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State of New Hampshire

DEPARTMENT OF SAFETY OFFICE OF THE COMMISSIONER

33 HAZEN DR. CONCORD, NH 03305
603/271-2791

JOHN J. BARTHELMES
COMMISSIONER

January 4, 2017

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 \$100,000.00 of federal pass-through funds from the NH Department of Justice, to purchase an additional gas chromatograph/mass spectrometer instrument. Effective upon Fiscal Committee and Governor and Council approval through June 30, 2017. Funding Source: 100% Agency Income.

Funds are to be budgeted in the following account:

02-23-23-234010-33450000 Dept. of Safety – Division of State Police – NHDOJ Grants

<u>Class</u>	<u>Description</u>	<u>Current Adjusted</u>		<u>Revised</u>
		<u>Authorized</u>	<u>Requested Action</u>	<u>Appropriation</u> SFY 2017
009-407085	Agency Income	\$ (161,493.21)	\$ (100,000.00)	\$ (261,493.21)
018-500106	Overtime	\$ 23,203.09	\$ -	\$ 23,203.09
037-500173	Technology - Hardware	\$ 1,000.00	\$ -	\$ 1,000.00
039-500188	Telecommunications	\$ 495.00	\$ -	\$ 495.00
030-500311	Equipment	\$ -	\$ 100,000.00	\$ 100,000.00
040-500800	Indirect Cost	\$ 3,780.07	\$ -	\$ 3,780.07
046-500460	Consultants	\$ 7,984.00	\$ -	\$ 7,984.00
050-500109	Personal Services - Temp	\$ 36,485.00	\$ -	\$ 36,485.00
059-500117	Temp Full Time	\$ 54,155.00	\$ -	\$ 54,155.00
060-500606	Benefits	\$ 31,171.05	\$ -	\$ 31,171.05
070-500705	In-State Travel	\$ 3,220.00	\$ -	\$ 3,220.00
	Total	\$ 161,493.21	\$ 100,000.00	\$ 261,493.21

Explanation

The New Hampshire State Police Forensic Laboratory is the sole provider of forensic services within the state. These funds would ensure drug cases are completed in a timely manner. Of extreme concern are the steady increase in heroin cases that has been noted over the last few years and the drastic increase in fentanyl cases since 2014. Quite simply, the laboratory is taking in many more cases per month than it can analyze per month. The controlled drug section of the State Police Forensic Laboratory is currently averaging approximately 750 case submissions per month for drug analysis, and approximately 550 case completions per month, resulting in a current backlog of more than 3,600 cases.

The Division of State Police will use this funding to purchase an additional gas chromatograph/mass spectrometer instrument with an auto carousel, considered the workhorse of the Laboratory. The acquisition would enable the Laboratory staff to process additional controlled drug samples around the clock, including weekends.

His Excellency, Governor Christopher T. Sununu
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The Department of Safety will provide to the Department of Justice quarterly reports, which will include the case submissions and case completions per month, the backlog at the month's end, and the percentage of drug types analyzed.

Funds are to be budgeted as follows:

Class 030 funds, Equipment, are needed to purchase the gas chromatograph/mass spectrometer instrument.

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,


John J. Barthelmes
Commissioner of Safety

**Department of Safety
NHDOJ Grants
Fiscal Situation**

Federal Funds Awarded:

Operation Granite Hammer - 10/7/15-6/30/2017	\$150,000.00
Sexual Assault Justice Initiative Grant - 7/1/16-6/30/2017	\$347,005.00
Lab Equipment MOU	\$100,000.00
Total Grant Funds Awarded	\$597,005.00

Less SFY 2016 expenses	<u>(\$116,891.89)</u>
Total	(\$116,891.89)

Net Grant Funds Remaining as of July 1, 2016 (SFY 2017)	\$480,113.11
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Less SFY 2017 Appropriation including prior year encumbrances 02-23-23-234010-33450000	(\$161,493.21)
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Excess grant funds available to appropriate	<u>\$318,619.90</u>
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This Request	\$100,000.00
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STATE OF NEW HAMPSHIRE

Interagency Memorandum of Understanding

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

WHEREAS, the Department of Safety ("DOS") is a duly constituted agency of the State of New Hampshire;

WHEREAS, pursuant to RSA 318-B:17-c, the DOJ maintains a revolving drug forfeiture funds, which is to be used to pay costs of drug related investigations:

WHEREAS, pursuant to RSA 21-P:7, I(e), the Division of State Police, DOS, is responsible for conducting the analysis of suspected controlled drugs seized in the courts of criminal investigations;

WHEREAS, the State of New Hampshire is in the midst of an opioid epidemic;

WHEREAS, the Controlled Drug Section of the State Police Forensic Laboratory ("Laboratory") is currently averaging approximately 750 case submissions per month for drug analysis, and approximately 550 case completions per month, resulting in a current backlog of more than 3600 cases.

WHEREAS, the backlog impedes criminal justice investigations and prosecutions;

WHEREAS, the DOS desires to purchase an additional gas chromatograph/mass spectrometer instrument ("GC/MS) with an autosampler carousel, considered the workhorse of the Laboratory. The acquisition would enable Laboratory staff to process additional controlled drug samples around the clock, including weekends.

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

Upon the approval of the Governor and Executive Council, the Department of Justice will grant the Department of Safety \$100,000.00 of drug forfeiture funds for the purchase of a gas chromatograph/mass spectrometer instrument with autosampler carousel;

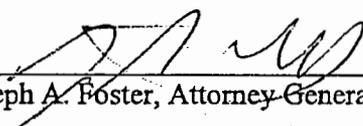
The Department of Safety will provide the Department of Justice proof of purchase.

