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**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF CORRECTIONS  
DIVISION OF ADMINISTRATION**

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Helen E. Hanks  
Commissioner  
Jonathan K. Hanson  
Director

January 12, 2022

The Honorable Karen Umberger, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

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

**REQUESTED ACTION**

Pursuant to RSA 14:30-a VI, the New Hampshire Department of Corrections (NHDOC) respectfully requests authorization to accept and expend \$539,490 of American Rescue Plan Act of 2021 (ARPA), State and Local Fiscal Recovery Funds (FRF), for the purpose of utilizing the National Guard to provide emergent staffing needs at the NH Department of Corrections. This is an allowable use of ARPA FRF funds under Section 602(c)(1)(A) to respond to the public health emergency or its negative economic impacts. Effective upon Fiscal Committee and Governor and Executive Council approval through June 30, 2023. 100% Federal Funds

Funds are to be budgeted in FY 2022 as follows:  
02-46-46-460510-26XX0000<sup>1</sup> as follows:

Account	Description	FY 2022 Current Authorized	Requested Action	FY 2022 Adjusted Authorized
040-501587	Indirect Costs	-	49,000	49,000
041-500801	Audit Fund Set Aside	-	490	490
085-588512	Inter-Agency Transfers out of Federal Funds	-	490,000	490,000
	Total Appropriations	-	539,490	539,490
000-400338	Federal Funds	-	539,490	539,490

<sup>1</sup> All direct program costs will be accounted for using activity 00FRF602PH4604A and all administrative and indirect costs will be accounted for using activity 00FRF602PH4604Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

## EXPLANATION

These funds are sought to provide emergent staffing needs at the NHDOC that have resulted from staff outages associated with COVID-19 infections, staff retirements driven by the operational challenges caused by infection control procedure adjustments for medical isolation and quarantine within prison facilities (congregate living conditions) and the need to continue to properly manage quarantine and medical isolation in prisons while providing safe and secure housing in order to ensure the proper delivery of healthcare and programmatic services to those incarcerated.

The NH Department of Corrections and its staff, as well as residents, have not been able to avoid the certain indirect health impacts of the pandemic expressly; the need to provide COVID-19 testing and vaccination programs by nursing staff with security oversight for safety, and increased behavioral health needs exacerbated by the pandemic, such as substance misuse and mental health treatment, due to the uncertainty of the transition from prison, effects on their families and what are the questionable community opportunities available for housing. These culminating factors have been well documented. In the already dangerous environment of prisons, COVID-19 has become the biggest threat to resident and staff safety. Faced with not only maintaining day-to-day operations but also warding off and treating the highly contagious virus, corrections officers across the country are finding that even those who don't contract COVID-19 are still victims to the stress and trauma of life during a pandemic.

Without the use of the National Guard to fill our current vacancies, the Department of Corrections will not be able to operationally maintain the post requirements necessary to meet the operational impacts of COVID-19 nor provide access to education, treatment and other prison-based resources as we will be forced to shut down posts that provide oversight in rehabilitative areas of the prison.

Funds are to be budgeted as follows:


Class 040 – Indirect Costs to recover, per by RSA 21-1:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 - Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 085 – Inter-Agency Transfers out of Federal Funds for National Guard

This is an allowable use of ARPA FRF funds under Section 602 (c)(1)(A) to respond to the public health emergency or its negative economic impacts. In accepting ARPA FRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

Respectfully Submitted,

 ASST Comm  
Helen E. Hanks  
Commissioner