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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

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CONCORD, NEW HAMPSHIRE 03301-6397

GORDON J. MACDONALD
ATTORNEY GENERAL



ANN M. RICE
DEPUTY ATTORNEY GENERAL

MAY11 '18 PM 1:56 DAS

May 11, 2018

His Excellency Governor, Christopher T. Sununu
and the Honorable Council
State House
Concord, NH 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

Authorize the Department of Justice to enter into a subgrant agreement with the New Hampshire Department of Safety Forensic Laboratory (Vendor #177878-B001) for a total not to exceed \$39,229 utilizing funds from the United States Department of Justice's National Institute of Justice Paul Coverdell National Forensic Science Improvement Act (Coverdell) Grant Program for the purpose of providing training for laboratory personnel and to maintain accreditation for both the testing and calibration laboratories upon approval of Governor and Executive Council through December 31, 2018. 100% Federal Funds.

Funding is available as follows:

02-20-20-201510-4467 (Job #20NFS17A)	<u>FY 2018</u>
Forensic Science Improvement Act	
072-500576 Grants Federal	\$39,229

EXPLANATION

This subgrant will allow the Department of Safety to fund continuous trainings for laboratory personnel and maintain accreditation for both the testing and calibration laboratories with the American Society of Crime Lab Directors (ASCLD/LAB) accrediting agency.

The New Hampshire State Police Forensic Laboratory is the sole provider of forensic laboratory services in New Hampshire. It delivers lab services free of charge to all law enforcement agencies conducting investigations anywhere within the State's borders. The Forensic Laboratory routinely receives and analyzes evidence from over two-hundred and sixty police departments, nine state law enforcement agencies, ten county sheriff's departments,

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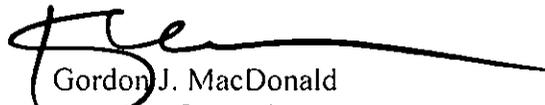
numerous city and town fire departments, and, on occasion, federal law enforcement agencies conducting criminal investigations in the State.

Technology continues to change rapidly and it is critical for laboratory staff to attend educational opportunities in their specialized fields. Lab personnel routinely testify as experts in criminal trials on such topics as fingerprint identification and analysis, DNA analysis, drug analysis, and firearms. Without up-to-date training and certification in areas of expertise, personnel would not be able to provide such critical testimony. ASCLD/LAB certification is vital for the production of accurate and timely test results, not only for prosecutorial evidence, but to verify causes of death.

In the event that federal funds become no longer available, General Funds will not be requested to support this program.

Please let me know if you have any questions concerning this request. Thank you for your consideration.

Respectfully Submitted,



Gordon J. MacDonald
Attorney General

#2022053

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into between the NH Department of Justice and the NH Department of Safety.

I. PURPOSE:

The purpose of this MOU is to assist the New Hampshire Department of Safety's Forensic Laboratory maintain its accreditation, provide funding for training of professional staff, and to decrease the backlog of forensic testing.

II. BACKGROUND:

The New Hampshire Department of Justice has been designated the State Administering Agency for the National Forensic Science Improvement Act Coverdell Grant Program for the State of New Hampshire. The 2017 Coverdell award budget contains funding that is set aside to provide training for laboratory personnel in order to maintain proficiency within the analysts' discipline, and to provide funding to maintain accreditation for both the Testing and Calibration laboratories with the ASCLD/LAB accrediting agency. Funding was provided by the US Department of Justice, National Institute of Justice (NIJ) beginning on January 1, 2018; the grant period is scheduled to end on December 31, 2018. The Coverdell formula program funds two initiatives, including providing an evidence technician to the Office of the Chief Medical Examiner, which is part of the NH Department of Justice.

