

EOPSS Secretariat Presentation
American Reinvestment and Recovery Act Funding
Presentation to the Joint Committee on Federal Stimulus
Oversight
February 16, 2010

Commonwealth of Massachusetts
Executive Office of Public Safety
& Security



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Overview of ARRA Public Safety Funding

- The federal government has provided significant resources through ARRA to address staff reductions in public safety, criminal justice, law enforcement, and fire services.
- Of \$96.7 million allocated to Massachusetts for public safety, law enforcement, and fire services, the federal government has allocated 46% directly to municipal or state law enforcement, meaning EOPSS is not involved in the allocation process
- The remaining funding has been allocated to the state to distribute either to state or local entities.
- For municipal police and fire, this funding has helped save or create 444 positions. For state police, this funding has saved 106 troopers.

Overview of ARRA Public Safety Funding

- The primary source of ARRA funding (a total of \$40.7 million) awarded to the state and localities is "BYRNE/JAG" funding -- an acronym for the Edward M. Byrne Memorial Justice Assistance Grant program.

The \$96.7 million in ARRA public safety funding awarded to the Commonwealth and to municipalities breaks down as follows, differentiated between funding administered directly by the federal government, and funding administered by the Office of Grants and Research, an agency under the Executive Office of Public Safety and Security.

Overview of ARRA Public Safety Funding

Administered and Monitored directly by the Federal Government

- \$15.7 million in BYRNE/JAG funding awarded directly to 147 municipal police departments by the Federal Government , based on a crime data and population formula. There is no state role in allocation or oversight.
- \$28.9 million to 13 municipal police departments in Community Oriented Policing Services grants (COPS) awarded directly by the federal government to retain police officers. Again, there is no state role in allocation or monitoring.

Overview of ARRA Public Safety Funding

Administered and Monitored directly by the Federal Government

- \$700K awarded by the federal government directly to the Massachusetts State Police to support the Internet Crimes Against Children task force.
- \$600K awarded by the federal government directly to the Massachusetts State Police for port security equipment.

Overview of ARRA Public Safety Funding

Administered and Monitored by the Office of Grants and Research

- \$25 million in BYRNE/JAG funding to the Commonwealth, to be administered and distributed by the Office of Grants and Research (OGR) under the Executive Office of Public Safety and Security.
- \$2.8 million in ARRA Violence Against Women Act funding allocated to the Commonwealth for distribution to prosecutors, community based organizations, law enforcement, and the courts, to be administered by the Office of Grants and Research.

Overview of ARRA Public Safety Funding

Administered and Monitored by the Office of Grants and Research

- \$20 million allocated by the Governor from the ARRA State Fiscal Stabilization Fund for distribution to municipal fire departments, to be administered by the Office of Grants and Research.
- \$3 million allocated by the Governor from the ARRA State Fiscal Stabilization Fund to the Massachusetts State Police, to be matched by non-ARRA Byrne funding to avert the layoffs of 106 troopers.

Overview of ARRA Public Safety Funding

- With little funding provided in ARRA for fire services, the Governor used his discretion with the State Fiscal Stabilization Fund to allocate money to address staffing reductions within fire departments. Governor Patrick has been recognized by firefighter unions as the only Governor to do this in the country.
- The next slide illustrates the difference between municipal fire and police funding:

Overview of ARRA Public Safety Funding

Municipal Fire- \$20 million

- \$20 million awarded to 85 fire departments.

Municipal Police- \$51 million

- \$15.7 million in BYRNE/JAG funding to 147 cities and towns- awarded directly by the Federal Government to municipal police departments
- \$28.9 million to 13 municipal police departments in COPS funding- awarded directly by the Federal government
- \$6.2 million in BYRNE/JAG funding set aside by the Governor to supplement the \$15.7 million awarded directly by the federal government- awarded to 35 communities.
- \$644K in ARRA Violence Against Women Act funding to municipal law enforcement- to be awarded by the Office of Grants and Research in March

Overview of ARRA Public Safety Funding

- For the committee's information, BYRNE/JAG funding has long been a critical source of law enforcement funding for states and municipalities- it was not newly created by ARRA, so there was already great familiarity and an infrastructure in place to distribute these dollars.

