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DEPARTMENT OF SAFETY
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May 10, 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 Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

1. Pursuant to RSA 14:30-a, VI, authorize the Department of Safety, Division of State Police, to accept and expend \$1,230,400 of American Rescue Plan Act of 2021 (ARPA), State and Local Fiscal Recovery Funds (FRF), for the purpose of modernizing DNA analysis in the Forensic Laboratory by adding equipment, personnel, and vendor resources to address demand for analysis of biological evidence. This is an allowable use of ARP 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 Council approval through June 30, 2023. Funding Source: **100% Federal Funds.**
2. Pursuant to RSA 124:15, and contingent upon the approval of requested action #1, authorize the Department of Safety, Division of State Police to establish one full-time temporary Criminalist II (LG 24) position to address demand for analysis of biological evidence. Effective upon Fiscal Committee and Governor and Council approval through June 30, 2023. Funding Source: **100% Federal Funds.**

Funds are to be budgeted in SFY2022 in the following account:

02-23-23-2340-24XX0000¹ – Department of Safety, Division of State Police – ARP Funds

<u>Class</u>	<u>Description</u>	<u>SFY 2022 Current Adjusted Authorized</u>	<u>Requested Action</u>	<u>SFY 2022 Revised Adjusted Authorized</u>
000-400338	Federal Funds	(\$0.00)	(\$1,230,400.00)	(\$1,230,400.00)
	TOTAL REVENUE	(\$0.00)	(\$1,230,400.00)	(\$1,230,400.00)
030-500331	Equipment	\$0.00	\$394,000.00	\$394,000.00
037-500173	Technology-Hardware	\$0.00	\$6,000.00	\$6,000.00
038-500177	Technology-Software	\$0.00	\$4,400.00	\$4,400.00

¹ All direct program costs will be accounted for using activity 00FRF602PH2304A, costs related to the Criminalist II position will be accounted for using activity 00FRF602PH2304B, and all administrative and indirect costs will be accounted for using activity 00FRF602PH2304Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

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040-501587	Indirect Costs	\$0.00	\$13,920.00	\$13,920.00
041-500801	Audit Fund Set Aside	\$0.00	\$1,175.00	\$1,175.00
059-500117	Salary Temporary Employees	\$0.00	\$53,487.00	\$53,487.00
060-500601	Benefits	\$0.00	\$26,055.00	\$26,055.00
103-500737	Contracts for Op Services	\$0.00	\$731,363.00	\$731,363.00
	TOTAL EXPENSES	\$0.00	\$1,230,400.00	\$1,230,400.00

EXPLANATION

The Forensic Biology unit is dedicated to providing the highest level of services possible to the citizens of New Hampshire. The number of incoming case requests and the testing and reporting time required for the resulting analyses have been exacerbated by the pandemic as staff were reassigned or quarantined while incoming cases rose. Funds will be used by the laboratory to offer a more complete analysis of sexual assault kits and other evidentiary materials using the most current technologies, resulting in a sustainable decrease in turnaround time. This project will enhance criminal justice efforts throughout the state, improving the safety and security of the state's citizens. This program in its entirety is anticipated to reduce the unit's turnaround time to a sustainable 90-120 days.

Funds will be used to purchase current, state-of-the-art testing equipment and implement new analysis methods within the Forensic Lab including increased automation utilizing robotics, which will allow for improved throughput and efficiency in DNA isolation, and adoption of new DNA processing kits which will enhance throughput while providing more comprehensive information about the samples being tested. Robotics will not only free up analysts' time so they can be performing other tasks, but also increase consistency in the DNA isolation process which does not exist with lengthy extractions currently being performed by hand. Together, these changes will enable the lab to test a larger variety of samples and enhance DNA services to include touch items often encountered during these violent crimes. These process changes all the Forensic Lab to offer the most comprehensive analysis of DNA evidence submitted in relation to criminal investigations, with the ultimate goal of providing a higher level of information to assist criminal investigations.

While the new workflows are validated for use and staff are trained, outsourcing the analysis of sexual assault kits will allow them to be fully tested while this internal transition takes place. Additional staff are needed to support this expansion and allow the unit to handle the more than doubling of casework that is expected once the improvements are in place. A full-time temporary Criminalist II is needed to provide services during this transition period.

This is an allowable use of ARP FRF funds under Section 602 (c)(1)(A) to respond to the public health emergency or its negative economic impacts.

Funds are to be budgeted as follows:

Class 030 – Equipment: To purchase (2) Maxwell RSC 48 Instruments, (2) QuantStudio 5 Instruments, (1) Genetic Analyzer and (4) PCR workstations.

Class 037 – Technology-Hardware: To purchase (1) Combined DNA Index System (CODIS) server and PC for the Forensic Biology unit.

Class 038 – Technology-Software: to purchase software including STRMix licenses.

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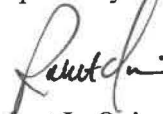
Class 040 – Indirect Costs: Represents the indirect cost associated amount for this request at 17.5%
Class 041 – Audit Fund Set-Aside: Represents the audit fund set-aside associated amount for this request
Class 059 – Salary Temporary Employee: Used to pay wages for (1) new full-time temporary Criminalist II (LG 24) position to meet demand for timely service.
Class 060 – Benefits: To pay associated benefits for new full-time temporary position.
Class 103 – Contracts for Operational Services: To cover validation services on new equipment and contract to process the laboratory's current sexual assault DNA analysis backlog and all sexual assault cases received in the laboratory during the transition period to the new workflow.

The following information is provided in accordance with the comptroller's instructional memorandum dated September 21, 1981.

- 1) *List of personnel involved* One (1) full-time temporary Criminalist II (LG 24). The proposed funding for this position ends December 31, 2024.
- 2) *Nature, Need, and Duration*: This positions is needed to assist in caseload processing as new technologies are implemented.
- 3) *Relationship to existing agency programs*: Employee will work within the existing Forensic Biology Unit.
- 4) *Has a similar program been requested of the legislature and denied?* No.
- 5) *Why wasn't funding included in the agency's budget request?* These funds were recently awarded and unanticipated at the time the budget was created.
- 6) *Can portions of the grant funds be utilized?* All grant funds can only be used for the eligible work described above.
- 7) *Estimate the funds required to continue this position*: Funds for these positions are estimated at \$180,000 for the duration of the grant through December 31, 2024.

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

Respectfully Submitted,



Robert L. Quinn
Commissioner of Safety