For calendar year 2017 and 2018, the Department of Safety will provide to the Department of Justice quarterly reports relating to the Laboratory's Controlled Drug

Section on the following: the number of case submissions and case completions per month, the backlog at month's end, and the percentage of drug types analyzed.

All obligations hereunder are contingent upon the availability of funds. The Department of Justice shall not be required to transfer funds from any other account in the event that funds are reduced or unavailable.

For the Department of Justice:

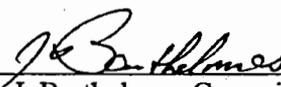


Joseph A. Foster, Attorney General

11/22/16

Date

For the Department of Safety:



John J. Barthelmes, Commissioner

11/21/16

Date

STATE OF NEW HAMPSHIRE
DEPARTMENT OF JUSTICE
GRANT AWARD

Agency Name: NH Department of Safety	Vendor No.: 177878-B001
Program Name Edward Byrne Memorial JAG Program	Amount: \$ 90,000.00

Grant Start Date: 10/07/2015	State Grant Number: 2016JAG500
Grant End Date: 06/30/2017	Federal Grant Number: 2012-DJ-BX-0400

Appropriation No.: 02-20-20-201510-4458-072-500576

Head of Agency	Project Director	Fiscal Officer
John Barthelemes Commissioner 33 Hazen Drive Concord, NH 03301 603-223-8813	Robert L. Quinn Colonel	Elizabeth Bielecki Director of Administration

Federal Grant Name: Edward Byrne Memorial Justice Assistance Grant Program
 Federal Agency: United States Department of Justice
 Bureau/Office: Office of Justice Programs
 CFDA Number: 16.738

Purpose of Grant: Drug Interdiction Activities

Financial Requirements: See signed Program Conditions and Guidelines.

Match Requirements: None.

Reporting Requirements: Monthly or quarterly Financial reports
 Quarterly performance reports and audit
 Adherence to State and Federal guidelines and conditions

Approval	Program Agency	NH Department of Justice
Name	John Barthelemes	Kathleen Carr
Title	Commissioner	Director of Administration
Date		

All terms of this grant award are not valid unless signed by both authorized parties.

STATE OF NEW HAMPSHIRE
DEPARTMENT OF JUSTICE
GRANT AWARD

Agency Name:	NH Department of Safety	Vendor No.:	177878-B001
Program Name:	Edward Byrne Memorial JAG Program	Amount:	\$ 60,000.00
Grant Start Date:	10/07/2015	State Grant Number:	2016JAG501
Grant End Date:	6/30/2017	Federal Grant Number:	2013-CD-BX-0024
Appropriation No.:	02-20-20-201510-4458-072-500576		

Head of Agency	Project Director	Fiscal Officer
John J. Barthelmes Commissioner Hazen Drive Concord, NH 03301	Tim Pifer Crime Lab Director 271-3573	Elizabeth Bielecki Director of Administration

Federal Grant Name: Edward J. Byrne Memorial Justice Assistance Grant
 Federal Agency: United States Department of Justice
 Bureau/Office: Office of Justice Programs
 CFDA Number: 16.738

Purpose of Grant: Targeted forensic lab services

Financial Requirements: Monthly or quarterly Financial reports
 Quarterly performance reports and audit
 Adherence to State and Federal guidelines and conditions

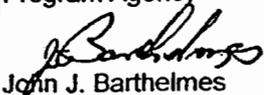
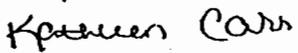
Match Requirements: None

Reporting Requirements: Monthly or quarterly Financial reports
 Annual performance report and audit
 Adherence to State and Federal guidelines and conditions

Approval	Program Agency	NH Department of Justice
Name	John J. Barthelmes	Kathleen Carr
Title	Commissioner	Director of Administration
Date		

All terms of this grant award are not valid unless signed by both authorized parties.

* \$90,000
 +60,000
 #150,000

STATE OF NEW HAMPSHIRE DEPARTMENT OF JUSTICE GRANT AWARD		
Agency Name: Dept. of Safety-State Police	Vendor No.: 177878-B001	
Program Name: Sexual Assault Investigative Services	Amount: \$ 347,005.00 *	
Grant Start Date: 07/01/2016	State Grant Number: 2016SAJI03	
Grant End Date: 06/30/2017	Federal Grant Number: 2016-SI-AX-K001	
Appropriation No.: 02-20-20-201510-5202-072-500574		
Head of Agency	Project Director	Fiscal Officer
John J. Barthelmes Safety Commissioner 33 Hazen Drive Concord, NH 03305 603-223-3856	Lieutenant Scott Gilbert Commander, Major Crimes Dept. of Safety 33 Hazen Drive Concord, NH 03305	Administrator III Department of Safety Division of State Police Office (603)223-8355 Fax (603)271-0336
Federal Grant Name:	Sexual Assault Justice Initiative	
Federal Agency:	United States Department of Justice	
Bureau/Office:	Office of Justice Programs	
CFDA Number:	16.017	
Purpose of Grant:	Sexual Assault Investigative Services	
Program Requirements:	Adherence to Program Conditions and Guidelines.	
Match Requirements:	Match must be spent on program allowable activities.	
Program income Requirements:	Program Income must be reported and spent on program allowable activities.	
Reporting Requirements:	Monthly or quarterly Financial reports. Required Performance reports and audit. Adherence to Program Conditions and Guidelines. Completion of Monitoring forms and processes.	
Approval	Program Agency	NH Department of Justice
Name	 John J. Barthelmes	 Kathleen B. Carr
Title	Safety Commissioner	Director of Administration
Date		8-3-16
All terms of this grant award are not valid unless signed by both authorized parties.		