Planning Committee and its recommendation for a VOCA needs assessment was only advisory.

Deb DeBare stated that she has contacts in Washington that suggest that this might be the new norm for VOCA allocations to the states. She stated that she fully supported the recommendation to have an assessment done and feels that this is a good opportunity to improve the state's victim services system and to get an accurate picture of victim's services statewide from an objective outside agency and to identify areas of need.

Jonathan Houston also expressed his support for the VOCA assessment and felt it has been needed for quite some time.

Carl Weinberg asked if we need to allocate all of the money at once or if we could do a partial release to guard against future reductions in VOCA allocations. Mr. Mongeau advised that a partial release is allowable and that the grant is three year grant program.

Gina Caruolo said that the term "needs assessment" can mean many things and that it will be important to define what the RFP will call for. She mentioned that the RFP could include

such activities as examine the current programs in operation to identify gaps in services; review subgrant procedures considering the dramatic increase in funds; identify new targeted areas; examine federal guidelines and VOCA parameters. Jennifer Olivelli concurred. She pointed out that the new federal Uniform Grant Guidelines' (UGG) published and enacted by the federal Office for Management and Budget will certainly affect how all grant funds are distributed.

Jennifer Olivelli concurred and stated that applicant agencies for all grant programs should be required to submit empirical evidence supporting the effectiveness of their respective programs. She emphasized that the RIPSGO and other direct award recipients are held responsible for assessing the risk of issuing subgrant awards to agencies and should thoroughly evaluate whether such agencies in fact meet the stringent requirements and that the huge increase in funding will cause there to be much greater scrutiny on the VOCA program.

Ms. Caruolo offered to assist in the preparation of the VOCA Needs Assessment RFP and Ms. Olivelli agreed to assist. Both Deb DeBare and Jonathon Houston also volunteered to assist with drafting the RFP.

After discussion ended, the Chair asked Mr. Mongeau to read the draft Steering Committee motion. Mr. Mongeau read the motion from the Steering Committee minutes stating, "The Steering Committee recommends to Policy Board that the RIPSGAO advertise an RFP to hire a consultant to perform a VOCA-related victim services' needs assessment and create a strategic plan to guide the process for distributing the newly increased VOCA funds". Subsequently,

Deb DeBare made the motion:

THE POLICY BOARD AUTHORIZES THE RIPSGAO TO DRAFT AND ADVERTISE AN RFP TO HIRE A CONSULTANT TO PERFORM A VOCA-RELATED VICTIM SERVICES' NEEDS ASSESSMENT AND CREATE A STRATEGIC PLAN TO GUIDE THE PROCESS FOR DISTRIBUTING THE NEWLY INCREASED VOCA FUNDS.

Jonathan Houston seconded the motion.

Discussion:

David LeDoux pointed out that the cost of the Needs Assessment will have to come out of the VOCA 5% allowable administrative funds and the expenditure should be taken into consideration. He suggested that the Policy Board may want to set a dollar amount ceiling for the Needs Assessment. Deb DeBare suggested that VOCA guidelines may allow for the use of Program (non-administrative) funds to support strategic planning. Subsequent discussion did not result in an amendment to the motion and the Chair called for a vote.

THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE.

4. New Business

Adjourn:

Mr. Houston moved:

TO ADJOURN THE MEETING.

Deputy Coyne seconded the motion.

**THE MOTION PASSED UNANIMOUSLY IN THE AFFIRMATIVE, AND
THE MEETING WAS ADJOURNED.**

Respectfully submitted,

Approved by:

Thomas Mongeau
Administrative Manager, Recorder

Michael P. Quinn, Chair
Criminal Justice Policy Board