Overview of ARRA Public Safety Funding

- The strength of this program is the diverse and broad categories for which the funds may be used, including: state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, information systems for criminal justice, and criminal justice-related research and evaluation activities that will improve or enhance:
 - Law enforcement programs.
 - Prosecution and court programs.
 - Prevention and education programs.
 - Corrections and community corrections programs.
 - Drug treatment and enforcement programs.
 - Planning, evaluation, and technology improvement programs.
 - Crime victim and witness programs (other than compensation).

Overview of ARRA Public Safety Funding

- It is important to note that overall, one of the ARRA priorities is job retention and creation. Nationally, over \$2 billion was infused into this grant program via ARRA, and one of the priorities in law enforcement, criminal justice, and public safety entities is on jobs.

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- ARRA funding awarded directly by federal government to local or state law enforcement

ARRA funding awarded directly by federal government to local or state law enforcement

- \$15.7 million in BYRNE/JAG awarded to 147 cities and towns by the Department of Justice.
- Cities and towns funding amount determined via a crime data and population formula
- Municipalities still had to fill out an application to receive the funding, but this was not a competitive based distribution. Application deadline was initially in May of 2009, but extended to June 17. Release of funds occurred on a rolling basis.

ARRA funding awarded directly by federal government to local or state law enforcement

- \$28.9 million in COPS funding awarded by the Department of Justice to 13 municipal police departments, to retain or hire new officers. Funding is for 3 years, and was awarded on July 28, 2009. This funding enabled these communities to either retain or hire 131 municipal police officers.
- These funds were allocated directly to municipalities by the federal government, and the Office of Grants and Research has no role in the distribution or oversight of these funds.

ARRA funding awarded directly by federal government to local or state law enforcement

- In addition to these larger amounts, two small awards were made to the State Police
- \$774K awarded directly to the Massachusetts State Police to support Internet Crimes against Children task force. This funding supports state police investigators' overtime and two full-time positions, one in the Berkshire District Attorney's Office and one in the Northwest District Attorney's office. This funding is also being used to improve the computer forensic investigation equipment of the task force.
- \$672K awarded directly to the Massachusetts State Police for port security equipment. MSP will acquire two new 31-foot SAFE Boat patrol boats. The SAFE Boats' presence, speed and maneuverability provide a force multiplier to the Marine Unit and the security and safety of the Port of Boston.

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- ARRA funding awarded to the Commonwealth for further distribution

ARRA funding awarded to the Commonwealth for further distribution

- This part of the presentation will detail how the administration allocated ARRA funding under its control.
- \$25 million in BYRNE/JAG funding was awarded to the Commonwealth. Determination of this amount based on a crime and population formula. Of this amount, Commonwealth permitted to retain a maximum of 64% (\$16 million) for state needs. The remaining 36% (\$9 million) must be distributed to local entities.
- In the 4th quarter of FY 2009, the Commonwealth was confronting a \$400 million dollar shortfall. State retained \$15.7 million to help address this revenue shortfall and offset 9C cuts to state agencies.

ARRA funding awarded to the Commonwealth for further distribution

- Of the \$15.7 million retained, \$2.5 million (10% of the total award) kept for administration of these grants – used to increase the number of fiscal specialists and grant managers responsible for distributing and monitoring use of these awards in accordance with the strict federal and state reporting and monitoring requirements.
- Of the remaining \$13.2 million, \$12.6 million utilized to offset 9C cuts to the Department of Correction medical and mental health services.
- Over 400 jobs at UMASS Medical and 200 jobs at Mental Health Management services were retained.
- The remaining 600K was allocated to Criminal History Systems Board to offset a General Appropriations cut to the agency. This funding will allow CHSB to restore personnel to process CORI requests and avoid significant backlogs.