III. AGREEMENT:

Parties to this MOU agree to the following:

NH Department of Safety will, either directly or through its agents/contractors:

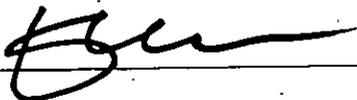
- Follow state and federal guidelines, rules and regulations regarding travel, per diem limitations and daily consultant cost limitations pursuant to application #2017NFS01.
- Maintain the quality system that exists in the laboratory by maintaining ASCLD/LAB certification through training, routine inspections of the laboratory documentation, and scheduled maintenance of all equipment.
- Provide either monthly or quarterly expenditure reports to reflect expenditures made against the subgrant award until the award is fully expended;
- Provide a narrative and data on a quarterly basis on the progress of the program, including training, backlog counts, a breakdown of all testing done, and all other aspects of the program while the subgrant is active;
- Adhere to the requirements of the expending of federal funds as outlined in 2 CFR §200 and the Federal Financial Guide.

- Must allow access to backup financial documentation, program protocols and other grant related programmatic and financial materials to the NH Department of Justice and/or the United States Department of Justice at reasonable times as may be requested.

NH Department of Justice will, either directly or through its agents/contractors:

- Enter into a subgrant not to exceed \$39,229 in federal funding from NIJ for the express purpose of providing training; maintaining certification and working to decrease the backlog of forensic testing. Future funding is not guaranteed nor to be expected.
- Provide technical support in managing programs that are funded by federal funds, including advising on allowable vs. disallowed expenses and guidance on quarterly reporting and other programmatic requirements.

WE, THE UNDERSIGNED have read and agree with this MOU.

By: 
Gordon MacDonald, Attorney General
NH Department of Justice

By: 
John Barthelmes, Commissioner
NH Department of Safety

Date: 4/17/18

Date: 4/9/18

EXHIBIT A

-SCOPE OF SERVICES-

1. The New Hampshire Department of Safety as subrecipient shall receive a grant from the NH Department of Justice (DOJ) for expenses incurred for the purpose of training, accreditation and eliminating backlog of forensic testing at the NH Forensic Laboratory in compliance with the terms, conditions, specifications, and scope of work as outlined in Application #2017NFS01.
2. The subrecipient shall be compensated by the DOJ based on budgeted expenditures described in #2017NFS01. The subrecipient shall submit incurred expenses for reimbursement on the state approved expenditure reporting form as provided. Expenditure reports shall be submitted on a quarterly basis, within fifteen days following the end of the current quarterly activities. Expenditure reports submitted later than thirty days following the end of the quarter will be considered late and out of compliance. *For example, with an award that begins on January 1, the first quarterly report is due on April 15th, or fifteen days after the close of the first quarter ending on March 31st.*
3. Subrecipients are required to maintain supporting documentation for all grant expenses, both federal and match (if applicable) and to produce those documents upon request by the DOJ or any other state or federal audit authority. Grant project supporting documentation should be maintained for at least five years after the close of the project.
4. All correspondence and submittals shall be directed to:
Johanna Houman
NH Department of Justice
33 Capitol Street
Concord, NH 03301
(603) 271-7820
Johanna.Houman@doj.nh.gov

EXHIBIT B

Contract Price

Contract period from Governor and Council approval until December 31, 2018.

1. The total amount of all payments made to the contractor for performance of the services performed during the period of the contract shall not exceed \$39,229.00.
2. Expenditure reports shall be submitted by the subrecipient to the Department of Justice in a form satisfactory to the Attorney General on a quarterly basis. The final invoice shall be due to the Attorney General no later than thirty days after the contract completion date.

EXHIBIT C

1. Subrecipients shall be compliant with the terms, conditions and specifications detailed in the following:
 - 2 CFR §200, the US Department of Justice Office of Justice Programs Management of Federal Grants regulations, rules and guidelines.
 - Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions.
 - Provisions as outlined in the Memorandum of Understanding.
 - Procurement and travel rules as set forth by the State of New Hampshire and the United States General Accounting Office's per diem limitations.