ARRA funding awarded to the Commonwealth for further distribution

- Of the \$9.3 million distributed to local entities, \$3.1 million was allocated to Executive Office of Labor and Workforce Development to distribute to 32 communities for after school youth employment. Year to date, this funding has provided after school employment for 975 young people.
- The remaining \$6.2 million was distributed to 35 municipal police departments to retain, rehire or hire 83 police officers.

ARRA funding awarded to the Commonwealth for further distribution

- Approximately \$20 million from ARRA State Fiscal Stabilization Fund awarded to 85 municipal fire departments to rehire, retain, or hire 230 firefighters.
- \$2.8 million in ARRA Violence Against Women Act Funding to be distributed to community based organizations, prosecutors, law enforcement, and the courts

ARRA funding awarded to the Commonwealth for further distribution

- In order to resolve a FY 2010 State Police budget deficit of approximately \$6 million below the House 1 revised recommendation and to avert the layoffs of approximately 106 troopers, the Patrick-Murray Administration allocated \$3 million in State Fiscal Stabilization funding to the State Police
- This funding, to be matched with \$3 million in federal non-ARRA grant funds, closed the FY 2010 deficit and helped retain the 106 troopers.

Progress Report- Municipal Fire Funding

- Nationally, ARRA set aside only about \$210 million for modifying, upgrading, or constructing non-federal fire stations. This funding supplements an existing grant program for which municipalities apply directly to FEMA. No significant funding was set aside by the federal government for municipal fire staffing and personnel needs.
- By contrast, ARRA allocated over \$3 billion nationally to municipal and state law enforcement and criminal justice needs, including personnel, via BYRNE/JAG and COPS.

Progress Report- Municipal Fire Funding

- The Patrick/Murray Administration acted to provide needed support for municipal fire departments suffering from critical staffing shortages as a result of budget reductions by using discretionary funds available in the State Fiscal Stabilization fund.
- Governor allocated \$20 million from the ARRA State Fiscal Stabilization Fund to assist municipal fire departments to address staffing deficiencies caused by layoffs and inability to backfill vacancies caused by attrition.
- As noted before this funding was awarded to 85 municipal fire departments to rehire, retain, or hire 230 firefighters.

Progress Report- Municipal Fire Funding

- First round of awards made in October 2009. Funding awarded to 10 communities to rehire all laid off firefighters in the Commonwealth, totaling 125.
- Second round of funding awarded at the end of November 2009 to 80 communities to retain or hire 105 firefighters. In total, 85 departments received awards (some departments qualified for both rounds).
- Office of Grants and Research made awards using a formula based on reductions in fire department budgets, current staffing level vs. pre-recession staffing, population and call volume.

Progress Report- Municipal Police

- \$6.2 million awarded at the end of November to 35 police departments to either retain or hire 83 police officers.
- In addition, a dozen civilian support positions were funded
- Awards were made based on a formula that weighted crime, population, reduction in officer per capita, reduction in budget and other staffing data.
- Previous awards made directly to the municipality by the federal government were also taken into account, but were not a disqualifier.

Progress Report- ARRA Violence Against Women Act

- Of the \$2.8 million in ARRA VAWA funding, awards must distributed via the following categories

Victim Services (30%)

Discretionary (15%)

Prosecution (25%)

Courts (05%)

Law Enforcement (25%)

Progress Report- ARRA Violence Against Women Act

- The Victim Services and Discretionary allocations were combined, and a total of \$1.15 million was awarded to the Department of Public Health via an ISA executed on October 2, 2009.
- As of January 1, 2010, DPH had amended 31 community-based victim service contracts (which were originally issued on July 1, 2009) to include the \$1.15 million in victim service/discretionary stimulus funds. All 31 contracts have been executed. It is anticipated that all of these funds will be expended by June 30, 2010.
- Each of the 31 agencies is expected to spend these funds to maintain staff to provide direct services to underserved victims of domestic violence and sexual assault.

Progress Report- ARRA Violence Against Women Act

- Prosecutors- EOPSS awarded each District Attorney's office \$64,400. These offices intend to use these funds to hire Assistant District Attorneys and/or victim witness advocates to specifically work on domestic violence, sexual assault, and stalking cases.

Progress Report- ARRA Violence Against Women Act

- Law Enforcement- Application for Grant Funding released on January 19, 2010, and scheduled to close on February 23. This funding is open to municipal police departments who are not current recipients of VAWA formula funds.
- Awards are anticipated to be announced on or about March 19. Funds can be used to re-hire or create sworn officer and/or civilian advocate positions or overtime in police departments—specifically to work on domestic violence, sexual assault, and stalking cases. \$644K to be awarded
- Courts- \$128K awarded via an ISA to the Administrative Office of the Trial Court to hire personnel to work in Probate and Family Court to screen for domestic violence in custody and visitation cases.

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- Military Infrastructure Funding

Military Infrastructure Funding

- The Massachusetts National Guard was awarded \$9.4 million in ARRA funds by the federal National Guard Bureau for 8 energy efficient projects to upgrade building systems and increase energy efficiency. Upgrades will include: new windows, insulated siding, re-pointing and sealing of building envelope, replacement of boilers, and upgrades to HVAC.
- The contracts have been executed, the contractors have been given notice to proceed, and all eight projects should be completed by early spring. Six of these projects will renovate facilities at Camp Edwards, one at Otis Air Force Base, and one National Guard facility in Dorchester.

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- Oversight structure and activities

Oversight Structure and Activities

- To ensure compliance with both grant specific (BYRNE/JAG, State Fiscal Stabilization Fund) and overall ARRA requirements mandated by the federal Office of Management and Budget, EOPSS' Office of Grants and Research has hired new grant management and fiscal specialist personnel. They oversee the 140+ contracts the Office has with sub-recipients.
- Office of Grants and Research also ensures that another 60+ contracts that have been awarded by ISA recipients (e.g. Department of Public Health, Labor and Workforce Development) are being monitored properly by those entities.

Oversight Structure and Activities

- The Office of Grants and Research ensures that all ARRA reporting and financial requirements are clearly identified to and understood by the sub-recipients via orientation sessions and individual follow-up with grant managers and fiscal specialists.
- OGR management has drafted a new Fraud, Waste and Abuse policy, and all staff have participated in several training modules on identifying, preventing, and responding to waste, fraud, and abuse.

Oversight Structure and Activities

Monitoring Controls

- Sub-recipient monitoring is performed each quarter as requests for reimbursement and back-up documentation are reviewed in detail by OGR grant managers. Detailed procedures are followed to ensure that all reimbursements are made only with appropriate back-up documentation provided by the sub-recipient and that the costs incurred are reasonable, consistent and allowable according to ARRA requirements and the contract executed with each sub-recipient.

Oversight Structure and Activities

Site Visits

- Site visits will be performed based on criteria established by OGR. The amount of award, the number of staff to be paid with ARRA funds, and the amount of overtime costs will be used as factors in determining which sub-recipients receive site visits.
- In addition, any concerns identified during the review of requests for quarterly reimbursement will also help determine which sub-recipients receive site visits.
- If a site visit reveals deficiencies, OGR will work with sub-recipients to develop a corrective action plan. Follow up monitoring either by desk review or re-visit will take place.

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- Conclusion

Conclusion

- In conclusion, the combination of ARRA funding awarded directly to municipalities and to the Commonwealth for distribution to state and local entities has created or retained hundreds of police and firefighter positions, helped retain hundreds of healthcare professionals working in the criminal justice system, has provided after school employment to almost a thousand youth, and will help retain or create positions in district attorneys offices, courts, and community based victim service providers.
- On behalf of public safety and criminal justice professionals, I would like to thank the Governor and Lt. Governor, the Congressional delegation, and the legislature, for their leadership in securing this funding and directing it to where it is most needed.
- I am happy to answer any questions the committee may have.